

**A REVIEW OF THE STATE DEPARTMENT'S
“COUNTRY REPORTS ON HUMAN RIGHTS
PRACTICES”**

HEARING
BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL TERRORISM, NONPROLIFERATION
AND HUMAN RIGHTS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION

APRIL 30, 2003

Serial No. 108-26

Printed for the use of the Committee on International Relations



Available via the World Wide Web: http://www.house.gov/international_relations

U.S. GOVERNMENT PRINTING OFFICE

86-775PDF

WASHINGTON : 2003

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON INTERNATIONAL RELATIONS

HENRY J. HYDE, Illinois, *Chairman*

JAMES A. LEACH, Iowa	TOM LANTOS, California
DOUG BEREUTER, Nebraska	HOWARD L. BERMAN, California
CHRISTOPHER H. SMITH, New Jersey,	GARY L. ACKERMAN, New York
<i>Vice Chairman</i>	ENI F.H. FALEOMAVAEGA, American
DAN BURTON, Indiana	Samoa
ELTON GALLEGLY, California	DONALD M. PAYNE, New Jersey
ILEANA ROS-LEHTINEN, Florida	ROBERT MENENDEZ, New Jersey
CASS BALLENGER, North Carolina	SHERROD BROWN, Ohio
DANA ROHRABACHER, California	BRAD SHERMAN, California
EDWARD R. ROYCE, California	ROBERT WEXLER, Florida
PETER T. KING, New York	ELIOT L. ENGEL, New York
STEVE CHABOT, Ohio	WILLIAM D. DELAHUNT, Massachusetts
AMO HOUGHTON, New York	GREGORY W. MEEKS, New York
JOHN M. McHUGH, New York	BARBARA LEE, California
THOMAS G. TANCREDO, Colorado	JOSEPH CROWLEY, New York
RON PAUL, Texas	JOSEPH M. HOEFFEL, Pennsylvania
NICK SMITH, Michigan	EARL BLUMENAUER, Oregon
JOSEPH R. PITTS, Pennsylvania	SHELLEY BERKLEY, Nevada
JEFF FLAKE, Arizona	GRACE F. NAPOLITANO, California
JO ANN DAVIS, Virginia	ADAM B. SCHIFF, California
MARK GREEN, Wisconsin	DIANE E. WATSON, California
JERRY WELLER, Illinois	ADAM SMITH, Washington
MIKE PENCE, Indiana	BETTY MCCOLLUM, Minnesota
THADDEUS G. McCOTTER, Michigan	CHRIS BELL, Texas
WILLIAM J. JANKLOW, South Dakota	
KATHERINE HARRIS, Florida	

THOMAS E. MOONEY, SR., *Staff Director/General Counsel*

ROBERT R. KING, *Democratic Staff Director*

SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS

ELTON GALLEGLY, California, *Chairman*

CHRISTOPHER H. SMITH, New Jersey	BRAD SHERMAN, California
DANA ROHRABACHER, California	ROBERT MENENDEZ, New Jersey
PETER T. KING, New York	JOSEPH CROWLEY, New York
JOSEPH R. PITTS, Pennsylvania	SHELLEY BERKLEY, Nevada
MARK GREEN, Wisconsin	GRACE NAPOLITANO, California
CASS BALLENGER, North Carolina	ADAM B. SCHIFF, California
THOMAS G. TANCREDO, Colorado	DIANE E. WATSON, California
NICK SMITH, Michigan	CHRIS BELL, Texas
MIKE PENCE, Indiana	

RICHARD MEREU, *Subcommittee Staff Director*

RENEE AUSTELL, *Subcommittee Professional Staff Member*

DONALD MACDONALD, *Democratic Professional Staff Member*

JOSEPH WINDREM, *Staff Associate*

CONTENTS

	Page
WITNESSES	
The Honorable Lorne W. Craner, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State	5
Alexandra Arriaga, Director of Government Relations, Amnesty International, USA	17
Jennifer L. Windsor, Executive Director, Freedom House	26
Rahman Aljebouri	31
Soon Ok Lee	33
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Elton Gallegly, a Representative in Congress from the State of California, and Chairman, Subcommittee on International Terrorism, Nonproliferation and Human Rights: Prepared statement	2
The Honorable Lorne W. Craner: Prepared statement	7
Alexandra Arriaga: Prepared statement	19
Jennifer L. Windsor: Prepared statement	28
Rahman Aljebouri: Prepared statement	31
Soon Ok Lee: Prepared statement	35
APPENDIX	
The Honorable Donald M. Payne, a Representative in Congress from the State of New Jersey: Prepared statement	39
The Honorable Joseph R. Pitts, a Representative in Congress from the State of Pennsylvania: Prepared statement	40
Questions for the Record Submitted to the Honorable Lorne W. Craner by Members of the Committee on International Relations' Subcommittee on International Terrorism, Nonproliferation and Human Rights, and Mr. Craner's Responses	42
Questions for the Record Submitted to the Honorable Lorne W. Craner by the Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey, and Vice Chairman, Committee on International Relations, and Mr. Craner's Responses	49
Questions for the Record Submitted to the Honorable Lorne W. Craner by the Honorable Joseph R. Pitts, and Mr. Craner's Responses	58
Questions for the Record Submitted to the Honorable Lorne W. Craner by the Honorable Donald M. Payne, and Mr. Craner's Responses	67
Questions for the Record Submitted to the Honorable Lorne W. Craner by the Honorable Diane E. Watson, a Representative in Congress from the State of California, and Mr. Craner's Responses	69
Questions for the Record Submitted to Jennifer L. Windsor by Members of the Committee on International Relations' Subcommittee on Inter- national Terrorism, Nonproliferation, and Human Rights, and Ms. Wind- sor's Responses	72
Question for the Record Submitted to Jennifer L. Windsor by the Honorable Joseph R. Pitts, and Ms. Windsor's Response	74
Questions for the Record Submitted to Alexandra Arriaga by Members of the Committee on International Relations' Subcommittee on International Terrorism, Nonproliferation, and Human Rights, and Ms. Arriaga's Re- sponses	75

IV

	Page
Question for the Record Submitted to Rahman Aljebouri by Members of the Committee on International Relations' Subcommittee on International Terrorism, Nonproliferation, and Human Rights, and Mr. Aljebouri's Response	79
Question for the Record Submitted to Rahman Aljebouri by the Honorable Joseph R. Pitts, and Mr. Aljebouri's Response	80
Questions for the Record Submitted to Soon Ok Lee by Members of the Committee on International Relations' Subcommittee on International Terrorism, Nonproliferation and Human Rights, and Mrs. Lee's Responses	80
Questions for the Record Submitted to Soon Ok Lee by the Honorable Joseph R. Pitts, and Mrs. Lee's Responses	80
Additional Material Submitted for the Hearing Record by Soon Ok Lee	81

A REVIEW OF THE STATE DEPARTMENT'S “COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES”

WEDNESDAY, APRIL 30, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL TERRORISM,
NONPROLIFERATION AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:03 p.m., in Room 2172, Rayburn House Office Building, Hon. Elton Gallegly [Chairman of the Subcommittee] presiding.

Mr. GALLEGLY. I call to order the Subcommittee on International Terrorism, Nonproliferation and Human Rights. Today the Subcommittee exercises its oversight responsibilities and its review of the State Department's *Country Reports on Human Rights Practices* for the year 2002.

As asserted by the State Department,

“The United States understands that the existence of human rights helps secure the peace, deter aggression, promote rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises.”

Both overseas and here at home, we have witnessed horrific acts by terrorists that come from societies where there is no respect for human dignity and life, no rule of law, and no political outlet for dissension. For this reason, promoting human rights and democratic values must remain a top priority for the United States as we continue our war against terrorism.

This Subcommittee will continue to highlight this nexus between terrorism and human rights violations. The *Country Reports on Human Rights Practices* is an indispensable tool which will assist us in this endeavor.

I would like to commend our first panelist, Assistant Secretary of the Bureau of Democracy, Human Rights and Labor, Lorne Craner, for his leadership and dedication. I would also like to thank the many men and women who serve in the State Department, both stateside and abroad, that assisted in the compilation of this report. The impact of the language of this report cannot be overstated. It is what we in Congress and the Administration turn to as the best single source of information on human rights situations around the world.

Once again, this year's report has been lauded by most observers for its accuracy and quality. While not without flaw, overall the re-

port is to be commended for its straightforward coverage of both allies and adversaries.

This year's report continued its detailed accounts of specific violations and improvements that occurred during the year. These individual accounts truly put a human face on otherwise unimaginable horrors. For example, in this year's Iraqi report, there is an account of an Iraqi child that fled to Yemen with scarring on his forearms and wrists. A health coordinator for the local refugee program reported that the child was injected with an agent that caused mental retardation in retaliation for his father's suspected opposition to the Saddam Hussein regime.

Whether it is one child, one dissident, or one political prisoner who is tortured, abused, or silenced, all are important, all are unique, and all deserve recognition and resolution. This is why we are particularly fortunate today to have panelists that can speak to both individual experiences and the broader international human rights situation.

Our first panelist we will hear from is Assistant Secretary Craner who will give us an overview of the report and will address how the report is utilized in the creation of U.S. foreign policy.

In this context, despite the report's extensive coverage of China's systemic human rights abuses, the Administration did not introduce a resolution condemning China at this year's U.N. Human Rights Conference in Geneva. I would appreciate hearing Mr. Craner's comments on this matter.

Our second panel consists of human rights watch groups as well as human rights victims. I have read through the witnesses' statements and look forward to the testimony today.

At this point, I would like to turn over the segment of this hearing to the Ranking Member, my good friend from California, Mr. Sherman, the Subcommittee's Ranking Member.

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS

I call to order the Subcommittee on International Terrorism, Nonproliferation and Human Rights. Today the Subcommittee exercises its oversight responsibilities in its review of the State Department's Country Reports on Human Rights Practices for 2002.

As asserted by the Department of State, "The United States understands that the existence of human rights helps secure the peace, deter aggression, promote rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises."

Both overseas and here at home, we have witnessed horrific acts by terrorists that come from societies where there is no respect for human dignity and life, no rule of law, and no political outlet for dissension. For this reason, promoting human rights and democratic values must remain a top priority for the United States as we continue our war against terrorism.

This Subcommittee will continue to highlight this nexus between terrorism and human rights violations. The Country Reports on Human Rights Practices is an indispensable tool which will assist us in this endeavor.

I would like to commend our first panelist, Assistant Secretary of the Bureau of Democracy, Human Rights and Labor, Lorne Craner, for his leadership and dedication. I would also like to thank the many men and women who serve in the State Department, both stateside and abroad, that assisted in the compilation of the Report. The impact of the language of this report cannot be overstated. It is what we in Congress and the Administration turn to as the best single source of information on the human rights situation around the world.

Once again, this year's Report has been lauded by most observers for its accuracy and quality. While not without flaw, overall the Report is to be commended for its straight-forward coverage of both allies and adversaries.

This year's Report continued its detailed accounts of specific violations and improvements that occurred during the year. These individual accounts truly put a human face on otherwise unimaginable horrors. For example, in this year's Iraq Report, there is an account of an Iraqi child that fled to Yemen with scarring on his forearms and wrists. A Health Coordinator for the local refugee program reported that the child was injected with an agent that caused mental retardation in retaliation for the father's suspected opposition to Saddam Hussein's regime.

Whether it is one child, one dissident, or one political prisoner who is tortured, abused, or silenced, all are important, all are unique, and all deserve recognition and resolution. This is why we are particularly fortunate today to have panelists that can speak to both individual experiences and the broader international human rights situation.

On our first panel, we will hear from Assistant Secretary Craner who will give us an overview of the Report and will address how the Report is utilized in the creation of US foreign policy. In this context, despite the Report's extensive coverage of China's systematic human rights abuses, the Administration did not introduce a resolution condemning China at this year's U.N. Human Rights Conference in Geneva. I would appreciate hearing Mr. Craner's comments on this matter.

Our second panel consists of human rights watch groups, as well as human rights victims. I have read through all of the witnesses' statements and look forward to their testimony.

I will now turn to Mr. Sherman, the Ranking Member on this Subcommittee, for any remarks he may wish to make.

Mr. SHERMAN. Thank you, Mr. Chairman. I would like to summarize my opening statement and put the entire statement in the record. I want to thank you for holding these hearings. I know that they have been delayed because the submission of the report was delayed. It was due on the 25th of February; we got it on the 31st of March. I know the State Department often is a bit tardy in producing reports, and I look forward to improved timeliness and efficiency in the future.

I want to thank Assistant Secretary Craner for his work. I know that it is a difficult position, and I know that the quality of these reports has improved first under Harold Koh and now under you, and that is moving in the right direction.

I also want to thank those who will be participating in the second panel, two premier human rights organizations, Amnesty International and Freedom House. And I know that it is important that we hear from the victims of two of the world's most brutal regimes, that of Saddam Hussein and that of Kim Jong-il.

This report is important. It causes State Department officials all over the country to focus on human rights. I sometimes get a strange look when I tell people the name of this Subcommittee, because they see a connection between terrorism and nonproliferation; and then they say, well, and human rights? You know, do you deal with transportation as well? But there is a link, and that is the countries that support terrorism, those that are threats on the proliferation issue, are among the very worst when it comes to human rights. And so if you are going to talk about North Korea, if you are going to talk about Cuba, Syria, Sudan, this is a good forum in which to do so.

Advocating human rights can conflict with the Nation's economic situation. Many of our close friends and allies in Western Europe have adopted a more forgiving approach toward the governments of Iran, Syria, Iraq, and Sudan. Quite frankly, our Western allies seem put the almighty Euro above concerns for human rights and

for dealing with terrorism. We have got to especially point out to our Western allies that their constructive engagement with Iran, where the human rights situation has not improved, may be in their economic interest but it is not a reasonable approach to dealing with that government.

This year's meetings of the United Nations Human Rights Commission has been disappointing on a number of fronts. Several of the resolutions that should have been brought up were not brought up or they failed. The intransigence of several of the states on that Commission is explained by the fact that some of them are the worst human rights violators, and hence we did not get resolutions on China, Zimbabwe, or Sudan. Our European friends scuttled the need to have a serious discussion of Iran, and I have commented on that already.

I would point out, as long as I am mentioning the United Nations, that it is one thing to ask Congress to pay our past dues. That is arguably a debt voluntarily incurred by the United States. But it is another thing for the Administration to let the clock keep ticking at a 22 percent rate, and it is time for the Administration to simply declare that any amount over a particular identified reasonable percentage is not a debt of the United States on a going-forward basis and will not be paid by this Administration or any subsequent Administration, and does not deserve to be called paying our debts to the United Nations. It is absolutely absurd that we pay so much when China pays so little.

I do want to briefly comment upon some of the human rights concerns: The routine torture in Iran, its mistreatment of Christians, Jews, Zoroastrians, some Muslims, and their very extreme treatment of those who practice the Bahai faith. That shows that that is a government that is not only a violator of human rights but coincidentally, or perhaps predictably, is also a grave concern when it comes to proliferation and terrorism.

It is important that we support the struggle of the Iranian people for a moderate regime, and I hope the State Department will abandon the dream of opening up relations to the so-called moderates in the current government. Those in the current government are the source of the problem, not the source of the solution.

China's treatment of Tibetan people is something that I hope, Mr. Secretary, you will cover in your presentation. We must remember that we purchased Chinese goods to the tune of \$125 billion just last year, and that is something we need to keep in mind as consumers and in government.

Finally, I want to note that the long-running conflict between the Sinhalese-dominant government of Sri Lanka and the Liberation Tigers of Tamil Eelam has wound down, at least for now. There has been a cease-fire agreement that has generally been honored by both sides since February 2002. The Norwegian-mediated peace process has been difficult, complicated by the fact that the country's Sinhalese President and Prime Minister, both representing the majority Sinhalese population, are often rivals with each other, slowing down the process. Both sides have made major concessions. The Tamils have agreed for the first time to talk in terms of autonomy rather than outright independence. Peace is still far off. It is obtainable. I hope the United States plays an important role in this

process, because a solution in that civil war is critical to the human rights of all those on that troubled island.

And I want to thank the Chairman again for putting together the two distinguished panels, and yield back the time that I have already taken too much of.

Mr. GALLEGLY. I thank the gentleman from California.

As I said, I would like to welcome Assistant Secretary Lorne Craner. Mr. Craner was sworn in as Assistant Secretary of State for Democracy, Human Rights, and Labor June 4th, 2001. Mr. Craner coordinates U.S. foreign policy and programs that support the promotion and protection of human rights and democracy worldwide. Prior to his appointment, he served as President of the International Republican Institute which conducts programs outside the United States to promote democracy, free markets, and the rule of law. He served as President of IRI from 1995 until assuming his current appointment. Mr. Craner received his master's degree in national security studies from Georgetown University and a bachelor of arts degree from Reed College.

I reluctantly remind all our witnesses that opening statements today will be limited to 5 minutes. I have to make that request for a couple reasons. Number one, we have a commitment to vacate this room by 3:30. The problem has been exacerbated by the fact that I was just informed that we are going to have a series of votes between 2:30 and 3:00, and I just appeal to you to understand the circumstances we are dealing with today.

Mr. Secretary, welcome.

**STATEMENT OF LORNE W. CRANER, ASSISTANT SECRETARY,
BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S.
DEPARTMENT OF STATE**

Mr. CRANER. Thank you very much, Mr. Chairman. In the interest of time, I would like to ask that my written statement be submitted for the record.

Mr. GALLEGLY. Without objection.

Mr. CRANER. And I am just going to summarize my spoken.

First of all, I am very pleased to be here to present the 27th annual *Country Reports on Human Rights Practices*. I do want to thank, as you did, the members of my staff and all the Foreign Service officers and others who have worked to keep up the quality of these reports this year, as in the past.

As you have noted, we have seen important progress over the past year in a number of countries. In Afghanistan, women and minorities are again being allowed into government and into schools. East Timor has continued to develop. Turkey passed extensive human rights reform packages. In Bosnia and Herzegovina we have seen important elections, the first general elections since the Dayton Peace Accords.

Less noticed but I think extremely important, especially in terms of what Mr. Sherman was talking about, was the first open municipal council elections held in Bahrain. In October women joined men in exercising their right to vote to elect a national Parliament. Morocco saw its first open elections in September. And in Qatar, just yesterday, a new Constitution establishing a partially elected Parliament was passed by referendum. In Africa, we saw important

elections in Kenya in December that signaled hope for the continent.

The reports also note the great human rights violations that continue to occur around the world. And as one of you noted, Saddam Hussein was one of the great practitioners of human rights violations. We are discovering every day just how depraved his regime was. But thankfully now, the Iraqi people for the first time in decades have a chance to reclaim their fundamental freedoms.

Elsewhere in 2002, North Korea's systematic and egregious violations of human rights continued, including torture, summary executions, and prison labor under incredibly inhumane conditions.

I think we have all been familiar in the past couple of weeks with events in Cuba. The hopes that some of us had in 2002 have been demolished by the Castro regime's significant act of political repression, the most significant in decades.

China, as you noted, continued to commit serious human rights abuses in violation of all the international human rights instruments they had signed. A spate of arrests of political dissidents, the execution of a Tibetan without due process in early 2003 coupled with the continued detentions of Rebiya Kadeer, Wang Youcai, Qin Yongmin, and others symbolize China's continued human rights violations.

In Burma, my Bureau in 2002 documented accounts of rapes of ethnic minority women by the Burmese military. Those acts are just a symbol of the lack of progress that has been seen toward restoration of fundamental political and civil rights.

As you noted, Mr. Sherman, Iran's human rights situation worsened with attacks on media and more liberal political figures becoming increasingly common.

Sudan remained a serious abuser of human rights with slavery, child labor, arbitrary arrests, and detention. Zimbabwe used a systematic campaign of violence and intimidation, and even withheld food from its opponents.

For most of 2002, Kazakhstan's poor human rights record worsened. While there were some incremental positive steps in Uzbekistan in the first half of 2002, there were also setbacks that were a cause of concern.

I am just sampling some of what is in the report. As you noted, however, it is a guide to us to increasing our efforts on behalf of human rights.

In Kyrgyzstan and Turkmenistan, for example, over the past year and a half we have doubled, and in Uzbekistan and Tajikistan quadrupled our resources to advance human rights. We have also made our programs in the region sharper and more aggressive.

Past human rights reports have noted a democracy gap in the Middle East. The U.S./Middle East Partnership Initiative, the MEPI, is one important effort to overcome that gap. Our 2002 report details China's serious human rights abuses, but for some years we have also noted increased pressure inside of China for political reform. This year, the Bush Administration is for the first time ever not only supporting dissidents outside of China, we are supporting Chinese inside China who are trying to advance structural reform. We are not going to see changes overnight but these processes offer perhaps the best hope for a democratic China.

On a global scale, one of our highest priorities is to reshape the incentives for democratization. The President's Millennium Challenge Account, the MCA, does just that by creating a new, innovative, and accountable framework for foreign aid that requires real progress and accountability on human rights in democracy.

Mr. Chairman, as in the past, the reports will serve as an important compass for us at the State Department and I know for you in Congress. But because of the vision of the U.S. Congress in requesting this report 27 years ago, the reports have become one of the most well-respected and often-used tools around the world to gain a clearer understanding of the status of human rights.

I would be pleased to answer your questions.

[The prepared statement of Mr. Craner follows:]

PREPARED STATEMENT OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

INTRODUCTION

Mr. Chairman, members of the committee, thank you for the opportunity to testify before you today regarding the State Department's 27th Annual Country Reports on Human Rights Practices. In our estimation, the reports reflect America's diligence in the struggle to expand freedom abroad. Together with past reports, and reports to come, this compendium provides a clear picture of the state of human rights around the globe that depicts work in progress and, very significantly, points the way to future tasks. It is a statement of our fundamental belief that human rights are universal—that they are indigenous to every corner of the world, in every culture and in every religious tradition.

Before I discuss the contents of the reports, I would like to acknowledge those who worked so hard to produce them. These reports include descriptions of the human rights practices in almost 200 different countries. The volume is a substantial work—millions of words in all—that requires an enormous amount of research, information gathering, and editing by diplomats here and overseas. Special thanks are due to Cynthia Bunton, who heads the Office of Country Reports. Her staff, like others in the Bureau of Democracy, Human Rights and Labor, is a dedicated and talented group of people committed to presenting the facts as accurately and objectively as possible.

THE PROCESS OF CREATING THE REPORTS

The process of compiling the reports also requires our Foreign Service Officers and other staff abroad to go to great lengths, often under trying and dangerous circumstances. Our embassy officers, who prepared the initial drafts, gathered information throughout the year from a variety of sources across the political spectrum, including government officials, jurists, armed forces sources, journalists, human rights monitors, academics, and labor activists.

The draft texts were then sent to Washington for careful review by DRL, in cooperation with other State Department offices. As we worked to corroborate, analyze and edit the reports, our officers drew on their own sources of information. These included reports provided by U.S. and other human rights groups, foreign government officials, representatives from the United Nations and other international and regional organizations and institutions, experts from academia, and the media. Our officers also consulted with experts on worker rights issues, refugee issues, military and police topics, women's issues and legal matters. Throughout this process, our guiding principle was to ensure that all relevant information was assessed as objectively, thoroughly and fairly as possible.

THE PURPOSE OF THE REPORTS

Spreading democratic values and respect for human rights around the world is one of the primary ways we have to advance the national security interests of the United States. The defense of liberty is both an expression of our ideals and a source of strength that we have drawn on throughout our history. Democratic values have also been at the heart of America's most enduring and effective alliances, partnerships which continue to help us meet the challenges of tyranny and deprivation.

For that reason, these reports reflect our solidarity with those brave souls who dare to dream of freedom not only in democratic societies, but also in repressive ones in which they live. They are setting the course of history and we must help them.

I introduce this point to underscore not only the utility of the reports but their necessity. This volume is one of the most significant tools available to the U.S. Government to help determine foreign policy strategies that promote the development of democratic systems and principles, and remedy abuse and disregard for human rights. They also serve as a basis for our government's cooperation with private groups to promote the observance of internationally recognized human rights.

The reports cover individual, civil, political, religious and worker rights, as set forth in the Universal Declaration of Human Rights. By promoting these human rights, we seek to incorporate respect for human dignity into the processes of government and law everywhere. Furthermore, the promotion of human rights and human freedoms is an essential tool in the war on terror. As Secretary Powell said last year, freedom and rule of law fight terror, instability and conflict.

THE YEAR IN REVIEW

We saw important progress in many countries in 2002 that can serve as the foundation of greater respect for human rights. In Afghanistan, human rights improvements included women and ethnic minorities serving in the government and an estimated one million girls back in school. Democratic politics continued to develop in Timor Leste and Taiwan's strides were also notable. Turkey passed extensive human rights reform packages, and the first general elections conducted by local authorities since the Dayton Peace Accords were held in Bosnia and Herzegovina.

In the Middle East, several positive steps were taken. In May, the first open municipal council elections were held in Bahrain, and in October women joined men in exercising their right to vote to elect a national parliament for the first time in nearly 30 years. Morocco saw its first open elections in September, and in Qatar, a new constitution establishing a partially elected parliament was drafted; in fact a referendum ballot to adopt it was just held yesterday.

In Africa, Kenya's free election and peaceful transfer of power in December signaled hope for the consolidation of democratic politics there. In our own hemisphere, the Organization of American States, which adopted an Inter-American Democratic Charter in 2001, put its collective commitment into action last year with vigorous efforts to resolve the political crisis in Venezuela.

But the 2002 reports also provide a comprehensive view of the work that remains to be done. Not surprisingly, many human rights abuses occurred in nations that have non-democratic forms of government. While some structural reforms in the areas of rule of law and democracy continued in China, and pressure to expand direct elections from villages to townships grew, the Chinese also continued to commit serious human rights abuses in violation of their obligations under international human rights instruments they have signed. At year's end, a spate of arrests of political dissidents, the execution of a Tibetan without due process, the continued detentions of Rebiya Kadeer, Wang Youcai, Qin Yongmin and others, and restrictions on religious freedom and repression of some ethnic minorities were particularly troubling and remain so. I also note with deep concern that April 25 marked the 14th birthday of the Panchen Lhama, Gendun Choekyi Nyima, and the eighth year the Chinese government has refused access to this young boy.

Sudan remained a serious abuser of human rights, including tragic violations such as slavery, child labor, arbitrary arrests and detentions, and attacks on civilians continued. Notwithstanding the failure of the UN Commission on Human Rights to pass a Sudan resolution this month, the Government of Sudan must make greater and more transparent improvements in the human rights conditions of its people. Zimbabwe's government used a systematic campaign of violence and intimidation against its opponents, real and perceived. This campaign has also featured politicized distribution of food aid in an environment where half the population has been at risk of malnutrition and hunger. In Côte d'Ivoire, a coup attempt and ensuing civil unrest sparked human rights violations by government and rebel forces. In the Democratic Republic of the Congo, major abuses continued.

In the first six months of last year, the Government of Kazakhstan's poor human rights record worsened, including selective prosecution of opposition leaders and a pattern of media harassment suggesting an attempt to silence media critics. While there were positive steps in the first half of 2002, such as registration of the first human rights NGO and abolition of prior censorship of the media in Uzbekistan, there were also setbacks that are a cause of concern, including at least four deaths in detention due to torture.

Momentum behind the Varela Project and the Assembly to Promote Civil Society in Cuba in 2002 gave us hope that Castro's grip on power and oppression was eroding. But we are now witnessing the Cuban government's most significant act of political repression in decades, with arrests, convictions and sentences being handed down in secret trials. Secretary Powell said three weeks ago that these citizens' "only crime was seeking basic human rights and freedoms," and we remain vigilant and unrelenting in our pursuit of remedies. Also in Latin America, Colombia showed signs of progress, with generally transparent elections and a declaration by paramilitary forces that they would negotiate peace in 2003. But problems remain serious, particularly extrajudicial killings by illegal armed groups, an inefficient judiciary and impunity.

Systematic and egregious violations of human rights in North Korea occurred, including torture, summary executions and the use of prison labor under incredibly inhumane conditions. In Cambodia, incidents of politically motivated killings began to increase as the country prepares for 2003 elections amidst a culture of impunity and with serious shortcomings in the government's investigations.

In Burma, the State Department documented accounts of rape of ethnic minority women by the Burmese military that were similar to NGO reports on the issue suggesting that rape continued to be a widespread practice. The conscription of child soldiers in Burma also remained a serious problem. Overall the human rights conditions in Burma remain bleak, as the Burmese people continue to see little to no progress toward the restoration of their most fundamental civil and political rights.

Though this is a mere sampling of the 2002 reports' findings, my testimony would be incomplete without mention of Iraq. Iraq's Republican Guard and other members of the security apparatus committed widespread and systematic human rights abuses including killings, torture, disappearances, rapes and imprisonment of Iraqi political opposition and ethnic and religious minorities. Today, the world bears witness to the depth and horror of Saddam Hussein's regime as more evidence of his brutality is uncovered during the efforts to reconstruct the country. The Iraqi people are now, for the first time in decades, reclaiming their fundamental freedoms as a direct result of the removal of Saddam and the Baathist regime from power.

EFFORTS TO IMPROVE HUMAN RIGHTS PROBLEMS DESCRIBED IN THE REPORTS

The reports serve a valuable role in focusing public attention on human rights violations throughout the world, but they are also a call to action to those of us at the State Department and other agencies to direct our efforts of democracy promotion and human rights protection toward those nations whose records on these issues need improvement. We have several programs and mechanisms that can be used to encourage better progress.

To remedy the abuses chronicled in past editions of the country reports, in the Kyrgyz Republic and Turkmenistan for example, we have doubled our resources to advance human rights and democracy. In Uzbekistan and Tajikistan, our resources to advance human rights and democracy have nearly quadrupled since September 11. At the same time, we have sharpened our human rights and democracy programs in the region as a whole.

For decades the Middle East has been considered the "democratic exception." This year's reports indicate that the democracy gap between many countries in the Middle East and the rest of the world remains large.

The U.S.-Middle East Partnership Initiative is one program that we believe will help overcome that gap. Launched by Secretary Powell in December, MEPI has the aim of comprehensive reform and a prosperous future for the region. The initiative acknowledges the economic, political and educational challenges facing the Arab world and reflects the U.S. Government's resolve to address them. MEPI reinforces programs begun before September 11, 2001—programs that are aiding democratic experiments under way in countries such as Morocco, Bahrain and Qatar. MEPI will extend them into countries where democracy has not yet taken root.

The region's democratic experiments, along with the experience of millions of Muslims living in established democracies, offer hope that achieving democracy in this region, while not an overnight process, is a realistic goal. Indeed, MEPI is not the only area of new dedicated funding for democracy; we are developing concerted efforts to help democracy evolve in non-Arab parts of the Muslim world too.

I noted earlier that our 2002 report details China's serious human rights abuses, from systematic abuses of political and religious freedom to the denial of fundamental worker rights to the jailing of dissidents. But the reports also notice increased pressure inside of China for political reform. This year, the Bush Administration is not only supporting dissidents outside China, we are supporting those Chinese inside the country who are trying to advance structural reforms. Again, we

will not see change overnight, but over the long term, these processes offer, perhaps, the best hope for a democratic China.

On a global scale, one of our highest priorities is to reshape the incentives for democratization. The President's Millennium Challenge Account does just that by creating a new, innovative and accountable framework for how foreign assistance is delivered.

The MCA in fact increases the importance of sound reporting on human rights and democracy and is yet another example of the practical integration of human rights monitoring and foreign policy implementation. Establishing standards of democratic governance, economic freedom and development objectives for health and education, the MCA will provide another vehicle for reducing the gap between human rights ideals and actual practices. The 2002 country reports are helping us identify those gaps and address the challenges.

Encouraging democracy and human rights is not an exclusive purview of the United States, as seen in important international developments. Last November, government representatives of more than 100 nations met at the Community of Democracies conference in Seoul and affirmed democracy as the best weapon to fight terrorism, saying, "Democracy provides a solid foundation for peaceful, thriving societies by empowering people, holding governments more accountable and responsive to the people's needs, and facilitating sustainable economic development."

The proclamation credited democracy with, above all, enhancing respect for protection of all human rights and fundamental freedoms. One of our goals is to see more nations join that community through our diplomatic efforts and by aiding democratic endeavors through programs like the MCA and MEPI.

HUMAN RIGHTS AND DEMOCRACY STRATEGY REPORT

This year, for the first time, DRL will compile a Human Rights and Democracy Strategy Report describing our efforts to improve human rights and strengthen democracy in the 94 countries identified in the country reports as being the worst human rights violators. This report will provide you as Members of Congress with a snapshot of our efforts in the most problematic countries.

The strategy report should be released by June 1. Divided by region, it will report on U.S. programs to promote human rights, democracy, press freedom, religious freedom, and worker rights and our efforts to combat human trafficking. Though the report will be much smaller in size than the report on human rights practices, it will be of a similar caliber, intensity and utility.

DRL's Human Rights and Democracy Fund is used to support innovative, cutting-edge projects that address the foreign policy interests in countries of strategic importance to the United States. We put emphasis on pilot projects or "seed funds" that will have an immediate impact with the potential for continued funding beyond HRDF resources. The Fund is set up to act rapidly on political openings and niches where we believe progress can be made in strengthening democracy and building civil society and, in some instances, where other funding agents are not prepared to work.

While DRL supports human rights and democracy initiatives worldwide, in fiscal years 2002 and 2003, my bureau is focusing a large part of our HRDF programming efforts on countries with significant Muslim populations, particularly those in the Middle East and in Central Asia, and on China. We have a vision for the Muslim world in which respect for the sanctity of the individual, the rule of law and the politics of participation grow stronger day by day. In the Middle East and North Africa, we have used the HRDF to support various initiatives that promote democratic reform intended to result in greater political stability, pluralism and respect for fundamental freedoms.

In Central Asia as I've mentioned before, we are committed to promoting human rights. One key goal is to encourage government accountability through the development of representative political parties and human rights non-governmental organizations and the support of independent media. In China, we are using HRDF to substantially assist structural changes with projects that seek to make the judiciary more independent, promote rights awareness, conduct direct elections at the village level, support judicial, administrative and regulatory reform, and promote citizen participation in local government and civil society.

The following is just a sample of projects that DRL is supporting:

- Journalism training in the Middle East as a means to defuse conflict and provide unbiased reporting
- Independent media in the Kyrgyz Republic by establishing a printing press

- The ability of human rights defenders in Uzbekistan to monitor and report on human rights abuses by providing training, resources and, most importantly, a safe place to meet
- Programs in China to secure protection of human rights under the law, including the rights of women, workers and criminal defendants
- Democratic reform in Indonesia by providing leaders of Islamic boarding schools, known as pesantren, with training in democracy, civic education, participatory education, human rights and school administration, and funding for small projects to increase community participation in the management of the pesantren
- The strengthening of democratic processes and institutions in Venezuela
- The expansion of access to independent radio in Angola to 85 percent of the population by funding the installation of repeaters and radio stations
- The strengthening of the organizational capacity of trade unions and increased awareness among trade union members of the functions and uses of trade unions in the Middle East
- Political party reform and party-strengthening programs in Latin America to address the political parties' institutional weaknesses and enhance accountability

With your permission, Mr. Chairman, I would like also to submit a more comprehensive list of the HRDF projects we are administering for inclusion in the record.

COUNTRY REPORTS AND THE UNCHR

This year's country reports also played a role in our negotiations at the U.N. Commission on Human Rights in Geneva. They were used as a source for drafting country-specific resolutions, including important information regarding disappearances that have taken place in Belarus, which served as the basis of that new U.S.-sponsored resolution, and other new resolutions on Turkmenistan and North Korea. Information from the reports was also cited in our delegation's position statements on more than a dozen country-specific resolutions put before the Commission.

The fact that the reports were made public during this year's Human Rights Commission meetings also helped focus international attention on the issue of human rights and strengthened our lobbying efforts with other countries.

CONCLUSION

Mr. Chairman, members of the Committee, I am confident that this year's reports are a comprehensive and accurate account of the world's human rights situation as we know it to be. As in the past, the reports will serve as an important compass for us at the State Department. But because of the vision of the U.S. Congress 27 years ago, the reports have become one of the most well-respected and often-used tools for you, and others in our government, foreign governments, non-governmental organizations and the media to gain a clearer understanding of the status of human rights the world over. We believe our strategy report will also gain such respect through similar utility.

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

Mr. GALLEGLY. Thank you very much, Mr. Secretary. And thank you for summarizing your statement as well as you did. I have reviewed your entire statement, and as we said, that will be a part of the record of the hearing.

Mr. Craner, you mentioned in your testimony that the crackdown and human rights abuses in Cuba are the worst the world has witnessed in decades. In an unbelievable move yesterday, just yesterday, Cuba was reelected to the U.N. Commission on Human Rights. I would like to know what your reaction to the reelection of Cuba, one of the world's most egregious violators of human rights, means to the Commission. What does that mean to you?

Mr. CRANER. Well, like many others, I was disgusted by it. Mr. Fleischer at the White House described the sentiments of all of us that putting Cuba on the Commission is like putting Al Capone in charge of a bank. The Commission has for many years gone down-

hill, both in terms of membership and in results that come out of it. It used to be a good gathering place for countries that believed in democracy to gather and to discuss these issues and to decide what to do about them. It is no longer a good gathering place; it is more like a biker bar at this point. If you walk in, you see a lot of pretty ratty countries sitting around at the Human Rights Commission, so ratty that 2 years ago we were actually kicked off the Commission by them because we stand for human rights issues.

What we have tried to do is decide if it is worth staying on the Commission. The Commission is the only body like it in the world. Alternatives may become possible. The Community of Democracies, with which I think some of you are familiar, is something that a lot of us would like to try to build as one alternative. But for the moment it is the only body like it. So the question is, if you think the Commission is worth something do you want to try to clean it up? That is what we are trying to do.

It was noted yesterday that Cuba gained a seat on the Commission. It was less noticed that Qatar replaced Syria on the Commission, that Nepal replaced Vietnam, and that the Dominican Republic replaced Venezuela. It was also the case yesterday that Indonesia defeated Iran for a seat on the Commission. There were a number of bad results that came out of the Commission; the Sudan vote was chief among them. But a number of important resolutions were passed, some for the first time, on North Korea, on Belarus and Turkmenistan.

This Commission did not become a biker bar overnight. It has taken a couple of years for it to get to that state. It is going to take a couple of years to bring it back from that state. But I think we can say that we have passed the worst on this Commission, and we are going to try in the coming year as we did in the past year to continue to improve the membership of this Commission and ensure that better results come out of it.

Mr. GALLEGLY. Thank you very much, Mr. Secretary. I have a feeling that there are a lot of bikers around the country that probably would resent that analogy.

Mr. CRANER. I liked biker bars when I was younger.

Mr. GALLEGLY. If the Committee by unanimous consent would agree to—in the interest of time, I would go ahead and yield to the gentleman from California. Under unanimous consent, if we could have any further questions asked of this witness and other witnesses and have them answered in writing and be made a part of the record of the hearing, I think that that might help deal a little bit with the brevity of this meeting today. And if I have no objection, that will be the order.

And at this time, I would yield to the gentleman from California, Mr. Sherman.

Mr. SHERMAN. Thank you. I will try to be brief.

The first question I have for the record is that I note that you have got—you have done a better job in the report on Israel and that you have recognized that this is a country under attack by terrorist groups committed to its destruction. And yet the concern I have in the report is its incredible detail. Now ordinarily, Members of Congress don't object to great detail. But 2 million people have died as a result of the Sudanese Government's war against the peo-

ple in the south, and yet it only gets half as much space as what is going on in Israel and the territories. And if you were going to go into that same detail for the number of deaths that have occurred in the Sudan, you would need a 100,000-page report on the Sudan. And just the length in which each topic is dealt with means a lot, and especially to those who page through a report rather than actually read it—not that that would apply to your report in any way.

I would also ask you to respond for the record about our decision not to seek a human rights resolution with regard to China. It has released a few dissidents. But given what is in your report, you would think we would have sought a resolution.

You have also mentioned the idea that we should consider economic sanctions against the Government of Burma, and I hope that you indicate what you have in mind. And I hope that you would deal with Iran in terms of what you have done personally to express our concerns to European diplomats about their overlooking of Iran's role as the number one—I mean, this like crystallizes our Subcommittee here—the number one state sponsor of terrorism, plus a major nuclear proliferation source, plus their abominable record on human rights.

Finally, I would like to point out that at that biker bar, we are picking up 22 percent of the tab. And I hope that you would respond as to what the Administration is going to do to make sure that 3 years from now I am not voting on appropriations to pay our, quote, back dues to the United Nations at a 22 percent rate. I would like to buy fewer of the beers at the biker bar.

And I yield back.

Mr. GALLEGLY. Thank the gentleman from California.

Mr. Rohrabacher asked me to clarify the unanimous consent request that I had made. And it wasn't to preempt anyone from asking questions; it merely was for the purpose of providing a venue for what appears to be many questions that we all have that we are not going to have time to ask today, that we will submit them to the witnesses after our time has expired and have a response that would be made part of the record of this hearing.

Mr. Rohrabacher.

Mr. ROHRABACHER. This is the first meeting that we have actually had with this Subcommittee concerning—specifically concerning human rights. And let me suggest this—and seeing that I have a friend who I have worked with for many years on the issue of human rights with us today as our first witness—I am concerned that this Administration may slide the wrong way on the issues of human rights. I am afraid, I greatly fear that this Administration might slip into the patterns of the last Administration and put human rights on a very low priority.

During the last Administration, those of us who were very active in this arena—I mean, there is nothing we could count on the last Administration. They would just not be taken seriously on the issue, and they did great damage to the cause of human rights. I would hope and expect a lot more from this Administration; but with this first act of the first time—the last Administration, just even though they knew they weren't serious, they went through some of the motions, like a resolution of the United Nations con-

demning China for its human rights abuses. I would hope that that does not suggest that this Administration is slipping in the wrong direction.

Mr. CRANER. Since a couple of you have asked this question about China, let me try and address that. I think the first thing that a lot of people fear is that we traded the China resolution for help on Iraq or help on North Korea or something.

Mr. ROHRABACHER. Well, why would anyone think that?

Mr. CRANER. If we would have done that, we would have done it much sooner. We would have done it when we really needed the vote at the U.N. And we decided not to have a China resolution many many weeks, in fact months after that.

I can tell you from being present in the discussions, and frankly waiting for somebody to bring it up, it never came up. The issue was, is this the best way to get what we want on human rights from China, or is there a better way? And I will tell you that I look on this resolution not as an icon or as something that we need to offer every year, but as a method of eliciting progress on human rights.

Mr. ROHRABACHER. And what is the better way?

Mr. CRANER. That is what we are trying this year. In 2002, we saw an unprecedented number of releases of individuals, including of Tibetans, that we had never seen before. We saw an unprecedented degree of willingness to engage in discussions—not get results yet, but engage in discussions—both on Tibet and religious freedom. During the year we also came together with all of those who have discussions with the Chinese on human rights issues. For the first time ever, we began programs to try and advance some of the structural reforms that are underway in China.

Mr. ROHRABACHER. Does the Chinese Government still hold the Dalai Lama to be this young boy?

Mr. CRANER. Yes, they do.

Mr. ROHRABACHER. And have we brought that up?

Mr. CRANER. Absolutely. And as we detail in the human rights reports, there are massive violations of human rights in China. The question is what is the best way to try and end them. And we are going to try for a year doing that without a resolution in China. We may be wrong. I may be sitting here in December or January eating humble pie in front of you. But we are going to try for a year doing it without a resolution in Geneva.

Mr. ROHRABACHER. Well, I know in respect to your commitment to human rights, I am very pleased that you have been appointed to this position. What this Administration will be, it will be determined by its actions. And we will know within a year whether or not this Administration—because I remember President Clinton criticizing the former President Bush about China prior to his election. And then when he got in it was, you know—well, we know what happened with his relations with China.

Anyway, let us just say we are all anxious and we are watching, and I take this very seriously and I would hope that—let us put it this way. In Burma and in China, there are a lot of people out there who rely on us, and I hope that we do not extinguish their hope. We are their only hope.

Mr. CRANER. And I can assure you that from the President on down, that is communicated to the Chinese publicly and privately. In the meetings the President has had with the Chinese leadership, a large proportion of the time is taken up with him discussing these issues, beginning with religious freedom. I think you know he has a great passion for these issues.

Mr. ROHRABACHER. Well, I thank you very much. And I also appreciate the fact that the President has made the expansion of democracy in the Middle East part of his strategy. Thank you very much.

Mr. CRANER. Thank you.

Mr. GALLEGLY. Mr. Bell, as you noticed the bells are going off; there will be a series of votes, and as I advised the witnesses, we have to be out of here at 3:30. So what I would like to do is if you could ask your questions of the Secretary, then we will release him, and then when we come back we will reconvene with the other panel.

Mr. BELL. Thank you, Mr. Chairman. I have a rather brief statement and just one question. And thank you, Assistant Secretary Craner, for your testimony and for being here today.

I have some concerns regarding the situation in Iran. President Khatami and his allies in and out of government have demonstrated a clear willingness to pursue policies much different than those supported by the conservative clerics that form Iran's ruling elite. But time and time again, we have seen the negative repercussions of this approach. Journalists and legislators allied with Khatami have been indefinitely detained, and security forces have repeatedly cracked down on university demonstrators who advocate for greater openness.

Given the shifting political and strategic balance in the region, it is critical that Iran and regimes like it embrace political reform, pursue policies of open and transparent government, end the inhumane treatment of its people, and cease all support for terrorist activities.

With the release of what has come to be called the "road map," it is vital that terrorist groups—that Hezbollah, which Iran has financed and trained for years, be reigned in. A big part of this will depend not just on the new Palestinian Prime Minister's ability to crack down on terrorists, but also on the ability of countries like Iran, who have provided the financial and technical support to these groups, to end all such activity immediately.

Give than, Mr. Craner, I would like to hear what steps you think the United States Government can take to promote the improvement of the situation in Iraq. And if you could touch on that later, as the Chairman has directed, I would be most appreciative.

Mr. CRANER. I would be pleased to touch on that at length in writing. Let me tell you up front, again, as I think we detailed in the reports, there are great violations of human rights in Iran. Our policy remains fundamentally unchanged that the future of our policy toward Iran depends on their ceasing harmful practices, not just in terms of what they are doing internally, which is horrible, but also in terms of obstructing the Middle East peace process, development of weapons of mass destruction, and other policies.

I would note that this year for the first time, we have permission from Congress in the 2003 appropriations bill to begin looking at some programmatic activities to advance democracy and human rights in Iran. And I think, to go back to an earlier comment, that it is clear to all of us that that is going to come from the people of Iran and not from the government. Thank you.

Mr. BELL. Thank you. Thank you, Mr. Chairman.

Mr. GALLEGLY. Thank you.

We have a gentleman with us who is not a Member of the Subcommittee; and generally, while it is not permitted for Members not on the Committee to be allowed an opening statement, I would ask, with unanimous consent, because of Mr. Payne's keen interest and work in human rights, that he be allowed to join the balance of the Committee in submitting questions that would be answered and made a formal part of the record of this hearing. And hearing no objection, that will be the order.

We will recess and be back just as quickly as possible. I understand we have three votes? Four votes. We are going to have to do some Houdini work when I get back. So with your patience, we will get back as quick as humanly possible. The Committee stands in recess.

[Recess.]

Mr. GALLEGLY. We will call the hearing back to order. We have, I understand, the ability to extend the room until 4 o'clock, which gives us a little breathing room, although it is not nearly what we need considering the issue that we are dealing with. But we will continue to advise those that are here that in the event that they are not able to ask and have answered the question that they would like, that they will submit the question to the respective witness and the witness will try to prepare or get a written answer back to us that will be made a part of the record in the hearing.

We are also joined at the dais by a non-Member who wanted to be present, a good friend from Virginia, Mr. Moran, and I welcome him to join us. He has no questions, but he has a keen interest in this issue. So, welcome, Jim.

With that, we will go to our second panel, keeping in mind that we have a very narrow window. And I would appeal to you to try to keep your statement to a maximum of 5 minutes.

Appearing on behalf of Amnesty International is Ms. Alexandra Arriaga, Director of Government Relations. Ms. Arriaga is a chief liaison representing Amnesty International's human rights concerns to U.S. and foreign government officials. She serves as a spokesperson for the organization, coordinates all of Amnesty International's interaction with the U.S. Government. Prior to her current position, Ms. Arriaga served as Senior Fellow and Director of Legislative Affairs at Inter-American Dialogue. Ms. Arriaga also held several high level positions with the Clinton Administration and the State Department, as well as Director of the Congressional Human Rights Caucus.

Did I pronounce that right, Ms. Arriaga? With that, I welcome you. And we look to your testimony, Ms. Arriaga.

**STATEMENT OF ALEXANDRA ARRIAGA, DIRECTOR OF
GOVERNMENT RELATIONS, AMNESTY INTERNATIONAL, USA**

Ms. ARRIAGA. Thank you very much, Mr. Chairman and Congressman. I am very pleased to be here today to testify on the Department of State *Country Reports on Human Rights Practices*. I am going to summarize my statement and submit it for the record.

Mr. GALLEGLY. Without objection, your entire testimony will be made a part of the record of the hearing.

Ms. ARRIAGA. Thank you.

Amnesty International finds the *Country Reports* to be generally honest and factual in character, but we do have some concerns about a shift this year to downplay or omit some human rights issues related to the war on terror and issues for which the U.S. may feel vulnerable to international criticism. Amnesty International is increasingly concerned by the growing gap between these reports and the U.S. policy on human rights. This year more than in other years in the recent past, the *Country Reports* are reduced in value by being set adrift from the Administration's development of foreign policy. Nonetheless, the *Country Reports* continue to serve as an important annual measure of the state of human rights worldwide and a tool to hold countries accountable for their actions relating to human rights.

The contrast between the reports and the Administration's selective actions on human rights are especially stark in the following areas:

On torture. Over the past year, the White House has accurately cited torture occurring in Iraq, while dismissing concerns about U.S. ill treatment of detainees and their transfer to countries where they are at risk of torture. The *Country Reports* acknowledge reports of torture; cruel, inhumane, and degrading treatment by security officials of Iran, Saudi Arabia, Egypt, Israel, Palestinian Authority, Turkey, China, Burma, North Korea, and Haiti, for example. But what is deeply disturbing is that some of the techniques cited as torture and ill treatment in these *Country Reports* are the very same techniques that some Administration officials have been quoted or boasted as used or implemented in the war on terrorism.

The *Country Reports* also raise concerns about the treatment of individuals detained by the U.S. and rendered interrogation to other countries such as Egypt, Jordan, and Morocco. These are countries that have a clear record of torture. Amnesty urges that the President make a very clear and unequivocal public statement on the abhorrence of torture and that the United States consider such practice to be illegal and immoral.

Amnesty is also concerned about the dangerous allies that the U.S. has created. The Administration has cozied up to human rights abusers for the sake of alleged cooperation to fight terrorism. Some of these have egregious records. For example, the Philippines, Pakistan, Colombia, Ethiopia.

The *Country Reports* have also downplayed further this year the treatment of the military tribunals and the lack of fair trial procedures that occurred in military tribunals in many countries including the Congo, Lebanon, and Egypt.

It has downplayed the influence that the United States has on countries that have now expanded the restrictive policies that they

have—antiterrorism legislation that has now been enacted or expanded in many countries such as China, Great Britain, Guayana, Pakistan, Tanzania, to name a few.

In general, the world saw the international framework for upholding and promoting human rights at greater risk last year.

There were some areas that were not so bleak. Afghanistan was one of the success areas where the international movement saw an improvement, but which is still in the balance, given the stalling of reconstruction efforts and the lag in the commitments of the international community.

We also saw Turkey make some important changes to its Constitution but there are still very many problems in Turkey with their laws.

Peru had some improvements in the judiciary system, and we have been pressing for the extradition of Fugimori to Peru to face the crimes that he committed.

And Sierra Leone had elections and consolidated the peace process, ending 12 years of civil war. A special court in Sierra Leone has been very effective in indicting leaders that were responsible for crimes against humanity, and the Truth Commission is currently underway.

We saw the release of prisoners of conscience in many countries as well. But there are many problems that remain, and I will summarize some of the many. We could have gone the world over. Among the areas of great concern are the conditions in the Congo and also the conditions in Cote D'Ivoire. The conditions in both of these countries worsened dramatically and we are urging that in both, the Bush Administration maintain or increase its commitment to international efforts to end the bloodshed. We are concerned about the recent announcement that the Bush Administration will cut contributions to peacekeeping in Cote D'Ivoire.

Sudan's involvement in Burundi are other areas of concern where we saw deterioration in particular. We also have ongoing concerns in Russia, Chechnya, specifically Uzbekistan.

In the Americas, we have seen a deterioration of conditions in Colombia, Cuba, Guatemala, and also Venezuela, Haiti, and other regions, China, Burma, the Philippines, Malaysia, Singapore, Vietnam. The concerns there have intensified as well as in the Philippines, Malaysia, and Singapore where we have seen existing security laws being used more broadly in the, quote, fight against terrorism.

Finally, the Middle East, let me just say very quickly. In general the human rights conditions in the Middle East are increasingly precarious. The crackdowns on political dissent are widespread. Torture is used widely; harassment also. And the definitions that these governments have recently adopted for terrorism is very broad and has been used to crack down on dissent. Concerns have intensified in Egypt, Iraq, Israel, occupied territories, the regions under the control of Palestinian Authority, Jordan, Saudi Arabia, Syria, Yemen, among others.

Thank you very much.

Mr. GALLEGLY. Thank you very much, Ms. Arriaga.

[The prepared statement of Ms. Arriaga follows:]

PREPARED STATEMENT OF ALEXANDRA ARRIAGA, DIRECTOR OF GOVERNMENT
RELATIONS, AMNESTY INTERNATIONAL, USA

INTRODUCTION

Thank you for the opportunity to testify before you today on the Department of State Country Reports on Human Rights Practices. Amnesty International finds the Country Reports to be generally honest and factual in character, but notes with concern an apparent shift this year. Specifically, we are concerned that the Country Reports downplay some human rights issues for which the U.S. may feel vulnerable to international criticism. The Country Reports also appear to omit information on measures taken by governments in the name of the war on terror, possibly in response to U.S. urging, that have led to human rights abuses. Moreover, Amnesty International is increasingly concerned by the growing gap between these reports and US policy on human rights. This year, more than in other years in recent past, the Country Reports are reduced in value by being set adrift from this Administration's development of foreign policy, which has been selective, inconsistent and in some cases damaging to human rights over the long-term. Nonetheless, the Country Reports continue to serve as an important annual measure of the state of human rights worldwide and a tool to hold countries accountable for their actions relating to human rights.

OVERALL CONCERNS

The contrast between the reports and the Administration's selective actions are especially stark in the following areas:

Torture

Over the past year, the White House has accurately cited torture occurring in Iraq, while dismissing concerns about US ill-treatment of detainees and their transfer to countries where they are at risk of torture. The Country Reports acknowledge that torture, cruel, inhuman and degrading treatment occurs in countries such as Iran, Saudi Arabia, Egypt, Turkey, China, Burma, North Korea, and Haiti, for example. What is deeply disturbing is that some of the techniques cited as torture and ill-treatment in these Country Reports are the same techniques that unnamed administration officials have boasted as employing in the war on terror. Several news stories have quoted senior policy officials as saying that "stress and duress" techniques are acceptable, and that "If you don't violate someone's human rights some of the time, you probably aren't doing your job. We don't want to be promoting a view of zero tolerance on this." These statements send a devastating message to the world that the United States may be making exceptions to its commitments on the Convention Against Torture when it comes torture, cruel, inhuman and degrading treatment.

The Country Reports also raise concerns about the treatment of individuals detained by the US and "rendered" for interrogation to countries such as Egypt, Jordan, Morocco, and Syria that have a clear record of using torture. This concern is amplified by news accounts citing disturbing statements by unnamed Administration officials. One official reportedly involved in rendering, reportedly said that "We don't kick the [expletive] out of them. We send them to other countries so they can kick the [expletive] out of them."

Amnesty International continues to urge President Bush, his leadership and members of Congress to make clear in unequivocal public statements that the United States considers torture, cruel, inhuman and degrading treatment to be immoral and illegal, and that anyone found to use torture and ill-treatment will be prosecuted. The current climate runs counter to the efforts of previous Administrations, such as that of President George H.W. Bush who urged ratification of the Convention Against Torture, stating "The United States must continue its vigorous efforts to bring the practice of torture and other gross abuses of human rights to an end wherever they occur." (March 12, 1992)

Dangerous Allies

In the war on terror, the Administration has cozied-up to human rights abusers for the sake of alleged cooperation to fight terrorism, and has essentially stopped challenging them publicly on their human rights record. Instead the United States is providing new or increased security assistance, without evidence of proper safeguards to prevent those nations' security forces from committing further abuses, to countries that have an egregious human rights record. This is the case in: Colombia, Ethiopia, Indonesia, the Philippines, and Uzbekistan, for example.

Military Commissions

As occurred in last year's reports, this year's Country Reports downplay even further the curtailment of fair trial proceedings that typify the military tribunal and court system in countries such as Egypt, for example.

Repressive Policies in the name of Anti-Terrorism

Clearly, the actions of the world's superpower influence other countries. Countries as diverse as China, Cuba, Colombia, Great Britain, India, Jordan, Pakistan, Tanzania, and Uzbekistan have enacted or expanded restrictive policies in the name of anti-terrorism efforts. The Country Reports fail to make clear that effects of the new or expanded anti-terrorism legislation or policies, which emulate those proposed by this Administration, in the Patriot Act and subsequent initiatives.

INTERNATIONAL HUMAN RIGHTS FRAMEWORK AT RISK

The message to the world is that the United States is at once praising the protection of human rights and discarding those protections at will. In the name of combating terror, the US has often turned a blind eye to the effects that its own actions have to the detriment of human rights in the world. The widening gap between the Bush Administration's words and action on human rights is dangerous.

Last year, the world saw the international framework for upholding and promoting human rights weakened. The US contributed to this decline by its rejection and dismissal of international instruments, such as by "unsigned" the International Criminal Court, refusing to apply the Geneva Conventions to those detained on the battlefield in Afghanistan, and brushing aside obligations under the International Covenant on Civil and Political Rights, the Convention Against Torture, and the Convention on the Elimination of All Forms of Racial Discrimination. The US adopted policies at home that set a poor example for other countries, such as the President's order establishing military commissions which eliminated basic principles of fair justice, the discriminatory nature of the Special Registration initiative, and the Patriot Act's rejection of due process by allowing indefinite detention without charge, curtailment of free speech and association through an overly broad definition of "domestic terrorism," and infringement of privacy and other rights through unannounced "sneak and peak" searches, monitoring of e-mail and financial records, access to library and bookstore records, and more. These policies signal to other countries that it is acceptable to withhold unalienable rights.

PROGRESS ON HUMAN RIGHTS

Not all was bleak. There were some successes and improvements in human rights over the past year.

Afghanistan

In 2002, one of the successes for the international human rights movement was the improvement of human rights in Afghanistan, particularly conditions for women. The improvements remain in the balance, however, with the stall of reconstruction efforts, largely due to failed commitments by the international community, and with the government's inability to provide for a secure environment in regions outside of Kabul. Following the collapse of the Taliban, the new Afghan government removed restrictions on women, permitting women and girls to go to school, women to work outside their homes, and women to shed the burq'a. In March 2002, the country celebrated International Women's day for the first time in many years, and this year, Afghanistan ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women. Religious minorities were generally able to practice their religion without official interference, rule of law began to take shape, and public executions (a common feature under Taliban) came to an end. An estimated two million refugees returned from Pakistan and Iran. Nonetheless, conditions in Afghanistan remain precarious. It is urgent that the United States and others in the international community come through on their commitments for reconstruction, humanitarian assistance, and ensuring a secure environment. In addition, Amnesty International continues to call for a thorough investigation into the killing of detained combatants and for those responsible be prosecuted and punished by trials that are conducted in accordance with international human rights and humanitarian laws.

Turkey

Turkey made important changes to its Constitution, including shortening of detention periods before being brought before a judge; the abolition of the death penalty for criminal offences; the introduction of the right to a fair trial; and the lifting of the ban on statements and publications in Kurdish. Although some restrictions on

fundamental human rights were lifted, important problems remain. New restrictions were introduced on freedom of expression and none of the constitutional amendments included significant guarantees for freedom of expression and safeguards against torture. Amnesty International continues to call for the release of Layla Zana, a Parliamentarian and Kurdish prisoner of conscience, and appreciates the support of members of this committee on this case.

Peru

In Peru, Amnesty International noted the increasing independence of the judiciary in protecting human rights. For example, the Constitutional Court has declared unconstitutional a number of measures in the 1992 anti-terrorist legislation, passed during the regime of Alberto Fujimori. This is an essential step towards overcoming the serious injustices and human rights violations this law made possible. It makes it possible to review many of the cases involving people who were tried under the anti-terrorism law and who did not receive fair trials. Many of these unjustly convicted individuals were civilians tried by military courts. Amnesty International supports efforts to extradite President Fujimori from Japan to stand trial in Peru for crimes he committed.

Sierra Leone

Sierra Leone held elections and consolidated the peace process, ending twelve years of civil war. Amnesty International welcomed the work of the Special Court for Sierra Leone, which on March 7th of this year indicted some of the leaders of the Revolutionary United Front opposition party for crimes against humanity during the twelve-year conflict. The court ruling complements the work of the Truth and Reconciliation Process, which held its first hearings on April 16th of this year.

RELEASE OF PRISONERS OF CONSCIENCE

In several countries Amnesty International continued to have extensive human rights concerns, but welcomed the release of individual prisoners of conscience:

Mexico

In Mexico, President Fox released General Gallardo on grounds that he had served over half of his sentence. He did this despite stiff opposition from the Mexican military. Nevertheless, the Mexican government has not fully complied with the recommendations of the Inter-American Commission on Human Rights pertaining to General Gallardo's wrongful imprisonment. Many of you and hundreds of thousands of Amnesty International activists worked for the release of General Gallardo. Nonetheless, the human rights record in Mexico remains a concern in areas such as torture and ill-treatment of detainees and the continuing "disappearances" of women in Ciudad Juarez.

Russia

Last year, Amnesty International and many of you sought the release of Russian environmentalist and prisoner of conscience Grigory Pasko. We welcomed his release on parole this past January and continue to urge Russian authorities to drop the charges against him. Moreover, we are encouraged by the development of a new generation of post-Soviet civil society leaders working on issues like domestic violence and treatment of ethnic minorities, for example. This NGO community remains strongly dependent, however, on US support including through funding provided in the Freedom Support Act for Russia.

Egypt

In a groundbreaking effort, the United States linked the provision of additional assistance to Egypt with the release of Saad Eddin Ibrahim. His incarceration underscores the urgent necessity of abolishing Egypt's Emergency laws which gives authorities extensive power to suspend basic liberties. Many of you worked for Professor Ibrahim's release and, with the hundreds of thousands of Amnesty activists, celebrated on March 18th of this year the acquittal on all charges against Professor Ibrahim and Nadia Abd al-Nur by Egypt's Court of Cassation. Despite this positive news, we continue to work for the release of dozens of prisoners of conscience held in Egypt, including political activists, members of religious groups, and those imprisoned solely because of their real or perceived sexual orientation. Amnesty International remains concerned about the restrictions on freedom of expression, religion and assembly, the use of torture, and the use of special military courts to try civilians; these courts fall short of international standards for fair trials.

Ethiopia

Last year, Amnesty International also celebrated the release of Dr. Taye Woldeesemayat, President of the Ethiopian Teachers Association, the country's largest trade union. Dr Taye was released on May 14th after six years in detention on the basis of trumped up charges of treason. Many of you signed Dear Colleague letters for his release. Nonetheless, security forces in Ethiopia maintained a poor human rights record and were responsible for the deaths of unarmed civilian, including demonstrators; there has been no accountability for their crimes.

HUMAN RIGHTS DISAPPOINTMENTS

Amnesty International remained concerned about the deterioration of human rights in many countries worldwide. In May, Amnesty International will release its Annual Report, which will provide a summary of human rights issues for every country. The following analyses is provided as mere examples of the many concerns of Amnesty International, responding to the Committee's request to highlight a select few countries that have a human rights record that has deteriorated:

The Democratic Republic of the Congo

In the Democratic Republic of the Congo, an estimated 3 million people have been killed as a result of the violence of the four-year civil war. Impunity continues to prevail among the entities that are plundering the country's natural resources, despite the findings and recommendations of a report by a UN panel of experts on the issue of the looting of natural resources. Most of the governments that host the companies listed in the report have, unfortunately, decided to stall action by seeking to gather further evidence before taking next steps. Looting and suffering of the Congolese people goes on. Amnesty International USA has urged the Bush Administration and the international community to commit more resources and political leadership to help bring an end to this conflict.

Cote D'Ivoire

In what was once considered one of Africa's most politically stable and prosperous countries, conditions worsened dramatically due to civil war. Peacekeeping troops from the West Africa regional group (ECOWAS) and France were instrumental in preventing a complete descent in to bloodshed. Human Rights abuses included torture, rape, extrajudicial executions and the use of death squads.

Sudan

Amnesty International welcomed the leadership of the US Administration to broker a lasting peace agreement in Sudan and end the nearly thirty years of conflict. Unfortunately, the Sudan government continues to obstruct humanitarian assistance and target civilian populations. Amnesty International has longstanding grave concerns about slavery, religious persecution, repression of civil society, widespread practice of torture, and the culture of impunity enjoyed by all warring parties.

Zimbabwe

In Zimbabwe, a nationwide and systematic crackdown has eliminated most civil and political rights. Despite ample documentation by NGOs and the United Nations of torture, assault, intimidation, and killings conducted by supporters of the government, key African governments continue to be silent and support President Mugabe's regime. Their inaction contributes to the climate of impunity that facilitates the continuing, widespread abuse.

Colombia

In Colombia, there was an intensification of the conflict and human rights abuses throughout 2002, especially since the breakdown of the peace process a year ago. The result has been more political assassinations, kidnappings, "disappearances", and displacements of civilian populations. The latest report from the UN High Commissioner for Human Rights in March notes an increase in violations by public security forces. This is consistent with the reports AI is receiving.

Cuba

In Cuba, the government continues to detain people for their political, religious, or other beliefs. There was an increase in the number of prisoners of conscience from 6 to 15 between May 2002 and the present. Furthermore, political dissidents were arrested and harassed throughout much of the year. On February 27, 2002, 21 Cuban men were arrested after they hijacked a bus and attempted to enter the Mexican Embassy to request asylum. On December 6, 2002, another 17 were arrested after they had attempted to meet in Havana to engage in a discussion on

human rights and to reportedly form a grassroots project for the promotion of these rights. Amnesty International also reported on an increase in other types of violations, including short-term arbitrary arrests, threats, summonses and other forms of harassment directed by the state against political dissidents, independent journalists, and other activists in an effort to limit their ability to exercise fundamental freedoms. Amnesty International received numerous reports of such harassment against individuals who participated in the petition process promoted by the *Proyecto Varela*. This year, the crackdown has intensified, with the recent detention and arrest of 75 dissidents and the execution of three.

Guatemala

In Guatemala, the human rights situation deteriorated alarmingly, with an increase in threats, attacks, and killings of human rights defenders, judges, prosecutors, journalists, and leaders of social and political organizations. The justice system was unable to respond to the crisis. Impunity remained a primary concern because of the failure of the government to support the full investigation and prosecution of authorities and former military personnel believed to be responsible for many of these crimes. Amnesty International supported the formation of an international commission to investigate the proliferation of clandestine groups believed to be responsible for current abuses. We look forward to seeing this commission established and progress in its work.

Russia

Russian security forces continued to be responsible for ongoing human rights violations in Chechnya, including extrajudicial executions, "disappearances", torture, and rape. These abuses occurred with impunity. In one case, Russian officer Colonel Yuri Budanov was tried and relieved of criminal responsibility because of "temporary insanity," despite having admitted to killing a nineteen-year-old Chechen girl and reportedly raping her as well. At the same time, Chechen fighters continued and escalated abuses of human rights, such as the taking of hostages at the Nord Ost theater and committing violent attacks against municipal authorities.

Uzbekistan

Conditions in Uzbekistan remained poor and continued to deteriorate. There were widespread reports of torture and ill-treatment by law enforcement officials against alleged supporters of banned Islamist opposition parties and movements, such as *Hizb-ut-Tahrir*. Thousands of devout Muslims and dozens of members or supporters of the banned secular political opposition parties and movements *Erk* and *Birlik* were serving long prison sentences, convicted in unfair trials for membership in an illegal party, distribution of illegal religious literature, and anti-state activities. Devout Muslim prisoners were singled out for particularly cruel, inhuman and degrading treatment in places of detention and prison camps. Several prisoners died in custody. The death penalty has reportedly been used after unfair trials and use of torture, and death penalty statistics remain shrouded in secrecy.

China

Thousands of political prisoners remained in prison, as did labor activists. Among those incarcerated is Rebiya Kadeer, who was detained while on her way to meet with Congressional staffers to discuss human rights in China. Many of you have joined hundreds of thousands of Amnesty International activists to seek her release. China's authorities intensified their crackdown against the Muslims of Xinjiang and independent religious groups throughout the country faced intense repression, including practitioners of Falun Gong, Tibetan Buddhists, members of the unofficial Catholic church, and Protestants. China's government introduced scores of regulations used to intensify their crackdown on Internet use; many persons were arrested and detained and two died in custody as a result of torture. Amnesty International also continues to urge the release of all who are detained for the peaceful expression of their religion and beliefs, including those who remain incarcerated for their role in Tiananmen square. Although the Chinese government's behavior towards human rights did not change, the Bush Administration's response to China's gross human rights violations appeared to soften, failing even to sponsor a resolution on China at this year's UN Human Rights Commission.

North Korea

Amnesty International has longstanding human rights concerns in North Korea, including torture, executions, arbitrary detention and imprisonment, inhumane prison conditions, and the near-total suppression of fundamental freedoms including freedom of expression and movement. During the past year, three sets of circumstances have served to heighten Amnesty International's concerns: the govern-

ment's practice of discriminatory denial of food and health care; increasingly desperate refugee flows into China; and heightened concerns about security on the Korean peninsula. Famine and acute food shortages have led to widespread malnutrition among the population and to the movement of hundreds of thousands of people in search of food, many becoming victims of human rights violations as a result of their search. Intensified security concerns in the region have had affected human rights, as northeast Asian nations have tread more softly on the human rights issues and donor countries have limited or suspended their humanitarian assistance, aggravating the plight of North Koreans most in need. North Korea must end the human rights abuses against its own people and ensure that international food aid and other food supplies are distributed equitably to all among its population without discrimination, and there should be no embargo on international food supplies. Food should never be used as an instrument of political and economic pressure.

The Philippines

The human rights situation in the southern Philippines deteriorated. The Philippines' armed forces engaged in indiscriminate bombing and shelling of civilian targets resulting in a numerous deaths and injuries, and the displacement of over 400,000 persons. There were continuing reports of extrajudicial executions, "disappearances," torture, deaths in custody, and arbitrary arrests and detentions. A key factor contributing to these tragedies was the lack of attention by the international community.

The Middle East (General Concerns)

In general, the human rights conditions in the Middle East are increasingly precarious, with an increase in violations of the right to express political dissent and widespread clampdowns in Egypt and Jordan, among others, on freedom of expression and assembly, including harassment, arbitrary arrest and detention. Police have reportedly used excessive force against demonstrators, and some of those arrested allegedly have been subjected to torture and ill-treatment. Adoption of the Arab Convention for the Suppression of Terrorism has only facilitated the intensification of the already poor human rights record by the region's governments, which used the pretext of "fighting terrorism" to suppress dissent. Since the world's media has largely been focused on the Iraq war, such violations throughout the rest of the region have not received sufficient public scrutiny. Amnesty International urges all governments to respect the right of people to express peacefully their opinions, and to refrain from using the war in Iraq as a pretext for curtailing or abusing fundamental human rights. The Iraq war and "fighting terrorism" must not render the suppression of political dissent invisible or acceptable.

Egypt

In recent weeks abuses have intensified in Egypt. For example, Amnesty International is concerned about the safety of dozens of men, women, and children detained in connection with anti-war demonstrations in Cairo. Several detainees have alleged that they were tortured or ill-treated in custody. Following the demonstrations, dozens of people including lawyers, journalists, Members of Parliament, and students were issued detention orders in March for up to 15 days of incarceration. Although they were subsequently released on bail, they were accused of committing various offences, including participating in illegal gatherings and threatening public security.

Iraq

In 2002, the human rights situation in Iraq remained grave with widespread human rights violations, including suppression of freedom of expression and association, "disappearances," extrajudicial killings, arbitrary arrest, unfair trials, and the use of torture, cruel, inhuman and degrading treatment. The two Kurdish political parties controlling northern Iraq detained prisoners of conscience, and armed political groups were reportedly responsible for abductions and killings. According to UNICEF and other organizations, the economic sanctions contributed to severe hardship for the civilian population and a humanitarian crisis. In recent months, Amnesty International has urged adherence to international human rights and humanitarian law by all parties to the war, and in the aftermath of the war is focusing on ensuring that humanitarian and human rights concerns are urgently addressed.

Israel/Occupied Territories/Palestinian Authority

The human rights abuses occurring in Israel and the Occupied Territories intensified over the past year. An estimated 1,000 Palestinians have been killed, most of them by the Israeli Defense Forces, and more than 450 Israelis have been killed by

Palestinian armed groups. Most of the killings have occurred under conditions that contravene the Geneva Conventions provisions for the protection of civilians. Amnesty International has repeatedly called for all parties to the conflict to take immediate measures to protect civilians and end all unlawful killings, for international human rights monitors to be sent to Israel and the Occupied Territories, and for reports of torture by Israeli and Palestinian authorities to be investigated and for those found to be responsible to be prosecuted for their actions.

Jordan

In Jordan, Amnesty continues to be concerned about laws that have expanded the scope and definition of "terrorism" and placed additional restrictions on freedom of expression and the press. The new security measures criminalize peaceful activities unrelated to politically motivated violence and run counter to international human rights law. The laws are part of a worrying trend of growing repression, building on laws introduced 2001 that limit the right to assembly and to access legal counsel. In recent months, Amnesty International has grown concerned about the clampdown on freedom of expression and assembly and the use of indiscriminate force surrounding demonstrations about the Iraq war. Amnesty International is concerned about the welfare of anti-war activist Ibrahim Alloush, Dr. Issam Al-Khawaja of the political board of the Popular Union Party, and Ibrahim Al-Yamani of the Shura Council of the Islamic Action Front, along with other anti-war activists who were arrested and believed to be held in incommunicado detention.

Saudi Arabia

Although the report is generally more comprehensive and detailed than in years past and included coverage of modest efforts taking place within Saudi Arabia to improve human rights, there were, however, omissions or understatements. While there was discussion of the aftermath of the April 2000 events in Najran, there was no discussion about the arrests of Shaikh Ahmad Turki al-Sa'ab, Hamad 'Ali Daseeny al-Hutailah, Hamad Qulayan al-Zbeydi, including the fact that they were arrested after Shaikh al-Saab gave an interview to the *Wall Street Journal*. In addition, the mention that an editor was fired for criticizing judges (actually it was for publishing a poem critical of judges), should also have included that the poet whose criticism was published, Abdul Mohsen Musalam, was jailed. Not mentioned at all was the arrest of Sa'd bin Sa'id Zua'ir, detained while on his way to Qatar to appear on al-Jazeera TV to lobby on behalf of his father, Dr. Sa'id bin Zua'ir. Dr. Zuair was recently released after being held without charge since 1995 for criticizing the government; his son remains in prison. As in the past, this report states unequivocally that in Saudi Arabia: Freedom of religion did not exist. This is true, and so it remains puzzling as to why the U.S. Department of State did not name Saudi Arabia as a country of particular concern, as recommend by the U.S. Commission on International Religious Freedom.

Yemen

During the past year the Yemeni government detained scores of people in connection to the "war on terrorism." Some have been released, but the government has continued to arrest more. Reportedly, none of the detainees have been charged or brought before a court. In most of the cases of these detainees, the government has acknowledged the absence of strong evidence to charge them. The detainees are held by the Political Security Office (PSO), which answers only to the president and is known for its ill-treatment and torture of prisoners. In addition, the government deported over 100 foreign students including a dozen Americans, primarily those studying at Muslim religious schools. No legal process was followed in these deportations and in most cases their embassies were not notified of their detention prior to deportation. At the same time, the Yemeni government tried to play a balancing act, seeking to support the US war on terror and oppose the war in Iraq. The Yemeni government supported anti-war demonstrations and the country saw some of the largest anti-war protests in the Middle East. However, anti-war protesters, including an 11-year-old boy, were killed in a recent demonstration, as was a policeman. Reports indicate that the protests began peacefully but deteriorated when police responded with excessive force. There has been no government investigation of this incident. Amnesty International has called on the government to ensure that those detained are not tortured and receive prompt access to family and lawyers, and that anyone held solely for demonstrating peacefully be released without delay.

Thank you.

Mr. GALLEGLY. Our next witness is Ms. Jennifer Windsor, Executive Director of Freedom House. Freedom House is a nonprofit,

nonpartisan organization that works to advance the worldwide expansion of political and economic freedom through international programs and publications. Prior to her position with Freedom House, Ms. Windsor served for 9 years with the U.S. Agency for International Development, most recently holding the position of Deputy Assistant, Administrator, and Director for the Center for Democracy and Governance of the Global Bureau. Ms. Windsor is also an adjunct Professor at Georgetown University.

Welcome, Ms. Windsor.

**STATEMENT OF JENNIFER L. WINDSOR, EXECUTIVE
DIRECTOR, FREEDOM HOUSE**

Ms. WINDSOR. Thank you. Thank you, Mr. Chairman, for inviting me to testify today. I am also summarizing my testimony, and ask that my prepared remarks and additional background information be included in the record.

Mr. GALLEGLY. Without objection.

Ms. WINDSOR. Freedom House welcomes the opportunity to comment on the latest State Department *Report on Human Rights*. The U.S. Government has released this report at a critical moment. Recently, several of the world's most repressive regimes have initiated or accelerated campaigns of oppression against members of the political opposition, civic associations, and independent journalists in their countries. The dictators in Cuba and Zimbabwe in particular have moved decisively to smother freedom of thought and brutalize their nonviolent opposition while the world's attention has been turned to the war in Iraq.

The State Department report does a credible and in many cases superlative job of reporting and assessing internal conditions in the world's dictatorships and tyrannies. The country evaluations are generally forceful and comprehensive.

There are of course aspects with which we take issue. In the case of Russia, the report is notable for its thorough listing of the instances of killing and cleansing of Chechnyans by the Russian military as well as the assassination of Russian officials by Chechnyan forces. However, the report gives the impression that Russian repression is simply the by-product of partisan warfare. There is a large body of evidence to suggest that Russian brutality is the result of deliberate and systematic policies that broadly and indiscriminately target the Chechen population for intimidation and reprisals.

I have singled out this particular report because Russia is a U.S. ally in the war on terrorism. To maintain its credibility as a leader of the antiterror coalition, it is essential that the U.S. be as tough and candid in its assessment of its allies as it is toward its adversaries.

The impact of the war on terrorism on democracy, human rights, and individual freedom is at the core of research conducted by Freedom House. Each year Freedom House publishes an annual survey of "Freedom in the World," which is the only barometer of the state of world freedom that provides a comparative assessment of the world's 192 countries and ranks them in the categories of free, partly free, and not free. We looked at this question with particular care in our most recent survey since it measures the state

of freedom for the year 2002, the first full year since 9/11. Our survey data point to several conclusions, some positive, others more worrisome.

First, our data indicates that when assessed on a global basis, freedom has not suffered any major measurable setbacks since 9/11. In fact, the survey shows that in 2002 freedom advanced in more countries than it declined. The survey reflected real-life improvements in 28 countries. By contrast, freedom registered a decline in 11 countries. The general trend in the last year was a modest gain for freedom and human rights, gains observable in almost every region of the world. By the end of 2002, the number of free countries increased to the highest in the history of the survey to total 89 countries which represented 2.7 billion people.

These trends toward greater freedom were registered amidst fears that the prosecution of a global war on terrorism would lead to a reversal of global progress toward respect for human rights; however, it is important to note that freedom has gained principally in countries in which the impact of ideological terrorism has been marginal or absent. For example, significant improvements were seen in both Brazil and Mexico; and in Africa, Kenya underwent a series of legal and constitutional reforms which culminated in the freest election ever conducted in that country. And important progress was also noted in Senegal and Lesotho.

Even in the Middle East, which is the only region which has consistently resisted the move toward freedom that has taken root in every other part of the world in the last 30 years there has been some, if limited, progress. Perhaps the most important gain occurred in Turkey where a party with Islamic roots prevailed in the latest election, was able to form a government, and has subsequently adopted several reforms with important implications for the country's democratic future. Gains were also seen in Bahrain which held contested elections for a Parliament with limited powers.

In addition, many of the countries which are confronting transnational terrorism are established democracies with a strong rule of law, and have to date successfully preserved a wide array of personal, political, and civil freedoms. Some counterterrorism measures, however, have raised civil liberties concerns that bear continued close monitoring. In the global battle against the tyranny of terror, it is all the more important that democratic governments be vigilant in sustaining freedom for their own citizens.

Of course, the news is not all good. Despite the gains, over 2 billion people still live in 48 countries that are rated not free, in which a broad range of freedoms are widely and systematically denied. Of those, nine countries are considered to be the worst of the worst because of their deplorable record in respecting political rights and civil liberties. They include Burma, Cuba, Iraq, Libya, North Korea, Saudi Arabia, Sudan, Syria, and Turkmenistan.

Moreover, a number of countries have utilized the war on terrorism to justify their ongoing or increased suppression of basic freedoms. In the Middle East, for example, we have seen troubling trends in countries including Egypt, Lebanon and Jordan. In the case of Egypt, which is a major U.S. ally, the increased freedoms of expression and association and the frequent use of torture are

rightly condemned in the current State Department report. We also commend the U.S. Government for weighing in with the Egyptian Government on behalf of Saad Eddin Ibrahim, a nonviolent democracy advocate, who until recently was held in prison under patently false charges. But we urge the U.S. to raise concerns as forcefully about the countless others in Egypt who continue to languish in prison for their peaceful political beliefs, and to more energetically push the Egyptian Government to respect universally accepted freedoms.

Freedom House is also concerned about the political stagnation, failures of reform, and general backsliding that are the dominant trends in a number of recent relatively new electoral democracies. This group includes Russia, Ukraine, as well as Georgia, Guatemala, and Paraguay.

Overall, we have detected a clear trend toward more government restrictions on freedom of the press that transcends both regions and cultures. This rise in media restrictions along with the scourge of officially tolerated corruption poses serious obstacles to a deepening of freedom and democracy around the world. They also pose a critical challenge that American policymakers must address.

While Freedom House commends the State Department for its honest and hard-hitting report on human rights, we urge the U.S. to go beyond assessments, to take concrete action based on those findings. We welcome the steps that the U.S. has already taken to incorporate the promotion of democracy and human rights and its decisionmaking on foreign policy and its allocation of development assistance. But the U.S. needs to do even more to make the promise of global freedom a reality. Thank you.

Mr. GALLEGLY. Thank you, Ms. Windsor.

[The prepared statement of Ms. Windsor follows:]

PREPARED STATEMENT OF JENNIFER L. WINDSOR, EXECUTIVE DIRECTOR, FREEDOM HOUSE

Mr. Chairman and Members of the Committee, thank you for inviting me to testify today. Freedom House welcomes the release of the State Department's latest annual report on the state of global human rights.

The U.S. government has released this report at a critical moment. In recent weeks, several of the world's most repressive regimes have initiated or accelerated campaigns of oppression against members of the political opposition, civic associations, and independent journalists. Perhaps the most shameful examples are Cuba and Zimbabwe. It is not necessary here to go into the details of the Castro regime's persecution of democracy advocates, or of Mugabe's brutal offensive against his political opponents. But it is worth noting that Castro, Mugabe, and other dictators—and here I would mention Lukashenka of Belarus—have moved decisively to smother freedom of thought and brutalize their nonviolent opposition while the world's attention has been turned towards the war in Iraq.

Freedom House applauds the release of this report, and we urge the U.S. government to utilize its findings when setting policy priorities, especially with regard to countries that murder and torture their own citizens and deny them the rights enshrined in the Universal Declaration of Human Rights.

The State Department report does a credible, and in many cases superlative, job of reporting and assessing internal conditions in the world's dictatorships and tyrannies. The country evaluations are generally forceful and comprehensive.

There are, of course, aspects with which we take issue. The Russia country report is one such example. The report is notable for its thorough listing of the instances of killing and "cleansing" of Chechens by the Russian military. It also accurately chronicles the instances of assassinations of Russian officials and Chechen "collaborators" by Chechen forces.

However, the report ultimately falls short in its analysis. It gives the impression that the nature and scope of Russian repression is simply the by-product of partisan

warfare, when in fact there is a large body of evidence to suggest that Russian brutality is the result of deliberate and systematic policies that broadly and indiscriminately target the Chechen population for intimidations and reprisals. At the very least, the report should have presented this assessment as one of several plausible interpretations of events in Chechnya.

I have singled out this particular report because Russia is an ally of the United States in the war on terrorism. To maintain its credibility as the leader of the anti-terror coalition, it is essential that the United States be as tough and candid in its assessment of its allies as it is towards countries the United States regards as adversaries. If it does not, the effectiveness of global U.S. efforts to support democracy and human rights will be greatly diminished.

The impact of the war on terrorism on democracy, human rights, and individual freedom is at the core of the research conducted by Freedom House in the period since September 11, 2001. We looked at this question with particular care in our most recent *Freedom in the World* survey, since it measures the state of freedom for the year 2002, the first full year after 9/11. Freedom House has been publishing this survey annually for the past thirty years; it is the only barometer of the state of world freedom that provides a comparative assessment of the world's 192 countries and ranks them in the categories, Free, Partly Free, and Not Free.

Our survey data point to several conclusions, some positive, others more worrisome.

First, our data indicate that, when assessed on a global basis, freedom has suffered no measurable setback since 9/11. In fact, the survey shows that in 2002, freedom advanced in more countries than it declined. The survey reflected real-life improvements in 28 countries; by contrast, freedom registered a decline in 11 countries. For the most part, the improvements were not dramatic; nor, for that matter, were the declines. But if there were an observable trend for the year 2002, it would be a modest gain for freedom and human rights-gains observable in almost every region of the world.

Thus at the end of 2002, the state of world freedom looked like this:

- There were 89 Free countries in which there is open political competition, a climate of respect for civil liberties, significant independent civic life, and independent media. The number of Free countries increased by four in the last year, meaning that both the number of Free countries and their proportion are the highest in the history of the survey. This represents almost 2.7 billion people and approximately 44 percent of the global population.
- There were 55 Partly Free countries in which there is limited respect for political rights and civil liberties, a decrease of four. These states also suffer from an environment of corruption, weak rule of law, ethnic and religious strife, and often a setting in which a single political party enjoys dominance despite the façade of limited pluralism. Approximately 21 percent of the world's population, or 1.2 billion people, lived in such Partly Free societies.
- Over 2 billion people (and 35 percent of the global population) still live in 48 Not Free countries, where basic political rights are absent and basic civil liberties were widely and systematically denied, the same as the previous year.

The year's trends toward greater freedom were registered amidst the prosecution of a global war on terrorism and signs of a marked increase in the number of coordinated terrorist acts carried out by extremist political movements. Some experts suggested that widespread transnational terrorism carried out by international networks and the anti-terrorism measures adopted in response would result in significant erosion of freedoms, but our latest survey results do not in fact indicate a worldwide reversal of freedom.

It is important to note that freedom has gained principally in countries in which the impact of ideological terrorism has been marginal or absent.

In Latin America, I would like to point to gains in both Brazil and Mexico, two of the most important countries in a part of the world that has experienced considerable economic instability, ethnic tensions, and a worrisome rise in political demagoguery. Latin America is a region that was once noted for military juntas, repeated coups, death squads, disappearances, political extremism of the right and left, and, in the case of Mexico, the longest ruling one-party state in history. Both Mexico and Brazil are now governed by democratically elected presidents who are not drawn from the usual circle of political elites. These new governments have shown a commitment to the rights of ordinary people and the reform of corrupt institutions, and their election is one of the most important developments of the past few years.

Africa also registered some important gains for freedom. The most significant positive movement was in Kenya, where a series of legal and constitutional reforms

culminated in the freest election ever conducted in the country. As a result, Kenya was elevated from the Not Free category to the ranks of Partly Free countries. Important progress was also noted in Senegal and Lesotho, both of which achieved the status of Free.

Second, the 2002 results showed encouraging gains for freedom in the Middle East. Again, I don't want to exaggerate the improvements. The Middle East remains, unfortunately, the one region that has resisted the move towards freedom that has taken root in every other region of the world in the last thirty years. There are, nevertheless, some promising signs to report. Perhaps the most important gain occurred in Turkey, where a party with Islamic roots prevailed in the latest election, was able to form a government, and has subsequently adopted several reforms with important implications for the country's democratic future. Gains were also seen in Bahrain, which held contested elections for a parliament with limited powers.

Many of the countries confronting transnational terrorism are established democracies with a strong rule of law, and have successfully preserved a wide array of personal, political, and civil freedoms. Some counter-terrorism measures, however, have raised civil liberties concerns that bear continued close monitoring. In the global battle against the tyranny of terror, it is all the more important that democratic governments be vigilant in sustaining freedom for their own citizens.

Of course, the news is not all good, and some trends, whose eventual impact is as yet unclear, are especially troubling.

The war on terrorism does seem to have had some impact on respect for human rights in a number of key countries in the Middle East, including Egypt, Syria, Lebanon, and Jordan. Particularly disappointing is the case of Egypt, a major U.S. ally, where the continued persecution of dissidents, the incarceration of the political opposition and the frequent use of torture are rightly condemned in the current State Department report. Freedom House has spoken out against the persecution of Dr. Saad Eddin Ibrahim, a scholar, nonviolent democracy advocate, and defender of the rights of ethnic and religious minorities who, until quite recently, was held in prison under patently false charges. We are pleased that, after a worldwide protest campaign, the government of Egypt decided to release Dr. Ibrahim from prison and abandon the legal campaign against him. We also commend the U.S. government for weighing in forthrightly on Dr. Ibrahim's behalf, and urge them to raise concerns about the countless others who continue to languish in prison for their peaceful political beliefs.

Freedom House is also concerned about the political stagnation, failures of reform, and general backsliding that are the dominant trends in a number of relatively new electoral democracies. This group includes Russia and Ukraine, as well as Georgia, Guatemala, Moldova, Mozambique, and Paraguay.

Indeed, we have detected a clear trend towards more government restrictions on freedom of the press that transcends regions and cultures. Our annual survey of global press freedom, the findings of which will be made public shortly, showed a noticeable decline for media freedoms in 2002.

How do we explain this seemingly contradictory trend, in which more countries are embracing elections and other attributes of democratic governance while at the same time adopting policies to restrict or harass the press, and in some cases imprison, torture, and even murder journalists? Part of the answer lies in the fact that many of the countries where press freedom has suffered setbacks are new and fragile democracies. These are countries where free elections are conducted according to schedule and a variety of political parties are allowed to compete for power. But in many of these countries, progress in political rights has not been matched by advances in civil liberties. In countries like Russia and Ukraine, elected governments have resorted to a variety of methods to silence or intimidate press critics: physical harassment, tax audits, selective enforcement of media regulations, state takeovers of independent media outlets, charging journalists with criminal offenses, even state censorship.

The rise in media restriction, along with the scourge of officially tolerated corruption, poses serious obstacles to a deepening of freedom and democracy around the world. They also pose a critical challenge to American policy makers if they are truly committed to the further expansion and strengthening of democracy and human rights around the world.

Freedom House would like to commend the State Department for its honest and hard-hitting report on human rights. The challenge now is for the U.S. government to go beyond assessments to take concrete action based on their own findings. We welcome the steps that the U.S. has already taken to incorporate the promotion of democracy and human rights in its decision-making on foreign policy and allocation of development assistance. But we urge the U.S. to do more to make the promise of global freedom a reality.

Mr. GALLEGLY. Our next guest I am pleased to introduce is Mr. Rahman Aljebouri. Is that close enough? Aljebouri.

Mr. Aljebouri. That is close enough.

Mr. GALLEGLY. Okay. Mr. Aljebouri endured the full spectrum of the Iraqi citizen experience. Mr. Aljebouri was arrested, imprisoned, and tortured by the Hussein regime, then was conscripted into the military. Later he participated in the 1991 uprising against Saddam Hussein's army, eventually fleeing to a refugee camp in Saudi Arabia, where he served as a supervisor and interpreter for the U.N. High Commission on Refugees, and later he resettled in the United States. He now works with the Free Iraq Foundation, where he develops advocacy campaigns on behalf of the Iraqi community-based organizations.

What we will hear today are not only his personal experiences, but also those stories of relatives he had to leave behind.

We are pleased to have him before us today. And I look forward to your testimony. Welcome.

STATEMENT OF RAHMAN ALJEBOURI

Mr. ALJEBOURI. Thank you, Mr. Chairman.

It is a great honor to be here. I came here basically to shed some light on the misery of human rights abuses in my former country. I will tell three stories.

First, my own story, and the second story after that what happened in 1991 after the uprising, and the third story is one of a woman in my hometown.

When I was student in college of art in Baghdad University, I read a story. An Iraqi shepherd who played flute was drafted into the Army, and he lost his arm. Losing his arm changed his life. His life never been the same.

I just read that story in youth club in college. This story changed my life similar to the same shepherd. My life never been the same. Basically I spent 4 years of my life for that story. I still carry a lot of scars on my body for that story. My family life never be the same. I have not seen my family for the last 13 years. I have nephews and nieces who grow up. I have just the image, pictures of them. I never have the personality of them. I never seen my mom—it is normal things—for 13 years. My whole family suffered. They lost their government jobs. My oldest brother is a judge, but after my activities, after my imprisonment in Iraq, my brother has been working as a taxi driver for the last 13 years. It is just a short story. I never been a political candidate in Iraq, and I never worked with a political party in Iraq. I was 19 years old and all what I know, I wrote this story.

In 1991, my second story, I was part of the uprising in the south. You know, we fought that for 21 days. We controlled most of the south. We lost the battle. After the Republican Guard get inside my town, they collected basically a lot of youth who just joined the uprising at that time. They had a party for them in the soccer field. They executed about 200 people in my small town in the soccer field in the front of everybody. They are kids, their wives, mother, parents. My memory of my country, all the countries in the world mostly building up. In my former country, we did down for political prisoners.

My third story is a woman. Her name is Makarim, and that woman, they own a house close to one of Saddam houses in my home State. One day, her husband decided to sell the house basically under the market value. And when he was asked why you selling your house under the market value, he said well, I cannot keep my eyes open all the time guarding or watching for my famous neighbor. It is just simple, like that. Her husband and five sons disappeared, and nobody knows about them until this moment. The woman Makarim went crazy. With time she just throw herself in her work. That is the tragedy of the human rights in Iraq. And it is well-documented, right now, and we can see on the TV what is going.

And I see the light is red, and I am done.

[The prepared statement of Mr. Aljebouri follows:]

PREPARED STATEMENT OF RAHMAN ALJEBOURI

Dear Congress members,

It is a great honor for me to be here, and tell my story, one that is a typical situation in my homeland. It is the story of the nineteen-year-old college student that I was that sits in front of you today.

The purpose of this testimony is to speak of a typical situation in Iraq where there is no freedom of speech, where arrests are arbitrary and where the repercussions extend far beyond the accused but also to his or her family members. In 1982, I was nineteen years old and active in my town and on the college campus. I was a member of the Youth Literature Club and one day I proudly read a short story I had written about a young Iraqi Shepard, a flute player, who had been drafted to fight during the Iraqi-Iranian war. During the war, he lost his arm and could no longer play the flute. Life as he knew it was never the same. Because of my simple reading of a story, I was jailed from 1982–1986 during my second year as a student at Baghdad University.

Two days later, I was arrested. I was accused of preaching for an underground Iraqi political movement of which I was not a member. I had never been part of any political party but for a story of a naive young man, I was tortured with cigarette butts, beaten and hung from my arms for four years. But I had nothing to tell them. Despite my repeated assertions of my innocence, I was beaten at least twice a week. To this day I carry the scars of the cigarette burns, stitches from cuts and the psychological horror of being wrongly detained and tortured.

At one point, I was moved to Al Kadhimai Intelligence Detention Center. The officer in charge there had a reputation as one of the worse torturers for Saddam Hussein. One particular memory still haunts me of when, after reading my file, he asked a member of his staff to grille, as in a sheesh kabob, the hand that I wrote with. Despite my pleas of innocence, they would continue to “grille” and ask such questions as: whom are you working with? How many of you are there? How do you get in contact with them and what was the password? They would also take me to a torture room to watch other people who were being tortured before they began the questioning me.

I believe that they finally realized that I had nothing to tell them but refused to release me because they wanted me to participate in the torture parties they would hold when they were drunk. Finally, I signed a pledge stating that I would never work in opposition to the government or the presidency of Saddam Hussein.

When Saddam later invaded Kuwait in 1990, I was a drafted man in the army but I refused to go to Kuwait. Later, I joined the 1991 uprising and because of the subsequent repression, was forced to leave my country. I spent four years in the desert of Saudi Arabia as a political refugee. In 1994, I came to the United States as a refugee.

My actions, first as a young student and second as a conscientious soldier who did not agree with the military policies of his government, have cost my family dearly. My siblings have been blacklisted; they have lost their government jobs or prevented from holding them. For example, my oldest brother, a judge, was dismissed from his position. The message was clear; they would be punished for my actions as a young, nineteen year old and later for leaving. My punishment continues; I have not seen my family in twelve years nor know my own nieces and nephews.

I left the country after the uprising of 1991(the defeat of the rebels). Saddam attacked the cities in the south where thousands of people were murdered/executed.

Saddam's security guards held people from my hometown (Al hashimaih) on soccer field for collective killing, they were executed them in front of their parents, wives, children, two hundred people were killed in matter of minutes. The bodies were taken by helicopter and thrown from air in other cities to horrify the residents and prevent any other uprisings.

The evils of Saddam continued during the nineties. Each time I called home my family or people who were fleeing the country told stories of people who had 'disappeared'.

The story of Um Akram, who lost her husband, five sons, is well known for the people of Hilla city, which happened in 1996. The family lived next to one of Saddam's houses. As the story goes, her husband sold his house under market value, and when asked why, he said "he could not keep his eyes open to protect his famous neighbor". Later, the house was confiscated, the husband and his five boys disappeared one night, and no one knows what happen to them. Um Akram went crazy because she could not handle not knowing what happened to her husband and sons, she threw herself in the Hilla River and drowned.

Saddam Hussein's reputation for torture and brutality are well known. My story today is not atypical nor is it the worse; unfortunately it was the common reality for too many people in Iraq.

Mr. GALLEGLY. Thank you very much.

Now, I am pleased to have Mrs. Soon Ok Lee. Mrs. Lee is a courageous North Korean woman who faced unimaginable horrors in the Kaechon Prison Camp. She is the author of *Bright Eyes and Tailless Beasts*, which chronicles her experience during the 5 years she was held prisoner.

We look forward to hearing your compelling testimony, Mrs. Lee

STATEMENT OF SOON OK LEE

Mrs. LEE. Mr. Chairman, my name is Soon Ok Lee, and I defected from North Korea in February 1994 with my son, and arrived in Seoul in December 1995. From 1987 through 1992, I was in the political prisoners camp in Kaechon.

Human rights are universal criterion to measure and evaluate the political and social development of mankind. Today human rights are most violated and least tolerated in North Korea, a blind spot of the world. Worst of all, the crimes against humanity that have been perpetrating in North Korea for decades have destroyed the humanity and personalities of all North Koreans.

The personality cult of the leaders, the father and son, was the norm that came to replace respect for humanity. To achieve this purpose, the North Korean leadership operates secret concentration camps and prisons for political prisoners in at least 12 locations. Their goal is to eliminate all forms of opposition. Over 200,000 innocent victims, including women and children, are detained there for life without any judicial process. The secret concentration camps, and all other prisons in North Korea, are the sites of the worst crimes against humanity in the 21st century, in my view.

There were some 6,000 prisoners in the Kaechon Prison, where I spent 7 years. All the prisoners were deprived of any modicum of human dignity. From the moment of imprisonment, prisoners were treated as being lower than beasts. I experienced a living hell during the 7 years that I spent there. The ordeal at that time was to such an extent that even today, I am not sure whether I am alive or merely dreaming.

Kaechon Prison was one of the first prisons constructed by the North Korean regime for political offenders. As the economic situation rapidly deteriorated and food shortage became widespread in

the 1980s, even petty commercial offenses, such as buying or selling food in the black market were treated as political crimes.

Consequently, large numbers of innocent citizens were sent to prisons. Kaechon Prison was only for men up until 1982. But after that year, the increase in the number of women arrested for trying to find daily provisions in the black market or merely travelling without an official pass to find food made it necessary for the prison authorities to accommodate women prisoners as well.

Some 2,000 housewives were serving terms in Kaechon Prison when I was there. The women were typical victims of the North Korean political system. They were arrested while trying to find food when the government discontinued food rations. The women's appeals were considered as an expression of a political discontent, and they were accepted as political prisoners. Many of them did not even know what the charges were against them or what their prison sentences were. In prison, they only found out for the first time that they had been sentenced to serve 10 or 15 years. At Kaechon Prison, the inmates were forced to work 16 to 18 hours daily without a moment of rest. They were only allowed to use the toilet three times a day, at fixed times. One hundred grams of a poor quality corn per meal was the standard ration, and often even this was further reduced to 80 or 30 grams for any poor job performance or if a prisoner failed to meet her daily work quota. As a result of these small and inadequate meals, long and hard work, and lack of exposure to the sun, all the prisoners suffered from malnutrition and all kinds of diseases. We were allowed to sleep for only 3 to 4 hours a day, and our cells were about 6 by 5 meters and contained as many as 80 to 90 inmates. Cells were so crowded that the prisoners slept with the feet of other prisoner right under their noses. There is only one window in each cell, and it was like being in a steam bath in the summer days. And in winter, the cell was not heated, and it was so cold with icy winds coming through the cracks of the floor and the window.

The prisoners were not allowed to talk to each other or sing, and they were ordered strictly by the guards to answer their questions only when asked. Punishment is very severe for violating this and any other prison rules. The punishment cell is most dreaded by the prisoners because it is only 0.6 by 0.7 meters and 1 meter high, literally like a pigeon hole. Prisoners are stripped to the skin in the punishment cell and that is why the prisoners called it the death chamber.

Pregnant women were unconditionally forced to abort because the unborn baby was also considered a criminal by law. Women in their 8th or 9th month of a pregnancy had salt solutions injected into their wombs to induce abortion. In spite of these brutal efforts, some babies were born alive, in which case, the prison guards mercilessly killed the infants by squeezing their necks in front of their mothers. The dead babies were taken away for biological tests. If a mother pleaded for saving the life of her baby, she was publicly executed under the charge of "impure ideology."

Human biological testing took place once or twice a year. I witnessed such tests. Some women prisoners were so hungry that they ate dirt and many died from it. In the labor factories, when there was a power outage, the women prisoners were forced to manually

pull their motor belts of their sewing machines because the daily quota had to be met no matter what. Prisoners had to—by North Korean theory—had to cleanse their crimes by working hard. But the goal of the prisons is to work the prisoners slowly to their death through extremely hard work and inhumane prison conditions.

In Kaechon Prison, there were many Christian prisoners. In North Korea, Kim Il Sung and his son Kim Jong-Il are to be worshipped as living gods. Christians had to suffer all kinds of harsh punishment and degrading treatment in Kaechon Prison for no other crimes other than their belief in God.

I am asking the international community, including the United States to intervene in this situation as a matter of international responsibility by asking the North Korean regime as a first step to respect human rights and to close down their political prisoner camps. I believe international intervention can help this situation by demanding that North Korean regime respect the human rights and dignity of its own people.

I have submitted additional written testimony documenting the horrible treatment of innocent people in North Korea and others who are suffering pain and torment in other North Korean political prisoner camps. I am also submitting a written memo about the current situation in North Korea, and I would like to thank you for giving me the opportunity to testify before you.

Mr. GALLEGLY. Without objection, the entire written text will be made a part of the record of the hearing, and I thank you for your testimony. We went a little over on it, but understanding the significance, I think that was the appropriate thing to do, and I appreciate your testimony, Mrs. Lee.

[The prepared statement of Mrs. Lee follows:]

PREPARED STATEMENT OF SOON OK LEE

My name is Lee Soon Ok and I defected from North Korea in February, 1994, with my son and I arrived in Seoul in December 1995. From 1987 through 1992 I was in the political prisoner camp of Kaechon. In addition to this statement, I would like to formally request that my additional written testimony be submitted into the record of this hearing.

Human rights are a universal criterion to measure and evaluate the political and social development of mankind. Today, human rights are most violated and least tolerated in North Korea, a blind spot of the world. Worst of all, the crimes against humanity that have been perpetuating in North Korea for decades have destroyed the humanity and personalities of all North Koreans. The personality cult of the leaders, the father and son, was the norm that came to replace respect for humanity. To achieve this purpose, the North Korean leadership operates secret concentration camps and prisons for political prisoners in at least 12 locations. Their goal is to eliminate all forms of opposition. Over 200,000 innocent victims, including women and children, are detained there for life without a judicial process. The secret concentration camps and all forms of prisons in North Korea are the sites of the worst crimes against humanity in the 21st century.

Some 6,000 prisoners were in the Kaechon Prison when I was imprisoned there for 7 years. All the prisoners were deprived of all forms of human dignity. From the moment of imprisonment, prisoners are treated as being lower than beasts. I experienced a living hell there during the seven years that I was there. The ordeal at that time was to such an extent that even today I am not sure whether I am alive or merely dreaming.

Kaechon Prison was one of the first prisons constructed by the North Korean regime for political offenders. As the economic situation rapidly deteriorated and food shortage became widespread in the 1980s, even petty commercial offences, such as buying or selling food in the black market, were treated as political crimes. Consequently, large numbers of innocent citizens were sent to prisons as political pris-

oners. Kaechon Prison was only for men until 1982. After 1982, the increase in the number of women arrested for trying to find daily provisions in the black market, or for traveling without an official "pass" to find food, made it necessary for the prison authorities to accommodate women prisoners in Kaechon Prison.

Some 2,000 housewives were serving prison terms in Kaechon Prison when I was there. The women were typical victims of the North Korean political system. They were arrested while trying to find food when the government discontinued food rations. The women's appeals were considered an expression of political discontent and they were sentenced as political prisoners. Many of them did not have knowledge of the charges against them or what their sentences were. In prison, they found out for the first time that they had been given sentences of 10 or 15 year terms.

At Kaechon Prison, the prisoners were forced to work 16 to 18 hours daily without a moment of rest. They were only allowed to use the toilet 3 times a day at fixed times. 100 grams of poor quality corn per meal was the standard meal and often this was even further reduced to 80 or 30 grams per meal for any poor job performance or if a prisoner failed to meet the daily labor quota. As a result of these small and inadequate meals, long and hard work and lack of exposure to the sun, all the prisoners suffered from malnutrition and all kinds of diseases. We were allowed to sleep for only 3 to 4 hours daily. Our cells were about 6 by 5 meters and contained 80 to 90 prisoners per cell. The cells were so crowded that the prisoners slept with the feet of the next prisoner right under their noses. There is only one window in each cell and it was like being in a steam bath in the summer days. In the winter, the cell was not heated so it was very cold with icy winds coming through the cracks of the floor and the window.

The prisoners are not allowed to talk to one another or to sing and were ordered by the guards to answer their questions only. The punishment is very severe for violating any prison rule. The punishment cell is most dreaded by prisoners. It is 0.6 by 0.7 meters and 1 meter high; literally a pigeon hole. Prisoners are stripped to the skin in the punishment cell. This is why the prisoners called the punishment cell "the killing chamber".

Pregnant women were unconditionally forced to abort because the unborn baby was also considered a criminal by law. Women in their 8th or 9th month of pregnancy had salt solutions injected into their wombs to induce abortion. In spite of these brutal efforts, some babies were born alive, in which case the prison guards mercilessly killed the infants by squeezing their necks in front of their mothers. The dead babies were taken away for biological tests. If a mother pleaded for the life of her baby, she was publicly executed under the charge of "impure ideology".

Human biological testing took place once or twice a year. I witnessed such tests. Some women prisoners were so hungry that they ate dirt and many died from this. In the labor factories, when there was a power outage, the women prisoners were forced to manually pull the motor belts of their sewing machines because the daily quota had to be met no matter what. Prisoners had to cleanse their crimes by working hard. The goal of the prisons is to work the prisoners slowly to their death through extremely hard work and inhumane prison conditions.

In Kaechon Prison there were many Christian prisoners. In North Korea, the North Korean leaders, Kim Il Sung and his son Kim Jong-Il, are to be worshipped as living gods. Christians had to suffer all kinds of harsh and degrading treatment in Kaechon Prison for their belief.

I am asking the international community including the United States to please intervene in this situation as a matter of international responsibility, by asking the North Korean authorities, as a first step, to respect human rights and to close down their political prisoner camps. I believe that international intervention can help this situation by demanding that the North Korean regime respect the human rights and dignity of the North Korean people.

I have submitted additional written testimony documenting the horrible treatment of innocent people in the North Korean political prisoner camps, and I am also submitting a written memo about current information about North Korea to this Committee. Thank you for giving me the opportunity to testify, and I would be glad to answer any questions that you have.

Mr. GALLEGLY. I have a question for Mrs. Lee. Yesterday in the news reports, we understand that there are some that have been escaping into China from North Korea that are talking about famine that is—that exists in North Korea that may be costing hundreds of thousands, if not millions of lives. I wonder if Mrs. Lee could respond to that and give us her assessment of what she un-

derstands to be the state of affairs as it relates to the famine or the reports of famine.

Mrs. LEE. In North Korea, except the City of P'yongyang, I know the ration has completely ceased for other parts of the country. And that happened since the summer when government stopped the distribution of food to people in other parts of the country.

I believe without foreign aid or food aid to North Korea, there will be more people who will suffer and starve to death.

Mr. GALLEGLY. Thank you, Mrs. Lee. Gentleman from California—what we are going to do because the bells have gone off, I would like to give Mr. Sherman an opportunity and also Mr. Pitts an opportunity to ask a quick question. And then because of the interest of time, we are going to have to go to the written format.

Ms. WATSON. Mr. Chairman, I would like to submit these questions for the record.

Mr. GALLEGLY. Without objection, we do have a unanimous consent authorization that all questions will be submitted and answered—questions and answers will be made a formal part of the hearing. Mr. Sherman? Thank you, Mr. Sherman. Mr. Delahunt is not a Member of the Subcommittee, but I would certainly welcome any questions that he would like to submit that will be answered and be made part of the record of the hearing. With that, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman, I too would like to submit my opening statement, my questions for the panelist and a statement from another witness in writing.

Mr. GALLEGLY. Without objection.

Mr. PITTS. I would like to extend a special welcome to Mrs. Lee. She is a woman that I admire for her courage and strength, and I will ask you to submit, in writing, recommendations that you might have for the U.S. policy toward North Korea.

I want to ask just one question of Freedom House. I would like to commend Freedom House, Ms. Windsor for your recent report which examined human rights violations suffered by the people of Western Sahara at the hands of Morocco. Would you explain what steps you believe the U.S. and international community need to take to ensure that there is a vote for self-determination for the Sahara people.

Ms. WINDSOR. Do you want me to answer for the record?

Mr. GALLEGLY. Answer for the record now. I would appreciate that.

Ms. WINDSOR. We are quite concerned about the situation in Western Sahara. And I would like to reflect on your question and provide you an answer in writing in order to be able to give it justice, since it is a complex situation.

Mr. GALLEGLY. I want to thank all of the witnesses today and particularly for your patience with the goings on with going back and forth to vote on the Floor. I personally have several other questions that I would like to address specifically to Ms. Arriaga and Ms. Windsor, but also to our other two witnesses, and hope that I would receive a written response, so that we can make them a formal part of the record of this hearing. The gentleman from Virginia.

Mr. MORAN. I am not going to ask a question, but I do want to make a point and underscoring yours, Mr. Chairman. Amnesty's re-

port is extraordinarily comprehensive, professional and terribly important for every Member of Congress and the Administration to read. Freedom House, thank you for your testimony and for your ongoing work as well.

Mr. Aljebouri, we listened here somewhat impassively, but that was a heartbreaking evocative statement, courageous. And I have to tell you that it is difficult to understand what you and your peers and friends from Iraq have gone through, but I thank you for sharing that with us.

And Mrs. Lee the inhuman treatment is hard to believe that it occurs, but because you are here we have to realize that it does. So again, Mr. Chairman, thank you for having this hearing. I wish more Members could have heard it, and I appreciate you letting me do so.

Mr. GALLEGLY. Thanks to all of you, and I look forward to working with you in the future on this Committee. There are many challenges for us, and you provided a vital resource.

I thank you again and with that, the Committee stands adjourned.

[Whereupon, at 4:10 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW JERSEY

Thank you, Assistant Secretary Crane, for joining us today to discuss human rights.

The United States, as we are all aware, has a tradition of being concerned about human rights worldwide.

This concern extends to a broad range of areas—from prison conditions to freedom of religious expression to trafficking in persons.

In pursuing these key humanitarian objectives, we underscore America's commitment to reducing injustice and discrimination in all forms worldwide.

This not only reminds us of our bedrock values, but it also reflects our interest in creating improved living conditions for all of humanity.

In doing so, we support equality and fairness in how our fellow human beings are treated, in of itself a means of improving our collective security.

I appreciate the devotion and hard work that goes into the preparation of these credible, often-cited documents.

The reports serve an important role in educating and informing the public about human rights conditions and trends around the world.

The reports also remind us that respect for human rights is an ongoing process everywhere.

Today is International Labor Day.

I am pleased to note the Human Rights Report's emphasis on the need to eliminate child labor.

Addressing the worst forms of child labor should certainly remain a priority as we analyze and report on conditions overseas, and subsequently respond to in our foreign assistance programming.

I would like to encourage the Department of State to ensure that resources—staff and programming—are allocated to remedy human rights shortcomings in a manner commensurate with their seriousness.

Let me close by posing a few questions regarding human rights:

—In Africa and the Caribbean in particular, HIV/AIDS continue to take a heavy toll as the pandemic rages.

I encourage the Department of State to regard this plague as a human rights-related issue, with access to affordable medications to treat it increasingly regarded as a basic human right.

Along these lines, how does the Department of State consider health care in terms of human rights?

—In Northern Ireland, the Assembly and Executive were suspended last October, with direct rule being imposed rather than a continued devolution of power.

I encourage the Department of State to work to ensure that the Good Friday Agreement is honored and that decision-making returns to the local level as soon as possible to permit the exercise of political rights by the citizens of Northern Ireland.

How does the Department of State view this ongoing human rights situation?

—Along the lines of freedom of political expression, I note with interest that Cyprus has voted to join the European Union.

Complicating this process, however, is the fact that the nation remains physically divided.

What process does the Department of State seek to implement to settle this human rights-related issue once and for all?

Thank you for your attention to these important matters.

PREPARED STATEMENT OF THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. Chairman, thank you for holding this important hearing to review the annual *State Department Country Reports on Human Rights Practices*. This annual *Report* serves the very important purpose of publicizing the terrible human rights abuses occurring around the world. I commend the State Department for the continued improvements to this *Report* over the years and for the tremendous amount of work poured into its compilation. Thank you to all of the officials who assisted in the drafting and compilation of this year's *Report*. And, thank you to today's witnesses for being here to share your insight, expertise, and personal experience. I would like to extend a special welcome to Mrs. Soon Ok Lee, a very courageous woman who survived and escaped from the very brutal and horrific prison camps in North Korea, and to Mr. Rahman Aljebouri, an Iraqi torture survivor.

The importance of the State Department Country Reports on Human Rights Practices cannot be understated. The issues addressed in the *Report*, or the issues omitted from the *Report*, directly impact the lives of individuals. In light of this fact, I would encourage the authors of this *Report* to ensure that all relevant material is covered thoroughly and as extensively as needed in these *Reports*.

As our nation, in alliance with other countries, pursues the war against terrorism, it is vital that human rights issues remain at the forefront of policy discussions and diplomatic interaction with other nations. There is an intricate relationship between human rights abuses and terrorist activities. In numerous countries around the world, local villagers, attacked by officials or terrorist-type organizations, have cried out to the international community for help. Unfortunately, these cries have often fallen on deaf ears. If the international community had paid more immediate attention to these human rights violations, perhaps it might have helped prevent the spread of terrorism. There is nothing we can do about the past, however, our nation and the international community CAN be more responsive in the future. The State Department Human Rights Reports are a valuable tool in documenting patterns of human rights abuses and the underlying issues behind those abuses.

BURMA

In January of this year, I traveled to Thailand, the Thai/Burma border, Laos and Vietnam. During the trip, I visited with individuals in a refugee camp from Burma, Christians, Buddhists and Muslims, and heard heart-wrenching stories of the horrific treatment of the people of Burma at the hands of the ironically-named State Peace and Development Council (SPDC). As mentioned in this year's *Report*, the ruling military junta engages in a scorched earth policy to destroy entire villages along with food storage and production sources, systematic rape, uses humans, including women and children, as landmine sweepers, conscripts ethnic minorities for forced labor, also known as slavery, and refuses to allow the duly elected leader of the country to take office. These abuses and many other human rights violations have turned the country of Burma into one large concentration camp. The regime appears to be engaged in a deliberate policy to eliminate the ethnic minorities.

The stories from refugees and Internally Displaced Persons (IDPs) were heart-wrenching. I visited an orphanage and met with a number of young children. One group of four children, the oldest was 12, had lost their father; their mother could not take care of them so she brought them to the orphanage. An eight-year-old boy, who could not smile, had lost both parents, was then trafficked across the border to Thailand, somehow escaped from his "owners," and reached the safety of the refugee camps. The international community, including the U.S., must help bring an end to the abuses committed against the people of Burma.

NORTH KOREA

In North Korea, as our witness Mrs. Soon Ok Lee will share, the government actively starves and physically persecutes its people. The people of North Korea have faced mass starvation, torture, Nazi-style prison camps, forced labor camps, and other horrors at the hands of their leaders. *Human Rights Without Frontiers* reports from testimonies of prisoners that in the prison camps "pregnant women were forced to abort. If a baby was born alive, it was killed. During my detention here, three young women were detected to be pregnant and were sent to the police outside the camp for abortion." Even further details from another source reveal that "When a baby was born, it was abandoned to die on the floor or suffocated with a wet plastic

sheet put on its face. Seven or eight babies were delivered and killed in a month at the camp. Their bodies were thrown away. Security officers kicked the bellies of pregnant women whose gestation was less than five months. As the pregnant women were screaming out of pain, the officers ordered them to run around the campground to induce quick abortion."

Recently, I was privileged to meet with the *Association of the Families of Victims Kidnapped by North Korea*. The families of Japanese victims who had been kidnapped by North Korean agents told deeply moving stories. They also shared that Japanese citizens were not the only ones kidnapped by North Korea, but that citizens of other nations from East Asia and the Middle East had been kidnapped.

Dr. Vollertson, a German doctor I met who lived and worked in North Korea for 18 months, made a strong statement that should spur the international community to action. Dr. Vollertson compared the North Korean prison camps to Nazi concentration camps and said, "No journalists, nobody wanted to believe that Hitler is so cruel, that the German government is so cruel. . . . I think it's my duty as a German to learn from history, to not make the same mistake twice." It is the duty of the international community not to make the same mistake again and ignore the plight of thousands of people in North Korea who are starving or who are in terrible prison camps where they are beaten and tortured in horrific ways.

EGYPT

I would like to commend President Mubarak of Egypt for his decision to mark the Coptic Orthodox Christmas as a national holiday for all Egyptians, regardless of their religion. The President's statement that "we should not deal with each other as Muslims and Christians, but as Egyptians, as religion is a personal belief that we all deal with as citizens living on the same soil" is an important step in addressing the issues facing religious minorities in Egypt.

There continue to be problems, however, for the Christian community, including Coptic Orthodox, Catholic and Protestant believers. The ancient Ottoman decree of 1865, the Hamayouni Law, mandates that non-Muslim communities get presidential permission to build a place of worship. The Islamic community is not required to obtain presidential permission to build places of worship. If the Egyptian government, as it claims, treats all citizens equally, it seems strange that only certain communities need presidential permission to build a place of worship. The Hamayouni law is one of the only, if not the only, decrees remaining from the Ottoman Empire. Despite government claims that the President approves all applications he receives, other sources reveal that government ministries, particularly the Interior Ministry, delay or do not even submit applications to Egypt's President. Reports from the Christian community reveal that security officials have stopped them from using issued permits and have blocked permits for church repairs.

Recently, reports reveal that on April 5, 2003, the Patmos Center, a Coptic home for handicapped children was attacked by Egyptian authorities using armored vehicles, tear gas bombs and a bulldozer. Workers at the center bravely confronted the soldiers trying to protect the Center and the children. However, employees of the Center who protested attacks by government officials in 1996, 1997, 2001, and 2002 have been threatened and beaten.

In addition, the fact that the Egyptian people have been under Emergency Law for the past few decades leaves myriad opportunities for abuse by Egyptian officials. Egyptians can be detained without charge. Torture by authorities abounds in the prison system, particularly at the hands of Egypt's notorious SSI.

Further, the government has imposed laws and regulations to maintain excessive control of NGOs operating in the country. The arrest and imprisonment of Dr. Saad Eddin Ibrahim and his associates at the Ibn Khaldoun Center is a prime example of the government's desire to control speech and the dissemination of ideas. I am delighted at the release from prison of Dr. Ibrahim, however, it is tragic that he was arrested in the first place. Democracy and freedom cannot flourish in Egypt until the issues of arbitrary detention and imprisonment, among other issues, are addressed.

VIETNAM

In Vietnam, the case of Father Thadeus Nguyen Van Ly exemplifies the persecution facing religious believers throughout the country. Father Van Ly has spoken out in support of religious freedom in Vietnam for over 25 years. Two arrests, ten years of imprisonment, and government media campaigns against him have not stopped him from urging the government of Vietnam to uphold and protect one of the most basic rights of freedom of conscience for the Vietnamese people. He was first detained in 1977 after distributing copies of a bishop's letter criticizing reli-

gious intolerance and the arrests of Buddhist monks in Vietnam. In 1982, while serving as a parish priest, Father Van Ly led Catholics on a pilgrimage to a site considered holy by Vietnamese Catholics. He was arrested when refused to stop the pilgrimage. He was sentenced to ten years in prison but released after serving nine years of that sentence.

Most recently, in February 2001, Father Van Ly submitted written testimony to the U.S. Commission on International Religious Freedom. The testimony criticized Vietnamese officials because they had “stripped all churches of their independence and freedom.” The Vietnamese official media responded with a strong campaign against him stating that Father Van Ly had “not shown any signs of remorse” for his “rabid and challenging attitude.” On May 17, 2001, as he prepared to celebrate Mass, hundreds of police officers appeared at his church and arrested him. Officials brought Father Van Ly to trial in October 2001 and charged him with defying a state order of confinement and “undermining the state policy of great unity.” The half-day trial, at which Father Van Ly reportedly had no legal representation, concluded with conviction and a sentence of 15 years in prison.

Time does not allow further focus on the terrible human rights violations in India, Nepal, Sudan, Saudi Arabia, Turkmenistan, Morocco, China and other countries. However, the importance of the State Department’s Annual *Country Reports on Human Rights Practices* cannot be overstated. Our government must pour more resources into this *Report* and into the Department of Democracy, Human Rights, and Labor so that a spotlight continues to brightly shine on human rights violations around the world.

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE BY MEMBERS OF THE COMMITTEE ON INTERNATIONAL RELATIONS’ SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS, AND MR. CRANER’S RESPONSES

Question:

The U.N. Commission on Human Rights membership is an outrage. Libya’s chairmanship of the Commission is a travesty. What steps are being taken by the Administration to rectify this situation to ensure that the most egregious human rights abusers cannot influence the Commission? Please comment on how the Country Reports on Human Rights Practices might be used by the Administration to facilitate reform.

Response:

We agree that the current membership of the Commission on Human Rights (CHR) is problematic. For many years the Commission went downhill. The Session this year had mixed results. The Commission was designed to be a place for countries that believe in democracy to gather and to discuss human rights issues and decide what to do about them. This has become very difficult because countries with poor human rights records have packed the Commission.

Still, the CHR is a unique body, one that we want to see succeed. We are actively working to convince democratic countries that uphold human rights principles to become members of the CHR. As a beginning, in January 2003 the United States called for an unprecedented vote and opposed Libya’s election as Chair of the Commission to signal to the world that this was an unacceptable choice. In taking this action we left no doubts about our opposition to participation in the CHR of countries that do not respect human rights.

In the coming year, we will continue to take a more proactive approach to improve the membership of this Commission and to ensure better results. We want the Commission to be comprised of states with good human rights records. This is a consistent goal and theme in our discussions with the High Commissioner. It is a key pillar of our efforts to reform the Commission as a whole. Over the last year, we have actively encouraged democracies and countries with good human rights records to run for election to the Commission on Human Rights, particularly countries in the Africa and Asia regional groups. We will continue to do so and we have pressed the European Union and others to do the same. We have asked all U.N. members to support democratic candidates for the Commission from their regional groups. We have also begun to discuss with other governments the idea of forming a democracy caucus at the CHR. While a number of countries with strong democratic records did not run for CHR membership this year, a net of three more democracies were elected in April. This was an encouraging start. Unfortunately, a number of human rights violators continue to be elected, including Cuba, resulting in a net balance

or “wash” in terms of membership. We look forward to continuing in a positive direction.

The *Annual Country Reports on Human Rights Practices* provide a comprehensive, permanent and accurate assessment of how well each country respects human rights. The Administration formulates policy options on the basis of its contents, and we will take the *Report's* conclusions into account when deciding which candidates to support for the Commission. We will also encourage other governments to consider the *Report's* conclusions in forming their own nomination and voting positions as well.

Question:

In the recent past, observers and critics have generally lauded the improvements in the quality and coverage of the Country Reports on Human Rights Practices. Improvements continue under your tenure as Assistant Secretary of the Bureau of Democracy, Human Rights, and Labor. Please comment on your vision for the future of the Country Reports. What specific areas would you target for further improvement?

Response:

Every year we strive to improve the consistency across all 196 country reports. We strive to create a comprehensive, permanent, accurate, and credible record of human rights conditions. Our goal is to make the *Country Reports* serve as an even more effective instrument of U.S. Foreign Policy. My staff has continued the policy of cross-references within individual country reports to assure easy access to information that cuts across more than one issue. In addition, embassies have been instructed to keep their draft reports, except for in the most high-profile cases, to a 3-year statute of limitations to highlight those events that took place in the calendar year, while noting important cases from previous years. Finally, we began using hyperlinks in a selected number of reports last year and intend to expand this practice this year in order to make the reports easier to navigate. I believe these measures will help to further improve the readability of the *Country Reports*. I would be happy to take suggestions for further improving this process and increasing the usefulness of the *Country Reports*.

Question:

You stated in your testimony that the State Department has doubled its resources to advance human rights and democracy in the Kyrgyz Republic and Turkmenistan and nearly quadrupled its resources going to Uzbekistan and Tajikistan. Has this concentration of resources yielded appreciable advances in the human rights situation in these countries? Please comment on specific improvements as well as programs currently in place to advance human rights and democracy in these countries.

Response:

To complement the hard-hitting diplomacy of the U.S. Government, including the continuous interventions of various U.S. officials in the region, the U.S. Government is funding numerous programs designed to promote democracy and human rights in the region. In addition to the many programs administered by USAID and by the State Department, DRL is using the Human Rights and Democracy Fund (HRDF) to support some innovative programs in the region. These programs focus on four main areas: support for strengthening rule of law, human rights NGOs, independent media, and political party development.

For example, in Uzbekistan we are funding the establishment of resource centers for human rights NGOs which provide not only the physical infrastructure for human rights defenders to meet, disseminate information via computers and access to the Internet, but also the training they need to more effectively monitor and report on human rights abuses in Uzbekistan. The popularity of these centers has been overwhelming and human rights activists are claiming that for the first time ever they are beginning to feel safe in coming together to discuss and advocate for the protection of human rights. We have also funded the first human rights clinic in all of Central Asia. Housed at the Tashkent Law School, law students are taking special courses in international human rights and then providing legal counseling to Uzbek citizens to help them acquire their civil rights.

In Kyrgyzstan, we are funding the formation of Information Centers for Democracy (ICDs), spread across the entire country. Citizens who are too poor to afford newspapers now have access to most of the independent newspapers published in the country; moreover, the trained staff at these centers host weekly political discussions on current events, educating citizens on how they can advocate for greater government accountability. Also in Kyrgyzstan, we are funding the creation of the country's first independent printing press. For the first time, independent news-

papers will no longer be subject to the unfair treatment of state-run printing presses; they needn't fear their papers won't be printed because they criticize the government.

In Kazakhstan, we are providing funding support for a political party development program, which includes support for political movements seeking change in Kazakhstan. Despite a new Political Parties Law designed to exclude many previously registered opposition parties, Ak Zhol, a moderate opposition party, has registered. We are also funding a regional media development program in which Kazakh journalists receive training and direct assistance to improve and increase human rights reporting.

In a final example, we are also funding a unique program to support the creation of a network of human rights advocates who work together across the three countries of the Fergana Valley—Uzbekistan, Kyrgyzstan and Tajikistan. This is a very troubled spot in Central Asia and the program has helped citizens not only to become advocates for their rights with their respective governments, but also to develop collaborative campaigns across borders, helping to alleviate ethnic tensions in the region.

The programs of DRL and other U.S. agencies are designed to nurture the nascent forces of democracy in Central Asia. While the task is not easy and will take many years to complete, the programs are bearing fruit and we invite you and your colleagues to visit the region to see the programs for yourselves.

Question:

Under the category of Freedom of Speech and Press, the Reports include the availability and accessibility of the Internet. Please comment, giving specific examples, on the impact of Internet accessibility and the promotion of human rights and democracy.

Response:

The State Department reports on this important topic in the annual *Country Reports on Human Rights Practices*.

The Internet has had a profound impact on the promotion of human rights and democracy. It has revolutionized the way people communicate and do business. The Internet offers people an opportunity to express their views and gain access to information.

It has become a galvanizing tool for the human rights and democracy community. Non-governmental organizations and human rights and democracy advocates use the Internet to organize campaigns, network, and transmit and share information within individual countries across international borders. E-mail lists and websites used by many groups are fast and effective. The global campaign against landmines began on the Internet.

Finally, it has altered the balance of power between governments and those who produce information. The Internet threatens traditional government controls over freedom of expression, like press censorship. Citizens now frequently have access to alternate sources of information to those offered by state-controlled media.

The Internet's potential to promote democracy and human rights, however, is limited. Authoritarian governments increasingly have sought to control the Internet. The Carnegie Endowment recently published an analysis of government efforts in a publication entitled "Open Networks, Closed Regimes: The Impact of the Internet on Authoritarian Rule," which includes coverage of China and Cuba's as well as other countries' efforts to control the Internet. In order to overcome this significant obstacle, democratic governments and civil society must work together to maintain the Internet as an "open" democratic medium. For example, the State Department's Bureau of Public Affairs and International Information Programs Office maintains two Internet sites designed to provide information on the Department's mission and work to the public and civil society.

Question:

Reports from Afghanistan indicate that serious human rights abuses are being committed by militias directed by local warlords. Reports indicate that these militias sometimes post as security forces and rob, kidnap, and rape local citizens. Personal security is an overwhelming concern of the Afghan people. What steps are the U.S. and international community taking to ensure general security and ensure that basic human rights are respected in Afghanistan? In your opinion, what additional immediate actions could be taken to address this situation?

Response:

The United States and the international community remain committed to working with President Karzai and his team as they build greater security and ensure that basic human rights are respected in every region of Afghanistan.

We know that achieving lasting stability and security in Afghanistan will depend on a number of factors, including effective means of addressing past and present human rights abuses. A key priority of the United States Government is to support the creation of a national army, a national police force, and a national judicial system. My office has also committed money to strengthen the Afghan Independent Human Rights Commission (AIHRC). We continue to look for ways to build the capacity of the AIHRC to investigate past and present abuses.

Question:

A preliminary draft of Afghanistan's proposed Constitution is complete and late last week the Constitution Review Commission convened to conduct public consultations with citizens throughout Afghanistan. To your knowledge, has any in the State Department seen a copy of the proposed Constitution? What measures have been taken to ensure that individual freedoms, as specified in the Universal Declaration of Human Rights, are protected in law and in fact? What is the U.S. doing to implement the human rights and religious freedom provision of the Afghanistan Freedom Support Act?

Response:

We have discussed with President Karzai our concerns regarding the proposed constitution for Afghanistan, which is still in its draft form. We continue to reiterate the importance of language (and actions) that support the principles of the Universal Declaration of Human Rights as well as the human rights and religious freedom elements of the Afghan Freedom Support Act. The final product will, or course, be a product of negotiations among the Afghan people—and they will “own” the final document in the same way we “own” our constitution. We have, however, provided support and technical assistance to the Constitutional, Judicial, and Human Rights Commissions.

Question:

The China report notes that, “During the year thousands of North Koreans were seized, detained, and forcibly returned to their homeland, where many faced persecution.” What is the United States government doing to pressure China to fulfill its obligations as a signatory of the 1951 U.N. Convention Relating to the Status of Refugees, and its 1967 Protocol and allow the U.N. High Commissioner for Refugees (UNHCR) to operate on the northeastern border of North Korea, rather than return these refugees to certain persecution, and perhaps death in their homeland?

Response:

The United States is deeply concerned about the forced repatriation of North Koreans in China, who have migrated to China to escape famine or repression. As we have reported in the Department's annual *Country Report on Human Rights Practices*, many of those forcibly returned to the DPRK face punishment, and, in some cases, death. In our current effort, we consistently and at high levels urge China to adhere to its international obligations as a signatory of the U.N. 1951 Convention and the 1967 Protocol Relating to the Status of Refugees by allowing UNHCR access to North Koreans who have crossed the border into China. We have also pressed the PRC to stop the repatriation of North Koreans, who face possible persecution upon return to the DPRK. Since many of those crossing the border are seeking food because of near-famine conditions in North Korea, we also have continued U.S. donations of food aid through the World Food Program.

Question:

In your testimony, you stated that some structural reforms in the areas of rule of law and democracy took place in China. In addition, you note reports of increased pressure inside of China for political reform. What specific structural reforms in the areas of rule of law and democracy were observed and to what do you attribute these reforms? Regarding increased internal pressure for political reforms, what is the nature of the pressure? Has this pressure resulted in any change in the political system and specifically what type of political reforms are being raised?

Response:

The introduction of direct elections at the grassroots level, public legislative hearings, expanded boundaries for media reporting, and judicial reform are among the reforms currently under way. Judicial reform has led to new professional standards

for judges and lawyers, as well as revisions to some of China's trial procedures. Reformers are considering extending local elections to the township level. The media is becoming more aggressive in its coverage of sensitive topics. For the first time, real civil society organizations are also growing and taking on advocacy roles both within the legal system and in the public sector. There is growing debate both in official and unofficial circles about expanding or refining reform in all of these areas, which, over the long term, will create a foundation for democratization in China.

There are indications that the Chinese government increasingly recognizes that lack of transparency and limited political participation erodes its legitimacy. We believe that the Chinese leadership has allowed many of these reforms as a "safety valve" in an attempt to prevent instability. Regardless of the reason for the changes, and despite the fact that China remains a tightly controlled state, many of the reforms introduced by the government have heightened Chinese citizen's awareness of their rights and official channels of redress, creating more pressure for reform and democratization.

While these limited institutional reforms have come about with the acquiescence of the government, it is the Chinese people who are pushing the boundaries of reform. Growing legalism and rights awareness have prompted increasing numbers of aggrieved parties to seek redress in the courts. Associations and civil society organizations, while still closely monitored, are spreading throughout the country and many are tackling difficult human rights questions such as worker rights and women's rights. Even in the area of elections, anecdotes of independent candidates campaigning for local legislative positions are being carried by the Chinese press.

The State Department's Bureau of Democracy, Human Rights and Labor (DRL) is supporting these internal pressures for greater democracy and respect for human rights in China with an appropriation from Congress. DRL programs are focused on promoting legal protection of rights, greater popular participation in government, and the expansion of civil society. At the same time, we are helping dissidents outside China. In FY 2002, DRL programmed \$5 million and will increase its China program to almost \$9 million in FY 2003.

Question:

In the Country Reports, it was noted that the Chinese government took steps to address international concerns about its human rights conditions, by highlighting the releases of a number of prominent dissidents and extending invitations to the U.N. Special Rapporteurs on Torture and Religious Intolerance and the U.N. Working Group on Arbitrary Detention. However, as also noted, the overall picture remains bleak. Are there any indications that these incremental steps by the Chinese government are having an effect on the daily life of the repressed people of China? Are there any indications that the government is truly heeding international concerns or do you perceive these steps as attempts to merely pacify the international community?

Response:

As detailed in the recent *Country Reports on Human Rights Practices*, China's human rights record remains poor, and the Government continues to commit numerous, serious human rights abuses. Since I traveled to Beijing in July 2001 and announced the resumption of the human rights dialogue on human rights, we have raised our strong concerns over abuses at every opportunity and at every level. In 2002 we saw some incremental but unprecedented progress, including: the release of a significant number of individual prisoners such as China Democracy Party co-founder Xu Wenli and Tibetan nun Ngawang Sangdrol; China's commitment to invite the Special Rapporteurs on Torture and Religious Freedom and the Working Group on Arbitrary Detention to China without conditions; a commitment to reach an agreement with the ICRC on an office in Beijing; an invitation to the Dalai Lama's representatives to visit Beijing and Lhasa; and the first prison visit since 1999 under the terms of our MOU on prison labor.

However, since the beginning of the year, we have been disappointed by backsliding on human rights, including the arrests of labor activists and those seeking to express their political views on the Internet. Recent Chinese involvement with the involuntary return of Tibetans in Nepal was also a setback. In response, we have delivered a series of clear messages to the Chinese authorities that we expect them to take immediate steps to get cooperation on human rights back on track.

The promotion of human rights, democracy and rule of law in China is a long-term proposition. Despite recent negative developments, we will continue to press for human rights progress, including: more prisoner releases; China's promised cooperation with U.N. human rights mechanisms and the ICRC; an easing of the requirements for religious organizations to register with the government; talks with

the Vatican leading to a resolution of outstanding issues; and end to torture and arbitrary detention; and steps toward dialogue with the Dalai Lama.

We will also continue to encourage and support change in China by funding projects to advance democracy, human rights, the rule of law inside of China. These programs complement our bilateral human rights efforts, by fostering the development of the legal and democratic institutions that will, we hope, eventually replace international pressure as the dominant means to check human rights abuses in China.

Question:

In light of Cuba's severe human rights crackdown this year, press reports indicate that the Administration is considering a range of policy options, such as cutting off cash remittances and direct flights to Cuba. In your view, what policy options should the Administration consider with regard to the human rights crackdown?

Other than the UN resolution condemning Cuba, what other measures will the U.S. suggest that the UN and other multilateral organizations take to apply pressure on the Castro government to reverse its course of action?

Response:

Beginning on March 18, seventy-eight men and women were arrested on spurious charges of subversion and treason. Twenty had supported the Varela Project, a peaceful and constitutional call for a national referendum on political and economic reforms. In only four days of secretive and summary trials, the Cuban regime tried and convicted seventy-five defendants to lengthy prison terms. The average sentence was for more than 19 years in prison.

As Secretary Powell said on April 28, we are reviewing all of our policies and our approach to Cuba in light of the deteriorating human rights situation. This review will cover all the policy tools at our disposal, and we will look for those alternatives that best serve our continuing interest in supporting democracy and respect for human rights in Cuba. Any policy changes will focus on further encouraging international indignation created by the Cuban government crackdown and not on measures that would inflict further pain on the Cuban people, such as cutting off cash remittances and direct flights to Cuba.

We do not stand alone in our shock and abhorrence of this attack on fundamental human rights. On May 19, 2003, seventeen members of the Organization of American States (OAS) signed a statement expressing deep concern about the human rights situation in Cuba during a meeting of the OAS Permanent Council.

We have discussed the situation with the UN High Commissioner for Human Rights, Sergio Vieira de Mello, and have urged him to remain engaged on this issue. UN Special Rapporteurs, such as the Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions, have also expressed interest in the situation in Cuba. We will encourage them to include Cuba in their assessments and reports to UN members.

I appreciate the question, which spotlights the problems related to the crackdown in Cuba. The Administration hopes to continue to work with Members of Congress to encourage democracy and freedom for the people of Cuba.

Question:

What assistance is the United States providing to Colombia to stop attacks by terrorist groups against Colombia's civilian population?

Response:

USAID and the State Department's Bureau of Population, Refugees, and Migration (PRM) have programmed, since 2000, a total of \$71.5 million for immediate relief and longer-term assistance for civilians displaced from their homes by the internal conflict. This assistance has benefited over 774,000 internally displaced persons.

Colombia suffers from more kidnappings than any place on earth, with over 3,000 a year. Terrorist organizations and criminal gangs dominate the kidnapping "trade." The psychological effects on Colombian society are profound. To assist Colombian security forces in their efforts to improve anti-kidnapping capabilities, the USG used funds provided in the 2002 Supplemental Appropriations Act to develop a comprehensive program of training and equipment for Colombia's special anti-kidnapping (GAULA) units. This program has contributed to improving the GOC's ability to protect Colombia's civilian population from kidnapping by terrorist groups and criminal gangs.

In FY 03 our anti-kidnapping efforts in Colombia are focused on enhancing tactical skills learned from earlier programs and developing those capabilities for GAULA units nation-wide. For FY 04, in-country training will continue, but will be

expanded to develop a cadre of Colombian instructors able to sustain and impart these skills to future units.

Impunity remains at the core of Colombia's human rights problems. In order to combat institutional weaknesses, which have allowed terrorist groups to target civilian populations with relative impunity, the USG is assisting the GOC to strengthen the rule of law and protect human rights. USAID supports 31 *Casas de Justicia y Paz* (1.6 million cases handled to date); is helping with Colombia's transition from an inquisitorial to an adversarial justice system; and has established 21 oral-trial courtrooms.

The DOJ is working with the Prosecutor General's Office ("Fiscalia") to set up satellite human rights units throughout the country, enhancing its capability to identify, investigate and prosecute human rights violations. USAID and the Colombian National Ombudsman's Office have developed an Early Warning System (EWS) to alert the Colombian military, national police and other state institutions when situations develop that could lead to massacres or forced displacements. Working with the Ministry of Interior, we have provided protection to 2,731 human rights defenders, labor activists, journalists and mayors since May 2001.

Question:

This year's Report on Iran states that the government's human rights record, already "poor," deteriorated substantially during the year. Please comment on this situation and indicate if there were specific events that led to the further deterioration.

Response:

During the past year, the Iranian government has increased its repression of both the media and political dissidents. Many newspapers and magazines were shut down, and journalists, publishers, and editors were detained, jailed and fined, or otherwise prevented from publishing their views. A university professor who criticized clerical rule in Iran in a speech was sentenced to death. The sentence provoked such outrage that the government was forced to grant him a retrial. The government has also permanently dissolved the Freedom Movement, the country's oldest opposition party, and has sentenced numerous members to jail terms, and prohibited others from participating in political activity.

Question:

As the military conflict with Iraq winds down and focus shifts to reconstruction and humanitarian efforts, what impact and influence do you foresee Islamic religious leaders in Iraq exerting in the post-conflict with Iraq?

Response:

We recognize that Iran has an interest in Shia participation in the emerging Iraqi government, and we intend that government to be fully representative of all of Iraq's people, including the Shia. However, Iran has been interfering in Iraq in an attempt to preempt the emerging political process. The United States has publicly called on Iran to cease its interference and will ensure that Iranian activities do not disrupt the establishment of a representative government in a free, united Iraq.

Question:

As the Iraq Country Report stated, the regime of Saddam Hussein engaged in the oppression, torture and killing of its own people. Can you provide us with a status report of the efforts to identify the worst perpetrators of human rights abuses and bring these people to justice?

Response:

Saddam Hussein terrorized his people for decades and impoverished the nation. Since the beginning of the war, the U.S. has sought to apprehend the worst perpetrators of war crimes, atrocities and human rights abuses. The identities of the top 55, and our progress in detaining them, are well known to the American public. Among them, two have been confirmed as killed in action and 29 are enemy prisoners of war. Of the latter, nine are war crimes suspects or a material witness.

The Coalition Provisional Authority, consistent with UN Security Council Resolution 1483, is utilizing sources such as mass grave sites, interrogations of prisoners of war and recovered documents to gather evidence against those currently in U.S. custody, and those at large. In addition, Amb. L. Paul Bremer III, the top civilian administrator in Iraq, has issued a DeBa'athification policy requiring that senior Ba'ath party personnel and Iraqi officials in positions in the top three echelons of the former government be disqualified from future public service. This accompanies a broader practice that is being implemented to vet all Iraqi applicants for positions

as police officers, and within the interim administration for evidence of past Ba'ath party involvement.

The U.S. has been a leader in pursuing justice for serious violations of the laws of war and other atrocities. Iraq will be no different. There must be credible accountability. The U.S. will prosecute crimes committed against U.S. personnel. For the regime's crimes committed against other countries' nationals, both in the present and in the past, the governments of those nationals may also have a sovereign interest in seeking justice. For the regime's crimes committed against Iraqi citizens, we believe that those responsible should be held accountable before an Iraqi-led process, possibly ranging from tribunals to truth and reconciliation commissions. The international community must help the Iraqi people move towards democracy, the rule of law and legitimate judicial institutions. The United States intends to help ensure that a strong and credible process is created.

Question:

The United States faces a certain challenge in seeking to build democracy in Iraq, where Shi'ites Muslim factions [sic], most of whom are pro-Iranian, comprise over 60 % of the population, and could play a dominant political role in Iraq when elections take place. What steps can US officials take to reconcile its goals of developing democracy in Iraq while guarding against possible channels for the expansion of Iranian influence or the establishment of a non-democratic religious government in Iraq?

Response:

The Coalition Provisional Authority is currently responsible for providing for the effective administration of Iraq, in accordance with UNSCR 1483 and the laws and usages of war. As part of this effort, we will support the efforts by the people to Iraq to form a representative government based on the rule of law that affords equal rights and justice to all Iraqi citizens without regard to ethnicity, religion, or gender. The vast majority of Iraqis, inside and outside Iraq, have told us of their desire for such a government.

While comprising a majority of the population, Iraq's Shi'ia are not a monolithic voting bloc. They hold a wide range of views. Moreover, while Shi'ism is common to Iran and Iraq, Iranian and Iraqi Shi'ia differ in their connections to Persian and Arab culture, respectively.

The Coalition Provisional Authority is engaged in intensive efforts on the ground to identify both Sunni and Shi'ite Iraqis and other minorities who share our commitment to a pluralistic and secular Iraq. We are using diplomacy, and enlisting the support of allies, to dissuade Iran from interfering in Iraqis' efforts to establish a new, representative government. Other steps to promote Iraqi sovereignty and deter extremism will include providing technical assistance to strengthen secular institutions and promote democratic values in Iraqi ministries, offices and schools, including in civic education programs, textbooks and teacher training. In addition, we will ensure that the legal framework and institutional checks and balances exist after we are gone to safeguard pluralism and basic human rights and freedoms.

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, AND MR. CRANER'S RESPONSES

Mr. Smith's Question:

A comparative review of the 2001 and 2002 Country Reports on Human Rights Practices for 25 countries revealed that of the six Countries of Particular Concern and six countries recommended for CPC status, ten of them experienced a reduction in coverage on religious freedom, while no similar trend emerged for the other topical sections reviewed in these same reports. There was also a reduction in many reports of the number of specific religion-based cases cited in the 2002 country reports. CPC and CPC-candidate countries like Burma, Sudan, Iran and Vietnam all experienced a decrease in coverage allocated to religious freedom and in the number of religion-related cases mentioned.

Next year, will individual human rights cases receive additional attention in all sections?

Mr. Craner's Response:

We appreciate your concern for the State Department's reporting on religious freedom issues in the annual State Department *Human Rights Report*. We strive to

present a comprehensive overview of the human rights situation in each country while at the same time maintaining a report that is focused and readable. In our effort to produce a better and more usable report, we have concentrated on providing illustrative examples of human rights abuses rather than providing an exhaustive list of cases. We plan to follow this approach in next year's report. We are particularly concerned with providing a full and comprehensive overview of religious freedom in the CPC countries and those recommended for CPC status.

Mr. Smith's Question:

Please explain the relationship between the Country Reports and the Annual Report on International Religious Freedom. Will reporting on religious freedom in next year's Country Reports cover the full 12-month reporting period, on par with all other topical sections, making sure not merely to summarize the 6-month period of overlap with the previous year's Annual Report on International Religious Freedom mandated by PL 105-292?

Mr. Craner's Response:

The *Country Reports* seek to provide a comprehensive overview of many human rights areas in the 196 countries it covers. The *Annual Report on International Religious Freedom* (IRF) provides more detailed information regarding the practice of religion and religious freedom in each country. As part of our effort to make the *Country Reports* more usable, we have focused its information on the period from July 1 to December 31 to complement the detailed information released in the *Annual Report*, which covers the first half of the year, but key issues are covered in the *Country Reports* regardless of what time of year they occurred. Furthermore, in our version of the *Country Reports* on the Internet, we provided an electronic hyperlink to the *Annual Report on International Religious Freedom* to allow easy access to the information contained in the *Annual Report*. We strive to provide information in both the *Country Reports* and the *Annual Report* that presents an accurate picture of religious freedom in each country.

Mr. Smith's Question:

As your bureau is responsible for the production of both the Country Reports and the Annual Report on International Religious Freedom, what role does the IRF Office play in the production of the Annual Report on International Religious Freedom?

Mr. Craner's Response:

The International Religious Freedom Office provides substantive information for the production of the *Annual Report on International Religious Freedom* and clears each country report.

Mr. Smith's Question:

Do you not believe that rulers all over the former USSR have concluded, after a decade of experience, that there are simply no consequences for rigging elections and that they can continue to do so without fear? What will it take to break this pattern?

Mr. Craner's Response:

We share your concerns about rigged elections in many of the former Soviet states. Notable exceptions are Russia and Moldova, whose recent national elections have met OSCE standards, although there have been some problems. The United States hopes to help break this pattern and is taking a consistent public approach to each flawed election. For example, following Armenia's extremely poor presidential election this spring, the State Department issued a frank press statement that concluded that the government had failed to hold a credible election, and withheld a congratulatory message to President Kocharian. We are intensely involved, through our assistance and via diplomatic engagement to work toward presidential elections in Azerbaijan in October and parliamentary elections in Georgia in November that meet OSCE standards.

In general, the people of these countries have little experience of democratic standards or belief that they can truly influence their governments. For this reason, under the radar screen, over the long term our assistance programs are committed to building the kind of civil society that empowers citizens. Even when national leaders recognize the problems they have with elections they will have to summon the political will to rein in—and, when necessary, prosecute the political bosses who flout international standards.

Clearly, much remains to be done in this area, and we would welcome the opportunity to work together with Congress.

Mr. Smith's Question:

The ad hoc tribunal in The Hague is hearing a case against Slobodan Milosevic for horrific crimes committed in Kosovo, Bosnia and Croatia. Key to the successful prosecution of such a case is the testimony in open court of former U.S. officials like Wesley Clark and Richard Holbrooke who can reveal much based on their dealings with Milosevic. Apparently, these two former U.S. officials are willing to testify openly, as have military and civilian officials from other NATO countries, and the Tribunal understands and can accommodate the need occasionally to protect sensitive or classified information at an otherwise open proceeding.

Does the Administration have any objections to former U.S. officials like Clark, Holbrooke, or others, testifying in an open court in The Hague to help in the case against Milosevic?

Mr. Craner's Response:

As has been the case since the Tribunal's inception, the United States Government is engaged in close cooperation with the Office of the Prosecutor, at a level that is unsurpassed by any other government. We have made available to the Prosecutor an unprecedented amount and variety of information, including witnesses. Much of this information has been provided on a confidential basis to assist the Prosecutor in her investigations and at trial. We have also provided information for public use. Our support to the Prosecutor in the Milosevic trial has been quite significant. Whether to provide witnesses, and under what conditions, is always a matter for case-by-case consideration within our Government and extensive discussion with the Prosecutor. These decisions implicate highly sensitive foreign policy and national security issues including the handling of the most sensitive U.S. Government information. This is particularly true regarding former officials who held positions as senior as Ambassador Richard Holbrooke and General Wesley Clark. We are engaged in ongoing discussions with the ICTY Prosecutor's office on these matters; but do not, as a matter of policy, comment publicly on them. We would be happy to brief you privately on our discussions.

Mr. Smith's Question:

The reports paint a pretty bleak picture of the human rights situation in Central Asia. Since September 11, U.S. Government spokesmen have argued that stepped up U.S. cooperation with the countries of the region allows us to raise democratization and human rights issues that could not be raised before, and the U.S. goal in such discussions is to persuade Central Asian leaders that democratization is in their own interest.

There's precious little evidence that the strategy is working. Is the Department rethinking or recalibrating its approach to this problem?

Mr. Craner's Response:

The recent cases of two prisoners who were tortured to death by police in Uzbekistan highlights the gravity of human rights abuses in Central Asia, as well as the challenges for U.S. foreign policy to both fight terrorism and promote democracy in a region where there are vital U.S. national security interests. Yet, over time, we can see forward progress.

During my first trip to Uzbekistan in January 2002, my goals were modest—I pushed the Government to fulfill its prior promise to allow the International Committee of the Red Cross (ICRC) to have unimpeded access to all prisoners. I also emphasized the importance of allowing human rights groups to register. Shortly after that trip, the Government of Uzbekistan did register one human rights group and resolved its outstanding issues with the ICRC.

On that same trip, I met with a roomful of family members of political prisoners and prisoners of conscience who described how their sons, husbands and brothers had been imprisoned and tortured for peacefully pursuing their religious and political beliefs. Yet in my meetings with Uzbek officials, they refused to acknowledge that torture was a problem.

During my second trip in June of last year, I pushed the Uzbek's to invite the U.N. Special Rapporteur on Torture, to allow more space for political parties to operate, to allow greater freedom of press, to release political prisoners and stop the on-going harassment of human rights activists.

By my third visit in November, the Government of Uzbekistan had not only finalized its invitation to the U.N. Special Rapporteur on Torture, but had also abolished formal censorship of media and state control of the Internet. Human rights activists were meeting and speaking freely at the newly opened Human Rights Resource Center and I met with nearly forty independent journalists who said they were for the first time publishing articles critical of the government. The Government of

Uzbekistan also agreed to an amnesty which allowed the release of hundreds of political prisoners and prisoners of conscience. Since my visit last year, the Government of Uzbekistan continues to move incrementally forward: it has not only accepted the U.N. Rapporteur's conclusion that torture is systemic in Uzbekistan, more importantly, Uzbek officials have agreed to address the report's far-reaching recommendations. Recently a second human rights group was registered and an unregistered political party has been able to hold a national meeting with premise of seeking registration. Without sustained engagement, leveraged with our strategic cooperation to fight terrorism, we would not have seen these results.

We have a long way to go before we can claim that the people of Central Asia are free to change their governments by peaceful means, have access to independent information and can live in peace without fearing government repression. But we are moving ahead in most countries, albeit slowly and not without setbacks.

While the challenges may seem overwhelming, I am confident that we at the State Department have developed a viable strategy to promote democracy and human rights that has already shown signs of success. Our strategy rests on the twin pillars of hard-hitting diplomacy through intense engagement combined with innovative programs to bolster nascent democratic forces. Our diplomatic strategy is based on expanded dialogue with governments in the region, and strengthening those outside of government dedicated to bringing freedom to their countries.

Across the U.S. Government, we have delivered a consistent message that continued and broadened cooperation with the United States is possible only if there is progress in promoting democracy and human rights.

I do not wish to overstate our successes in the region, but I do feel that without our expanded engagement, most of this progress would not have been possible. Steps forward include the progress in ending torture in Uzbekistan as mentioned above.

In Kazakhstan, the Government's poor human rights record worsened in 2002, and it continued to commit abuses. After much hard work and strong pressure, the Government released one of the two imprisoned opposition leaders. The Government also cooperated in allowing U.S. and international officials to monitor the trial of an independent journalist. We were also able to affirm and document serious procedural violations. However, U.S. officials were refused access to his subsequent appeal, which did not address the violations of the first trial, so we continue to push the Government of Kazakhstan to address those violations.

In Kyrgyzstan, we were able to get the Government to not only drop a presidential decree restricting the rights of the independent media, but also to agree to our program to establish an independent printing press. While the February constitutional referendum was admittedly flawed, the Government of Kyrgyzstan has expressed their willingness to work with us and the Council of Europe to bring Kyrgyz legislation in line with international standards. The Government has also improved their prosecution of cases of trafficking in persons.

In Turkmenistan, the human rights situation remains bleak. Despite their support for U.S. efforts throughout the War on Terror, we cosponsored a resolution against them in the UNCHR.

Mr. Smith's Question:

The recent election in Armenia was judged not to have corresponded to OSCE election standards. The prospects for the May 25 parliamentary election, as well as upcoming presidential elections in Azerbaijan and the parliamentary elections in Georgia in November, are not very encouraging.

What is the U.S. Government's view of this pattern and what are we doing to counter the negative trend?

Mr. Craner's Response:

The U.S. Government is deeply concerned by the pattern of flawed elections that has emerged over several years in Armenia, Azerbaijan, and Georgia. In response to this negative trend, we are taking both diplomatic and programmatic action.

Specifically, earlier this year, we began work on a Caucasus-wide election strategy. Tailored to the particular circumstances of each country, the evolving strategy includes high-level meetings and letters urging the leaders of these countries to take specific steps needed for elections that meet OSCE standards; assistance programs to empower civil society, political parties, and independent media to demand free and fair elections as well as technical support to governments where they demonstrate willingness to make needed reforms; coordination with others in the international community as well as with domestic NGOs in each country, and frank public statements after the elections assessing the extent to which they met OSCE standards for democratic elections. For example, Deputy Assistant Secretary for Eu-

ropean Affairs Lynn Pascoe recently returned from a trip to Georgia, where he stressed the importance of elections that meet OSCE standards in meetings with President Shevardnadze and other senior officials. Our Ambassadors in all three countries have been extremely active on this issue for many months, including through ongoing dialogues with senior government officials. Ultimately, however, as the recent elections in Armenia demonstrated, the most critical element is political will of the governments to reform electoral policies and practices.

Congress can play an important role in promoting elections that meet OSCE standards. We would welcome the opportunity to work together closely to advance our shared goal of democratic elections in all three of these countries, and in crafting targeted consequences when an election fails to meet OSCE standards.

Mr. Smith's Question:

In the report on human rights in Tibet, there is a lengthy discussion on the largely negative impact that the Chinese government's Western Development Project is having on the traditional way of life. It has been brought to my attention that the Chinese rulers are in the process of constructing a new railway that will connect Golmud, in Qinghai Province, with Lhasa. Human rights monitoring groups claim that this railroad has the potential to permanently and severely alter the social and ethnographic landscape in Tibet. In particular, I understand that the railroad has the potential to greatly accelerate the population transfers mentioned in the current report, and further marginalize the Tibet population in their traditional homelands.

Can you share with the Committee the Department's views on the construction of this railway, from a human rights perspective? Can you also tell the Committee what the State Department is doing to ensure that U.S. corporations do not support the harmful aspects of the Western Development Project, including such harmful projects as this railroad? I would be especially interested to hear how or whether the Department is utilizing the tools made available to it through the Tibetan Policy Act, passed by the Congress last year, to address the harmful consequences of inappropriate economic development policies in Tibet.

Mr. Craner's Response:

We are concerned about the social and environmental impact of the Western Development Initiative (WDI) in Tibet. We are closely monitoring the construction of the railway as it could accelerate the movement of Han Chinese into Tibet. As noted in the State Department's Human Rights report, we are concerned about the effect that the increase in the non-Tibetan population in Tibet is having on Tibetan culture and that the non-Tibetan population disproportionately benefits from development projects in Tibet.

We consistently urge the Chinese government to abide by its commitments to protect and preserve the unique cultural, religious and linguistic heritage of ethnic Tibetans. During the December 2002 Human Rights Dialogue, Assistant Secretary for Democracy, Human Rights, and Labor Lorne W. Craner discussed our concerns regarding the situation in Tibet in detail with Chinese officials.

We encourage U.S. companies with a presence in China and elsewhere to be socially responsible and take the needs of the local populations into consideration. We regularly meet with U.S. companies and business groups with a presence in China to discuss their corporate social responsibility efforts.

Mr. Smith's Question:

With respect to Burma, as you know, the United Nations special envoy to Burma, Razali Ismail, has not gone back to Burma for several months and the talks in the country have completely broken down. Do you have any idea when he may be going back? Why do you think the regime refuses to talk to Aung San Suu Kyi and the legitimate leaders of Burma? Is the Administration planning to increase pressure on the regime and if so how?

Mr. Craner's Response:

The United States is deeply concerned about the situation in Burma. The May 30 violent attack on Daw Aung San Suu Kyi and her traveling party was a premeditated ambush. The debris remaining at the scene suggests a major clash, which could easily have resulted in serious injuries to large numbers of people. Currently, the Burmese leadership is holding Aung San Suu Kyi, and many other National League of Democracy (NLD) leaders are under house arrest. The SPDC has padlocked the doors of NLD headquarters across the country, and delayed the opening of universities.

These actions are unacceptable. We have called on the Burmese government to release immediately all those detained or arrested in this action and to provide all necessary medical attention to those who have been injured, including assistance

from international specialists. The offices of the NLD must be reopened without delay, and its activities no longer proscribed. We also have called for a full accounting of the dead, injured and missing, and are working energetically with the international community to coordinate a multilateral response to this vicious crackdown.

Special Envoy Razali traveled to Burma on June 6. He has made clear his intentions to visit Aung San Suu Kyi and meet with senior leaders of the SPDC. The United States fully supports his efforts. He must be allowed to see Aung San Suu Kyi. At the time of this submission, it is unclear if his request will be honored by the SPDC.

The United States has already imposed numerous sanctions on Burma, including a ban on new U.S. investment, an arms embargo, a ban on direct multilateral assistance, and a visa ban on senior Burmese officials. We also have maintained our downgraded diplomatic representation at the chargé d'affaires level since 1990.

The Administration is also considering new sanctions on Burma, including a ban on travel by United States citizens to Burma with scope for permitted activities such as humanitarian assistance or official travel, an expanded visa ban to include all officials of the USDA and state-owned companies and their families, an asset freeze for senior Burmese officials, and a ban on remittances from the United States to Burma. We also are working with Congress on additional measures including an import ban.

Mr. Smith's Question:

As you know, legislation I recently introduced, H.R. 1587, "Vietnam Human Rights Act" contains a detailed list of political prisoners. I was wondering if the State Department could provide us an updated report on the status of the following victims of persecution:

1. *Dr. Nguyen Dan Que, a leading human rights activist who was arrested on March 17, 2003, and has already served two lengthy prison sentences;*
2. *Dr. Nguyen Thanh Giang;*
3. *Most Venerable Thich Huyen Quang;*
4. *Most Venerable Thich Quang Do*
5. *Linguist Tran Khue;*
6. *Businessman Nguyen Khac Toan;*
7. *Journalist Nguyen Vu Binh;*
8. *Publicist Le Chi Quang;*
9. *Writer Hoang Tien;*
10. *Military historian Pham Que Duong;*
11. *Hoang Minh Chinh;*
12. *Tran Dung Tien;*
13. *Hoang Trong Dung;*
14. *Nguyen Vu Viet;*
15. *Nguyen Truc Cuong;*
16. *Nguyen Thi Hoa;*
17. *Vu Cao Quan;*
18. *Nguyen The Dam;*
19. *Nguyen Thi Thanh Xuan;*
20. *Father Chan Tin;*
21. *Author Duong Thu Huong;*
22. *Poet Bui Minh Quoc;*
23. *Dr. Nguyen Xuan Tu (Ha Si Phu);*
24. *Dr. Pham Hong Son;*
25. *Mai Thai Linh;*
26. *Most Venerable Thich Huyen Quang;*
27. *Most Venerable Thich Quang Do;*
28. *Father Nguyen Van Ly;*
29. *Pastor Nguyen Lap Ma;*
30. *Father Phan Van Loi.*

Mr. Craner's Response:

The Administration is deeply concerned about the plight of political prisoners and other victims of persecution in Vietnam, and welcomes questions on these cases. We monitor these cases with great diligence, and if you have additional information we would welcome it. We are providing below the most detailed, current information that the Department has regarding the individuals in question. This list includes persons who are currently in prison serving sentences, detained awaiting trials, under some form of house arrest, and under surveillance but with varying degrees of freedom of movement. Some of the latter were prisoners in the past, but others on the list have never been imprisoned to the best of our knowledge.

1. Dr. Nguyen Dan Que: Under investigative detention in HCMC. His spouse has been able to deliver medicine and money to purchase supplemental food and other medicine to his jail every other week. We cannot confirm if he has received these items. Police claim that he is housed in a well-ventilated, private cell. Consulate General officers were in periodic contact with him before his detention and are now in contact with his wife.
2. Dr. Nguyen Thanh Giang: Not currently under formal restrictions and living at home. He is under surveillance and reports that he is the subject of propaganda efforts by the security apparatus. Embassy officers are in periodic contact with him.
3. Most Venerable Thich Huyen Quang: His current legal status is uncertain, although he is not under known formal restrictions. He appears to be relatively free to travel and meet, however he has told us that he does not have regular identity documents. He has met Consulate General, Embassy, and third country diplomats at least six times since March and met Thich Quang Do in early May.
4. Most Venerable Thich Quang Do: Currently under detention in his pagoda in Ho Chi Minh City. This is set to expire in early June. GVN officials have indicated that measures against Thich Quang Do will not be renewed when the current punishment order expires.
5. Tran Khue: Detained on December 29, 2002 and currently under investigative detention, probably in Ho Chi Minh City.
6. Nguyen Khac Toan: Currently serving a twelve-year sentence for "espionage." The Hanoi People's Court refused Embassy's request to attend his trial.
7. Nguyen Vu Binh: Under investigative detention since July 2002.
8. Le Chi Quang: Serving a four-year sentence for spreading propaganda against the GVN. Embassy has raised concerns about his health and conditions of imprisonment. The GVN has offered assurances that he is receiving regular medication and health care and that his prison conditions are adequate.
9. Hoang Tien: His situation is similar to Dr. Nguyen Thanh Giang's. Embassy officers sometimes meet him.
10. Senior Colonel Pham Que Duong: Detained on December 28, 2002 in Ho Chi Minh City and transferred to Hanoi. He is under investigative detention, possibly for "espionage." He was visiting HCMC with his wife and had met Tran Khue while there. Embassy officers had been meeting with him regularly prior to his detention.
11. Hoang Minh Chinh: His situation is similar to Dr. Nguyen Thanh Giang's, although surveillance and propaganda against him may be less intense.
12. Tran Dung Tien: Under investigative detention since late January 2003. He had recently written and distributed strong critiques of SRV leaders.
13. Hoang Trong Dung: Current status unknown.
14. Nguyen Vu Viet: Nephew of Father Nguyen Van Ly. Reported to be tried for "espionage" on May 30, but trial was postponed. GVN had told Embassy that he was charged with destroying public property.
15. Nguyen Truc Cuong: Please see Nguyen Vu Viet, #14.
16. Nguyen Thi Hoa: Niece of Father Nguyen Van Ly. Please see #14.
17. Vu Cao Quan: Haiphong resident. Current status uncertain. Has been called in for questioning several times by police in recent months.
18. Nguyen The Dam: Current status unknown.

19. Nguyen Thi Thanh Xuan: Assuming the question is about HCMC reform activist Nguyen Thi Thanh Xuan is said by other activists to be under some surveillance.
20. Father Chan Tin: Is under no obvious systematic restrictions, but probably is under surveillance and has faced some harassment. He is said to be unable to obtain a passport, but is not known to have tested this for several years. He communicates and meets frequently with foreigners including Ambassador and CG officers.
21. Duong Thu Huong: Under some surveillance, subject to some propaganda, and has not been able to publish in Vietnam for several years. She does receive royalties on her works published overseas and she has been able to meet with foreigners, including U.S. and other Western diplomats.
22. Bui Minh Quoc: Under a two-year Administrative Probation order—house arrest without due process—related to investigation and criticism of the Vietnam-China land border agreement.
23. Dr. Nguyen Xuan Tu (Ha Si Phu): Recently completed a two-year Administrative Probation term. Not currently under any formal restrictions according to other activists.
24. Dr. Pham Hong Son: Detained since March 27, 2002, his trial was held on June 18 and he received a 13-year prison sentence for “espionage.” The charges stemmed from his posting of essays related to democracy on the Internet.
25. Mai Thai Linh: Administrative Probation order has expired. Current status unknown.
26. Most Venerable Thich Huyen Quang: Please see #3, Thich Huyen Quang.
27. Most Venerable Thich Quang Do: Please see #4, Thich Quang Do.
28. Father Nguyen Van Ly: Serving a cumulative fifteen-year prison sentence. GVN has refused or not responded to Embassy requests to visit Father Ly.
29. Pastor Nguyen Lap Ma: Residence is restricted to an isolated area of Dong Thap province. He has met with CG officers during his periodic visits to HCMC for medical check-ups. He has reported that his family faces employment and education discrimination.
30. Father Phan Van Loi: A Hue-area priest under conditions resembling house arrest, although there are no known penalties imposed against him. He has reportedly been unable to meet with foreigners and at least some Vietnamese for at least two years.

Mr. Smith's Question:

Although the refugee process is not handled directly by your bureau, there is a strong correlation between the human rights and our nation's refugee resettlement programs. Could you tell us how many victims of persecution have been admitted to the U.S. under the Priority One Refugee Program over the past 3 years since the BTA agreement with Vietnam was signed as well as how many Amerasian cases from Vietnam have been processed during this time? I know that several individuals cited in the Vietnam Human Rights Act have applied for refugee status. I was wondering if you could comment on the status of their cases, as well as efforts by the State Department to inform Vietnamese of this in-country refugee program and problems Montagnards and other persecuted groups might have in gaining access to this program.

Mr. Craner's Response:

My bureau remains deeply concerned about the human rights of refugees; however, as you say, the purview for handling refugee issues falls clearly under the Bureau for Population, Refugees, and Migration, which provided the following information.

The guidelines (copy attached) for the Priority One (P1) program were developed in the fall of 1999 in consultation with Congressional staff and the program was implemented in Vietnam in April 2000. Consideration under the Vietnam P1 program is available for any Vietnamese, including Montagnards, who is referred by the Embassy or Consulate General or whose situation is brought to the attention of the Embassy or Consulate General by international or human rights organizations, other non-governmental organizations known to the Embassy or Consulate General, or Members of Congress. Individuals may not apply directly for consideration. To date the U.S. Mission in Vietnam has referred one individual for processing approval and is considering another individual for referral. Regarding the individual referred for processing approval, DOS and BCIS (formerly INS) officials in Wash-

ington authorized processing of the case. The individual, however, chose instead to enter the U.S. under the auspices of the immigrant visa program. For privacy and confidentiality reasons, we cannot provide specific information about individuals who may or may not be seeking admission to the U.S. as a refugee.

When the P1 program was implemented and periodically since then, Department and Mission personnel, including staff of the Refugee Resettlement Section at the Consulate General in Ho Chi Minh City, have provided information to interested parties, including Members of Congress and refugee advocates, about the program and the procedures for submitting referrals. Since implementation of the program, we have not received any referrals from outside parties.

Regarding the Amerasian program, from October 1, 2000 through April 30, 2003, 776 Amerasians and their eligible family members have immigrated to the United States under the Amerasian program. Currently the Department is reviewing the program and developing expanded processing guidelines that will maintain the program's humanitarian nature, while ensuring compliance with homeland security concerns and strengthening fraud-prevention measures.

Mr. Smith's Question:

Finally, I would be interested to know how many Vietnamese nationals, including leading human rights activists and religious leaders that are considered dissidents by the government have been invited by the State Department or have participated in U.S. exchange programs with Vietnam? Several years ago, I submitted a list of individuals to be invited and was wondering how many have actually participated.

Mr. Craner's Response:

We are deeply concerned with human rights violations perpetrated against Vietnamese dissidents and welcome opportunities for them to participate in U.S. exchange programs. Vietnamese nationals with widely varying backgrounds are invited to take part in U.S. exchange programs in order to advance U.S.-Vietnam bilateral relations, including those aspects tied to reform in the Vietnamese legal, economic, and political systems. The annual total of program participants is approximately 100, but varies depending upon the category of programs being carried out in any one year. An approximate average of Vietnamese nationals sent on Educational and Cultural Affairs (ECA) U.S.G. Exchange Programs annually is provided below:

1. International Visitors—25
2. Fulbright—31
3. Humphrey—1
4. Seminar on East Asian Security (SEAS)—1
5. DTW—7
6. College and University Affiliations Program—15
7. American Council of Young Political Leaders (ACYPL)—6
8. Fulbright Summer Institutes—3
9. Citizens Exchanges—10

Among eleven names suggested for the "Writer's Perspective on Contemporary Issues Project" none have gone on U.S. Exchange Programs. One attended a Foreign Service Institute course in 2002 and now works in the U.S. Consulate General in Ho Chi Minh City, but is ineligible for reasons of employment with the U.S. Government. One is privately in the U.S. on a training program. Two had incomplete/incorrect contact information. Five were ineligible because of age, and one of them was already in poor health and passed away in 2002. Two of the remaining 4 were of professions inappropriate for the Writers Program. One of those ineligible due to their professions for the Writers Program later competed successfully for a Fulbright scholarship, but the GVN did not allow him to participate.

Writer's Perspective on Contemporary Social Issues: Status of the eleven recommended candidates (Updated June 5, 2003)

- 1) Bui Minh Quoc
Contact Info: Add.: 3 Nguyen Thuong Hien St, Da Lat, Lam Dong Province. Tel: 063-821675
Mr. Quoc is 54 years old and thus not eligible for this exchange program. He was placed under a two-year Administrative Probation order (house arrest) in January 2002. He was also under Administrative Probation for two years from April 1998.
- 2) Hoang Minh Chinh:

Contact Info: Add.: 26 Ly Thuong Kiet St., Hanoi; Tel: 8249252
Mr. Chinh is now 81 years old and thus not eligible for our exchange program. He is also under police surveillance and would likely encounter difficulty obtaining a passport.

- 3) Nguyen Thanh Giang
 Contact Info: Add.: A13, P9, Tap the Phong khong Hoa Muc, Phuong Trung Hoa, Cau Giay, HN. Tel: 8586012
Dr. Giang is now 67 years and thus too old to be eligible for exchange programs. He is under police surveillance and would probably have difficulty obtaining a passport.
- 4) Vu Hong Anh
 Contact Info: Add.: 111/25 Dinh Tien Hoang St., Phuong Da Kao, Dist. 1, HCMC. Tel: 08-8205004.
In 2001, Ms. Anh had been working as a music program producer and presenter at HCMC Television for 14 years. She expressed interest in music training and was thus not suitable for this exchange program.
- 5) Nguyen Van Noi
 Contact Info: Address: 1) Residence: 218 Le Thanh Ton, Phuong Ben Thanh, Dist. 1, HCMC. 2) Mailing: 30/9Bis Cach Mang Thang Tam Rd, P 15, Dist. Tan Binh, HCMC. Tel: 08-8102233
Mr. Noi is a retired businessman and is currently involved in social work. He is 60 years old and thus not eligible for this program. He spent five months in the U.S. in 2001 as a private tourist, traveling to 10 different states.)
- 6) Y Nguyen Mloduondu
 Contact Info: Address: Dai hoc Tay Nguyen, Quoc lo 14, Buon Me Thuot. Tel: 050-860165 (O); 050-853504 (H)
Y Nguyen Mloduondu is a university administrator, not a writer, and would be possible candidate for an exchange program focusing on higher education.
- 7) Nguyen Kham
 Contact Info: Address: Nha tho Duc Ba, 1 Cong Xa Paris St., Dist. 1, HCMC. Tel: 08-8221285
Father Kham is a Catholic priest, assigned to Virgin Mary Church in HCMC. He has been in the U.S. participating in a long-term training program.
- 8) Ta Ngoc Phach (a.k.a. General Tran Do)
 Address: 97 Tran Hung Dao St., HN. Tel: 8264673
General Tran Do was in poor health and died in August 2002.
- 9) Chan Tin
 Contact Info: Add.: Dong Chua Cuu The Catholic Church, Ky Dong St., Dist. 3, HCMC. Tel: 08-8439540 or 08-8740261 (at weekend retreat in Can Gio).
Father Tin is now in his 70's. When contacted by PAS in 1999, he said he was not interested in leaving Vietnam for fear he would not be allowed back in.
- 10) Pham Thanh Nhan now works for the U.S. Consulate General in HCMC.
Mr. Nhan has attended three courses at the Foreign Service Institute in Arlington, VA. He wishes to be removed from this list. Mission recommends that his wish be honored.
- 11) Cao Duc Tuong:
Mission has not been able to contact Mr. Tuong. The only suggested point of contact was a person who we learned died several years ago.

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA, AND MR. CRANER'S RESPONSES

Mr. Pitts' Question:

Why does this year's Report not address the entire year for the section on religious freedom? The language and topics addressed in the Country Reports directly affect individuals' lives. By limiting coverage of particular areas, it could jeopardize various cases and situations around the world. Please address this issue.

Mr. Craner's Response:

We appreciate your concern regarding possible limits on reporting on religious freedom in the 2002 human rights reports. We assure you that this is not the case. The *Country Reports* seek to provide a comprehensive overview of many human rights areas in the 196 countries it covers. In our effort to make the reports more usable, we have focused our information on the period from July 1 to December 31 to complement the detailed information released in the *Annual Report*, which covers the first half of the year. However, key issues are covered in the *Country Reports* regardless of the time of year they occurred. Furthermore, in our version of the *Country Reports* on the Internet, we embedded an electronic hyperlink to the *Annual Report on International Religious Freedom* to provide easy access to the information contained in the *Annual Report*. We strive to provide information in both the *Country Reports* and the *Annual Report* that presents an accurate picture of religious freedom in each country.

Mr. Pitts' Question:

Mr. Secretary, what actions is the State Department taking to address issues of religious persecution and torture of political prisoners in Tibet?

Mr. Craner's Response:

President Bush has repeatedly raised the issue of religious freedom and human rights in Tibet with the highest levels of the Chinese Government. In addition, State Department officials, including Secretary of State Colin Powell, Special Coordinator for Tibetan Issues Paula Dobriansky, Assistant Secretaries Lorne W. Craner and James A. Kelly, and U.S. Ambassador to China Clark T. Randt regularly and vigorously press the Chinese Government to grant more religious freedom to Tibetan Buddhists and to improve respect for human rights. The human rights situation in Tibet and the lack of religious freedom there were key agenda items at the December 2002 U.S.-China human rights dialogue.

The practice of Tibetan Buddhism is central to the identity of the Tibetan people, and the Chinese Government's repression of this faith is particularly disturbing. We regularly and at high levels raise individual cases of those imprisoned for the expression of religious views. During 2002, we welcomed the release of seven detained Tibetans, including Tibetan Buddhist nun Ngawang Sangdrol, who was first imprisoned in 1992 at the age of 13. However, others detained for their religious or political views, such as Tibetan Buddhist nun Phuntsok Nyidrol, remain in detention. We continue to seek their release. In addition, we are concerned about the continuing plight of Gendhun Choekyi Nyima, the boy identified by the Dalai Lama as the reincarnation of the Panchen Lama. We urge that international observers be given access to the boy to verify his well-being.

We are also concerned about the plight of Tibetan refugees and support Tibetan refugee populations in Nepal and India. We were outraged by the May 31 forced repatriation in of 18 Tibetan refugees, including minors, from Nepal to China. This action violates international norms and practices regarding the humane treatment of asylum seekers and has been condemned by the UNHCR and the international community. Senior United States officials met repeatedly with Nepalese and Chinese officials in Washington and Kathmandu and Beijing first to try to prevent the repatriation and later to condemn the behavior of Nepalese officials and Chinese diplomats in Nepal for their role in forcibly returning the refugees to China. We have called on Nepal to return to its previous practice of allowing Tibetans to seek protection in Nepal for onward resettlement to India.

Senior officials of the Department of State also continue to press the Chinese on more systemic issues, such as China's repressive control of Tibetan Buddhist educational institutions and places of worship, restrictions on the use of Tibetan language in schools, poor prison conditions, and the abuse or torture of detainees.

We maintain regular contact with Tibetan Buddhist leaders and activists in exile. We have been encouraged that Lodi Gyari, the Dalai Lama's Special Envoy, was able to travel to China in September 2002 and again in May 2003 for discussions with Chinese authorities. At every opportunity, we will press the Chinese Government to resume dialogue with the Dalai Lama to resolve long-standing issues of concern.

Mr. Pitts' Question:

What is the status of the invitation to the U.N. Special Rapporteur on Torture to visit China? I understand that the Chinese government told you in December that the Rapporteur was welcome to visit China, but, up to now, no visits have been scheduled.

Mr. Craner's Response:

During the December 2002 Human Rights Dialogue, China committed to inviting the Special Rapporteur on Torture to China "without conditions." In January, Li Baodong, Director-General of the Department of International Organizations and Conferences at the Ministry of Foreign Affairs, sent a letter of invitation to Mr. Theo Van Boven, the Special Rapporteur. We understand that Mr. Van Boven has responded and proposed terms for the visit to China's Permanent Representative in Geneva and is awaiting China's reply.

We have made it clear to the Chinese repeatedly and at high levels that we expect China to honor its commitment to invite the Special Rapporteur without conditions and on terms in accordance with established U.N. protocols for such visits. We have also urged that the dates for such a visit be set in the immediate future. Failure to do so would call into serious question the efficacy of our Human Rights Dialogue with Beijing.

At the 2002 Human Rights Dialogue, the Chinese also agreed to invite the U.N. Working Group on Arbitrary Detention and the Special Rapporteur on Religious Freedom. We recently asked for a status report on these invitations but have not yet received a response from the Chinese.

Mr. Pitts' Question:

The international definition of genocide is as follows:

In Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, genocide is defined as "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."

What is the definition the State Department uses to measure whether or not a particular situation qualifies as genocide?

Mr. Craner's Response:

The United States has ratified the Convention on the Prevention and Punishment of the Crime of Genocide with reservations, understandings, and a declaration. Accordingly, the Department of State, as an agency of the government of the United States, uses the definition of the Convention as ratified by the United States.

Mr. Pitts' Question:

Would the current situation in Burma and the widespread rape and murder of ethnic minorities fit into the State Department's definition of genocide? Please explain why or why not.

Mr. Craner's Response:

In June 2002, the Shan Human Rights Foundation (SHRF) accused the Burma Army of using rape systematically as "a weapon of war" in ethnic minority areas along the Thai border. The State Department quickly sent officials to the Thai-Burma border in response to the alarming reports of serious human rights abuses by the Burmese military on Burmese ethnic minority citizens. We posted the results of our investigation on the Department's website.

The regime denied those charges and has not agreed with U.N. Special Rapporteur Pinheiro on the ways and means for an effective, impartial international investigation of these allegations.

To show genocide, as that term is defined in international law, there must be evidence of an "intent to destroy, in whole or in part, a national, ethnic, racial, or religious group." At this time, we do not have the sufficient hard evidence to conclude that these human rights abuses, reprehensible as they are, constitute "genocide" as defined in the Convention on the Prevention and Punishment of the Crime of Genocide. That said, we are very distressed by these reports and will do what we can to end these serious abuses. To begin with, we have supported and continue to support U.N. Special Rapporteur Paulo Pinheiro's efforts to organize an international investigation of human rights abuses in the ethnic-majority regions of Burma. We also made sure that these issues received special emphasis in both the U.N. General Assembly and the U.N. Commission on Human Rights resolutions on Burma. Finally, we will continue to report honestly and frankly on the crimes of the SPDC in our annual reports on human rights, trafficking in persons and international religious freedom. We are deeply concerned about allegations of genocide and will continue to monitor the situation as best we can, given the closed nature of the Burmese regime.

Mr. Pitts' Question:

A month ago reports revealed that the SPDC regime had "bugged" allegedly confidential meetings between United Nations officials and political prisoners in Burma. More recently (Monday, April 28), reports stated that one of Burma's most prominent political prisoners, Dr. Salai Tun Than, began a hunger strike in protest of the SPDC regime interrogating political prisoners after their conversations with United Nations and Red Cross investigators. These conversations are supposed to be confidential, to ensure safety of the prisoners. What can the U.S. Government do to find further evidence that the regime is pursuing this policy on a concerted and systematic basis?

Mr. Craner's Response:

The United States is concerned with the safety of political prisoners and has urged the military regime on many occasions to release all political prisoners immediately and unconditionally. We also urge the regime to uphold international standards on the treatment of prisoners, and to adhere to their agreements with international investigators.

We were disturbed by the incident with U.N. Special Rapporteur Pinheiro in which he discovered a listening device in the room where he was conducting confidential interviews with political prisoners. We applauded his gesture in immediately terminating his trip. We had pressed the regime for Dr. Salai Tun Than's release and welcomed his release in early May. Dr. Salai Tun Than has long been involved in calls for reform in Burma.

We have sought prison releases and almost 400 political prisoners have been released over the past two years. We had hoped that Dr. Salai Tun Than's release would lead to the unconditional release of all remaining political prisoners and substantive dialogue between the regime and the National League for Democracy on national reconciliation. However, the recent crackdown in Burma has turned back the clock on progress. Aung San Suu Kyi is being held in an undisclosed location, hundreds of other political prisoners remain in prison or under house arrest, and substantive improvements in prison conditions have yet to be realized. We continue to press the regime to live up to international standards on prison conditions and the welfare of prisoners. We continue to support the work of the International Committee of the Red Cross on improvements in prison conditions in Burma. We do not believe that investigation is needed to conclude that the regime has failed in its international obligations regarding political prisoners.

Mr. Pitts' Question:

A few weeks ago, approximately 35,000 people gathered, despite harassment by government authorities, to watch a speech by Aung San Suu Kyi—clear evidence of how much the people of Burma want democracy and freedom. What other signs are there that the people of Burma continue to struggle every day to bring about a change in government?

Mr. Craner's Response:

The United States strongly supports national reconciliation and a transition to democracy in Burma. We call on the military regime to release all political prisoners immediately and unconditionally and to engage in a real dialogue with the National League for Democracy (NLD). We are appalled by the regime's recent arrest of Aung San Suu Kyi and top NLD leaders and we call for their immediate release and the reopening of the NLD offices across the country.

The Department of State, in its work with the Burmese in Burma and Burmese refugees, sees much evidence that the people of Burma continue to struggle every day to bring about a change in government. The large crowds of people that come out to support Aung San Suu Kyi on her travels around Burma are the most visible sign. However, the people of Burma are not free to express their political beliefs, nor do they enjoy other basic freedoms, such as the freedom of assembly, freedom of speech, or a free press; thus, it is difficult to make thorough assessments of political attitudes among the people.

We will continue to work hard to bring about democratic change in Burma.

Mr. Pitts' Question:

Production of methamphetamines in Burma continues to skyrocket. The regime appears to believe that methamphetamine production is much cheaper than that of heroin. What effect do you believe that drastic increase in production of methamphetamines is having on human rights in Burma or neighboring countries?

Mr. Craner's Response:

Burma's reported success in reducing the production of opium and heroin has been offset by increasing production of amphetamine-type stimulants, particularly in outlying regions governed by former insurgents that are not under the effective control of the Rangoon government. The government has argued that the problem is regional and requires regional cooperation to deal with shipments of precursors from India, Thailand, and China, and shipments of final products for sale in China, Thailand, and other countries of Southeast and East Asia.

The United States has no reliable evidence of direct high-level government involvement in the drug trade. There are reliable reports that individual Burmese officials in outlying areas are involved in narcotics production or trafficking or offering protection for these activities. In recent years, Burma has sharply improved its cooperation with neighboring states, particularly China. In 2001, Burma signed memoranda of understanding on narcotics control with both China and Thailand. Burma is part of every major multilateral narcotics control program in the region.

The United States judged earlier this year that Burma had "failed demonstrably" to make substantial efforts to cooperate on narcotics matters. At the same time, the U.S.G. has sustained a successful program of cooperation between police authorities in Burma and the U.S. Drug Enforcement Administration.

In general drug trafficking is commonly associated with crime, violence, corruption and social upheaval, and that is true in the case of Burma as well. In Burma, where the regime's human rights record is extremely poor, security forces commit extensive human rights abuses in ethnic minority areas, where most of Burma's drug production takes place.

In Thailand, the primary market for Burmese-produced narcotics, addressing the increased supply of methamphetamines has become a high priority for the Royal Thai Government. However, the Royal Thai Government's "war on drugs" crack-down earlier this year has reportedly involved a large number of extrajudicial killings by police. This is of grave concern to us, and we have urged the RTG mount credible investigations of these incidents. The RTG has advised us that it is investigating these killings.

Mr. Pitts' Question:

Last fall, the State Department sent a human rights investigator to the Thai-Burma border to investigate claims of mass rapes by the ruling military regime. What actions has the U.S. Government taken to follow-up on the reports of widespread rape? Is the United Nations taking any action to address the use of systematic rape?

Mr. Craner's Response:

In response to reports of widespread rape of women by Burmese soldiers in 2002, the State Department immediately conducted a field investigation into these human rights abuses and is currently pressing the United Nations to conduct a similar independent investigation. When the Burmese government categorically denied that its soldiers had been involved in any of the rapes detailed in a report entitled "License to Rape," the U.S. Embassy in Rangoon called the government to account at a public press conference and continued to press for an investigation of the charges by an independent international team. These combined U.S. efforts resulted in continued international attention to the case including specific mention in the U.N. resolutions on Burma in the U.N. General Assembly and the Commission on Human Rights that the U.S. co-sponsored, and a government invitation to U.N. Special Rapporteur Pinheiro to investigate the case.

Mr. Pitts' Question:

The United Nations special envoy to Burma, Razali Ismail, has not gone back to Burma for several months and the talks in the country have completely broken down. When do you believe he might return to Burma? What do you believe to be the reasons the regime refuses to talk to Aung San Suu Kyi and the legitimate leaders of Burma?

Mr. Craner's Response:

The United States is deeply concerned about the situation in Burma. The May 30 violent attack on Daw Aung San Suu Kyi and her traveling party was a premeditated ambush on the motorcade. The debris remaining at the scene suggests a major clash, which could easily have resulted in serious injuries to large numbers of people. Currently, the Burmese leadership is holding Aung San Suu Kyi in an undisclosed location, and many other National League of Democracy (NLD) leaders are under house arrest. The SPDC has padlocked the doors of NLD headquarters across the country, and delayed the opening of universities.

These actions are unacceptable. We have called on the Burmese government to release immediately all those detained or arrested in this action and to provide all necessary medical attention to those who have been injured, including assistance from international specialists. The offices of the NLD must be reopened without delay, and its activities no longer proscribed. We also have called for a full accounting of the dead, injured and missing, and are working energetically with the international community to coordinate a multilateral response to this vicious crackdown.

Special Envoy Razali will be visiting Burma on June 6. He has made clear his intentions to visit Aung San Suu Kyi and meet with senior leaders of the SPDC. The United States fully supports his efforts. He must be allowed to see Aung San Suu Kyi.

The United States has already imposed numerous sanctions on Burma, including a ban on new U.S. investment, an arms embargo, a ban on direct multilateral assistance, and a visa ban on senior Burmese officials. We also have maintained our downgraded diplomatic representation at the chargé d'affaires level since 1990.

The Administration is also considering new sanctions on Burma, including a ban on travel by United States citizens to Burma with scope for permitted activities such as humanitarian assistance or official travel, an expanded visa ban to include all officials of the USDA and state-owned companies and their families, an asset freeze for senior Burmese officials, and a ban on remittances from the United States to Burma. We also are working with Congress on additional measures including an import ban.

Mr. Pitts' Question:

In February, Mr. Secretary (Craner), you stated that if there is no progress in Burma, the United States would consider imposing new economic sanctions against the regime. What particular sanctions could be imposed on the government of Burma?

Mr. Craner's Response:

The Administration has considered a full range of measures—carrots and sticks—to encourage the military regime in Burma to take appropriate steps toward dialogue and national reconciliation. We already have in place an array of sanctions, including an arms embargo, a ban on all new U.S. investment in Burma, the suspension of all bilateral aid, the withdrawal of GSP privileges, the denial of OPIC and EXIMBANK programs, visa restrictions on Burma's senior leaders, and a vote against any loan or other utilization of funds to or for Burma by international financial institutions in which the United States has a major interest. We have also maintained our downgraded diplomatic representation at the Chargé d'Affaires level since 1990.

Following the attack on Aung San Suu Kyi and her party on May 30, the Administration is considering a host of new sanctions on Burma, including a ban on travel by United States citizens to Burma with exception for humanitarian assistance or official travel, an expanded visa ban to include officials of the Union Solidarity and Development Association (USDA) and state-owned companies and their families, an asset freeze for senior Burmese officials, and a ban on remittances from the United States to Burma. We are considering additional sanctions.

Mr. Pitts' Question:

Secretary Craner, I understand that during a speech at the American Enterprise Institute on December 2, 2002, you stated that you would be raising the Administration's concerns about North Korean refugees in China with your counterparts the following week with the bi-lateral meeting on human rights in Beijing. Were these issues raised? If not, why not? If so, what was the outcome?

Mr. Craner's Response:

The U.S. Government is concerned about reports regarding the treatment of North Koreans in China, especially reports of forced repatriation. We have expressed our concern regarding the treatment of North Koreans in China to Chinese officials both here and in Beijing.

During the 2002 U.S.-China Human Rights Dialogue in Beijing, I raised our concerns regarding North Koreans in China as promised, and have continued to raise these concerns in subsequent meetings. We continue to receive reports that China continues to forcibly repatriate North Koreans in China back to North Korea. China considers all North Koreans who cross the border to be illegal economic migrants, not refugees. We believe there are bona fide refugees among this population, and have repeatedly pressed the PRC to live up to its commitments as a signatory to the 1967 Protocol Relating to the Status of Refugees and allow the United Nations High Commissioner on Refugees access to North Koreans in China in order to deter-

mine who among this population may qualify as a refugee. We will continue to raise these concerns with the Chinese at every opportunity, and investigate opportunities to correct this situation.

Mr. Pitts' Question:

It has been reported by Medicines Sans Frontiers that starting on December 5, 2002, China initiated a campaign to cleanse the border regions of North Korean refugees. Based on these reports, what can we assume about the United States' dialogue with China with respect to China's behavior with refugees?

Mr. Craner's Response:

We can assume that, so far, it has been unsuccessful in this respect. We are aware of reports that the Chinese government initiated a crackdown on North Koreans in China beginning in December 2002. We continue to press the Chinese to improve their human rights record and abide by their international obligations, including the treatment of North Koreans in China.

The U.S.-China Human Rights Dialogue, which was resumed in 2001, is one way to register our human rights concerns. Though progress in some areas is still slow, we have made it clear to the Chinese government that we expect the dialogue to produce further tangible signs of progress. The dialogue has led to some positive results, including prisoner releases, information on human rights cases of concern, and unprecedented visits and contacts. The treatment of North Koreans in China will continue to be raised during our discussions on human rights with the Chinese government.

Mr. Pitts' Question:

The House of Representatives and the Senate have both passed resolutions urging China to honor its obligations under the Refugee Convention and to protect North Korean refugees. Is our Government at the point now where we should be urging the UNHCR to invoke binding arbitration against China on behalf of the refugees? Why or why not?

Mr. Craner's Response:

We have made clear to China our concern over the treatment of North Koreans in China. We have urged and will continue to urge China to live up to its international obligations under the 1951 Protocol on Refugees and cease the forced repatriation of North Koreans and work with the United Nations High Commissioner on Refugees to create a mechanism for determining who among this population may qualify as a refugee. Add reference to obligations under refugee protocol here?

The Chinese government has not given the UNHCR access to this vulnerable population and we have received reports of forced repatriation. There are credible reports that some of those returned have faced persecution and/or detention. Some have been executed. The Chinese government maintains that North Koreans who cross over economic migrants not refugees. Although the Chinese carry out periodic sweeps of North Koreans, the Chinese government has for many years turned a blind eye to the temporary border crossing of North Koreans, many of whom cross into China to find work or food and then return to North Korea.

Under a December 1995 agreement between China and the UNHCR, either party may invoke binding resolution to resolve any dispute involving the failure of the Chinese government to give UNHCR personnel unimpeded access to refugees in China. We will continue to press China to work with the UNHCR to develop a mechanism to determine who among this population qualifies as a refugee.

Mr. Pitts' Question:

In light of what occurred in India last year in Gujarat with what evidence shows were orchestrated riots against the Muslims and the slaughter of innocent men, women and children in Gujarat, what public actions has the U.S. Government taken in relation to the Government of India? What actions has the U.S. Government taken to raise concern about the religion bill being considered in Gujarat and to raise concern regarding the current discussions of drafting national legislation that would limit religious freedom in India?

Mr. Craner's Response:

We forcefully condemned the violence in Gujarat, both in public statements and in the 2002 *International Religious Freedom Report*. We will continue to press the Government of India to protect against such violence and to bring justice to those who perpetrate violence.

In addition, we just sent the South Asia Desk Officer of the International Religious Freedom Office to Gujarat, Tamil Nadu, and Delhi to discuss anti-conversion

legislation with religious leaders, government officials, human rights advocates, lawyers challenging the constitutionality of the laws, and police commissioners who may be responsible for imposing the laws.

To date, no one has been charged under either the Tamil Nadu or Gujarat anti-conversion legislation. Religious leaders in particular expressed great apprehension that these new laws could be used to shut down medical, educational, and other social services under the assumption that such activities constitute "allurements" for conversion.

The International Religious Freedom Officer received conflicting reports from party members, at both the state and federal levels, as to the likelihood of a national-level anti-conversion bill.

Mr. Pitts' Question:

What type of dialogue is the State Department engaged in with Indonesian officials with regards to the newly proposed education bill that demands that all schools, public and private, must provide religious education for all students?

Mr. Craner's Response:

We are concerned, as are many Indonesians, that the current draft of the education bill may impinge on the freedom of religion. Religious schools should not be forced to teach another religion instead of their religion. We will continue to engage in discussions with the Government of Indonesia on the proposed education bill.

Given our commitment to promote values of democracy, good governance and human rights, the United States provides a variety of grants to encourage the development and strengthening of civil society in Indonesia, with a particular focus on Muslim civil society, to improve Indonesian education, and to assist the legislature in drafting laws that meet international standards. These grants aim to build tolerance and understanding.

Mr. Pitts' Question:

What do you believe to be the trend in Indonesia regarding international terrorist activities in Poso, the Malukus, and other areas of Indonesia where human rights abuses are rampant?

Mr. Craner's Response:

The promotion of human rights, democracy, and the rule of law is a priority of this administration, and is fundamental to creating a society in which terrorism will not flourish. As the Secretary has said, "Freedom fights terrorism, instability and conflict. Time and again, experience has shown that countries which demonstrate high degrees of respect for human rights also are the most secure and the most successful." We believe Indonesia needs a modern and responsible law enforcement system to deal with terrorism, one that incorporates the protection of civil and human rights. We regularly and consistently encourage the Government of Indonesia toward increased commitment to human rights and the rule of law.

We also welcome Indonesia's increased commitment in the war against terror—cooperation that has taken on greater urgency since the tragedy in Bali. There are various groups, including al Qaeda, Laskar Jihad, and Jemaah Islamiah, which continue to pose a threat.

Mr. Pitts' Question:

What type of discussion has the State Department engaged in with Indonesian officials regarding the unjust imprisonment of Reverend Rinaldy Damanik, a co-signer of the Malino Peace Accords?

Mr. Craner's Response:

On June 16, 2003, Reverend Rinaldy Damanik, coordinator of the Central Sulawesi Crisis Center and Secretary of the Central Sulawesi Church Association, was sentenced to three years in prison for weapons possession in violation of an emergency law under the Malino Peace Accords that prohibits owning or controlling weapons or ammunition without permission.

Police stated that Reverend Damanik was in one of a group of cars stopped in a village that contained a variety of weapons. Damanik and his supporters denied the charges.

Prosecutors asked for a five-year sentence. We monitored the trial closely, and urged the Indonesian Government to ensure that his trial rose to international standards of credibility.

The Department of State supports the Malino Peace Accords, and regards them as a step forward in the Indonesian Government's ability to deal with sectarian violence through political means.

Mr. Pitts' Question:

In Egypt, individuals who convert from Islam to another religion fear government action against them if they officially register their change in religious status. Often these individuals have altered their government identification cards and other official documents themselves to reflect their new religious affiliation since the Egyptian government will not recognize any change in religion or change the religious status on a person's identity card (unless a person converts to Islam). Why does the State Department's Report on Egypt use the word "harassment" instead of persecution to describe the fact that converts have been arrested, imprisoned, and interrogated by government officials in addition to receiving threats from Islamic extremists.

This year's Report on Egypt says that, "The practice of Christianity or Judaism does not conflict with Shari'a (Islamic Law)." However, it appears that Shari'a law is not codified and there are a number of different versions of this type of law. Many of these versions restrict religious freedom by, for instance, denying one's right to change or propagate one's religion, demanding that Christians pay a jizya tax, preventing the repair or construction of churches, and a number of other punitive measures against non-Muslims. The reality of what happens to non-Muslims appears to directly contradict the statement that the practice of Christianity and Judaism do not conflict with Shari'a law. Please address this issue.

Mr. Craner's Response:

There are certainly religious freedom problems in Egypt that are of great concern to the U.S. Government. We take these problems seriously and monitor them closely. We use the term persecution to refer to either physical harm or the systematic exclusion of groups or individuals from the pursuit of livelihood, such as in education, employment, etc., that is directly due to religious affiliation. The United States is aware of instances in which individual converts from Islam have been subject to harassment, but do not consider this to be widespread or systematic.

Under Sharia, Christians and Jews are recognized as "people of the book," with both religions legally permitted under the Constitution. With some exceptions, there has been a continued trend toward improvement in the Government's respect for and protection of religious freedom. The United States has welcomed President Mubarak's personal attention to the question of the repair and construction of churches, and we look forward to seeing measurable progress. We welcome the GOE efforts to foster inter-faith dialogue and note the Egyptian Government's consultations with Pope Shenouda.

The Christian community is a stable one in Egypt, representing a large and vital part of society. Instances of discrimination and harassment take place, and we regularly press for an end to such behavior. Please let us know if cases of concern in Egypt are brought to your attention. The subject of religious freedom remains an important and active part of the bilateral dialog between the United States and Egyptian Governments.

Mr. Pitts' Question:

What is the State Department's position on self-determination, in general, and for the people of Western Sahara, in particular?

Mr. Craner's Response:

The State Department's position on resolving the Western Sahara dispute is to fully support the efforts of the United Nations Secretary General's Personal Envoy, James Baker, to bring about a peaceful resolution of this long-standing dispute.

The United Nations Security Council unanimously passed a resolution on July 30, 2002, that strongly supported Mr. Baker's efforts and expressed the willingness of the Council to consider any approach the Secretary-General and Mr. Baker might propose that provided for self-determination.

Mr. Baker has submitted a new proposal to the Security Council, which provides for a self-determination referendum. The Secretary-General has asked the Security Council to endorse Mr. Baker's proposal and work with the U.N. to implement it. At the recommendation of the Secretary-General, the Security Council has extended the mandate of the U.N. mission in Western Sahara, MINURSO, until July 31 in order to give sufficient time to consider this matter. The U.S. Government continues to urge the parties to the Western Sahara dispute to work to ensure that Mr. Baker's efforts produce a just and lasting solution.

Mr. Pitts' Question:

What type of action has the State Department taken with regards to the Government of Morocco and the reported 1,000 Sahrawis who remain disappeared?

Mr. Craner's Response:

As our annual *Country Report on Human Rights Practices* notes in the section on Western Sahara, international human rights organizations have estimated that disappearances of Sahrawis in the Western Sahara could number between 1,000 and 1,500, although conditions in the territory have prevented confirmation of this figure. We are unaware of any new cases of disappearance in that part of the Western Sahara under Moroccan administration in recent years. The United States continues to call on the parties to the Western Sahara dispute to release or account for all those missing or held prisoner since the start of the conflict.

The U.S. is also in regular contact with the International Committee of the Red Cross in light of their efforts to locate missing persons and press for prisoner releases.

Mr. Pitts' Question:

What was the U.S. Government's reaction to the recent Moroccan government action to detain and confiscate the passports of Sahrawis who attempted to travel to the United Nations Human Rights Commission in Geneva to report on Sahrawi issues?

Mr. Craner's Response:

We are aware of the reports of Sahrawis who were prevented from traveling to Geneva. While the Moroccan Constitution provides for freedom of movement, the Ministry of Interior does in fact restrict freedom to travel outside the country in certain circumstances. These practices have applied to those from the areas of the Western Sahara under Moroccan administration, such as the Sahrawis in question. Freedom of movement is an essential element in guaranteeing human rights and continuing Morocco's democratic progress. The U.S. continues to monitor the situation closely and raises issues of concern regarding human rights during regular discussions.

Mr. Pitts' Question:

Mr. Secretary, your statement mentions that open elections were held in Morocco last September. What is the State Department's analysis of reports that the King of Morocco appointed the Prime Minister and all the cabinet ministers and, as a result, there are not officials from the majority-elected party in positions of power?

Mr. Craner's Response:

My statement noted that we have seen "important progress over the past year in a number of countries."

The September 27 parliamentary elections in Morocco were, according to most foreign and domestic observers, generally open and transparent, the first such elections in Morocco's history.

Under the Moroccan constitution the King, as head of state, has the authority to appoint the Prime Minister, who is the titular head of government.

Constitutional changes in 1992, retained in the Constitution of 1996, authorize the Prime Minister to nominate all government ministers, but the King may nominate ministers himself and has the power to replace any minister at will.

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE BY THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND MR. CRANER'S RESPONSES

Mr. Payne's Question:

In Africa and the Caribbean in particular, HIV/AIDS continue to take a heavy toll as the pandemic rages.

I encourage the Department of State to regard this plague as a human rights-related issue, with access to affordable medications to treat it increasingly regarded as a basic human right.

Along these lines, how does the Department of State consider health care in terms of human rights?

Mr. Craner's Response:

We appreciate your concern regarding HIV/AIDS and access to health care. In Section 5 of the *Country Reports*, we discuss discrimination against women, children, persons with disabilities, and if applicable, indigenous people and national/racial/ethnic minorities. In this section, we include discrimination with regard to access to health care, such as a person being denied medical care due to their eth-

nicity or membership in a social group. We also specifically address the issue of medical care for children and whether boys and girls are provided equal access.

Stigma and discrimination against persons infected with or affected by HIV/AIDS is a major obstacle in the fight against this deadly disease. Such discrimination often leads people at risk for infection to not get tested because they fear the societal repercussions of learning they are HIV positive. Such discrimination may include restrictions that limit an individual's access to employment, housing or education. In recognition of this issue, we are looking at ways to expand coverage of official or societal discrimination against persons living with HIV/AIDS in the *Country Reports*, which would also be discussed in Section 5 of the reports.

Mr. Payne's Question:

Along the lines of freedom of political expression, I note with interest that Cyprus has voted to join the European Union.

Complicating this process, however, is the fact that the nation remains physically divided.

What process does the Department of State seek to implement to settle this human rights related issue once and for all?

Mr. Craner's Response:

The United States has long supported the efforts of United Nations Secretary General Annan and the UN Good Offices Mission for Cyprus to find a comprehensive, just and durable settlement to the division of the island. For this reason, we were disappointed that the Secretary General's meetings with the Greek and Turkish Cypriot leaders in The Hague in March did not result in an agreement. Nonetheless, we remain firmly committed to seeking a Cyprus settlement. We believe the way to a settlement is for the two sides to fully support the UN Good Offices Mission, reach agreement on the basis of the Secretary General's fair and balanced peace plan, and put that agreement to a decision by the people of Cyprus.

Recent confidence-building measures announced by the two sides, including the opening of the "Green Line," are positive and very encouraging. We welcome mutually acceptable measures that foster bicomunal contact, increase understanding between the two communities, and improve the atmosphere to achieve a settlement. We strongly support the principle of freedom of movement and we encourage both sides to take all possible steps to ensure that the ongoing "Green Line" crossings take place in the most smooth and non-discriminatory manner possible.

At the same time, even genuine confidence-building activity is no substitute for a comprehensive, just and durable settlement, and for this reason we remain strongly committed to the resumption of talks under the UN Good Offices mission and on the basis of the Secretary-General's plan, as called for in UN Security Council resolution 1475 of April 14.

Mr. Payne's Question:

In Northern Ireland, the Assembly and Executive were suspended last October, with direct rule being imposed rather than a continued devolution of power. I encourage the Department of State to work to ensure that the Good Friday Agreement is honored and that decision-making returns to the local level as soon as possible to permit the exercise of political rights by the citizens of Northern Ireland. How does the Department of State view this ongoing human rights situation?

Mr. Craner's Response:

The United States is concerned with human rights conditions in Northern Ireland and believes strongly that full implementation of the Good Friday Agreement is a responsibility not only of governments, but for all the people and parties in Northern Ireland. The U.S. Department of State strongly supports the efforts of the U.K., in conjunction with the Government of Ireland, to fully implement the Good Friday Agreement. We consult regularly with key U.K. and Irish officials, as well as political leaders and community activists, on the peace process and issues relating to human rights and other areas that are key to a lasting peace in Northern Ireland. Ambassador Richard Haass, the Administration's point person on Northern Ireland, recently returned from his eleventh trip to the region. We support the implementation of as many elements as possible of the Anglo-Irish Joint Declaration and support the holding of elections this fall. Representative government, and elections that are its hallmark, rest on full and total commitment to exclusively democratic and peaceful politics. We will continue to encourage all parties to take the necessary steps to secure Northern Ireland's peaceful and prosperous future.

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE BY THE HONORABLE DIANE E. WATSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND MR. CRANER'S RESPONSES

Ms. Watson's Question:

I am pleased that the Department is now monitoring the activities of the countries involved in the trafficking of humans. What still concerns me is that the U.S. remains an end-point destination for many of these exploited men, women and children.

What is the Department doing to enhance cooperation, communication and coordination of activities between domestic law enforcement agencies and the State Department?

Mr. Craner's Response:

The Department's Office to Monitor and Combat Trafficking in Persons (G/TIP) is responsible for helping to coordinate the Administration's anti-trafficking programs both here and abroad. The G/TIP Office meets regularly with several domestic agencies to review and coordinate our policies and programs. The primary law enforcement agencies G/TIP works with are the Departments of Justice and Homeland Security. Homeland Security has assumed the law enforcement responsibilities of the U.S. Coast Guard, the Immigration Service and the U.S. Customs Service. G/TIP directly participates in the training of assistant U.S. attorneys and local police officers and in the design of the Immigration Service's new anti-trafficking training program.

Ms. Watson's Question:

The State Department's Annual Human Rights Report makes reference to the abusive treatment by the Indonesian military of the indigenous people of Papua in some detail. At the moment, a brutal military campaign has been launched in the central highland of Papua. Amnesty International and other NGO and media sources report that the military is burning houses, torturing detainees and that many local people have been forced to flee their villages. The spark for this campaign was an attack on a military arsenal in which the military acknowledges that its own personnel were involved.

What is the State Department doing to end this brutal campaign in which human rights abuses are broadly reported?

Mr. Craner's Response:

We are disturbed by reports of torture, displacement, and destruction of property in Papua. We are closely monitoring the situation in the Central Highlands. Embassy personnel have traveled to Papua to investigate reports of abuses connected with this campaign and have been able to verify some of the reports. We will continue to impress upon the Indonesian Government the importance of protecting human rights and holding violators fully accountable.

On April 4, 2003, an Indonesian military arsenal was robbed by unidentified gunmen. During the raid, 29 firearms and thousands of rounds of ammunition were stolen, and two soldiers and one of the civilian attackers were shot dead.

The Indonesian army blames the raid on separatist rebels of the Free Papua Movement (OPM) and responded by launching a major operation in the Central Highlands of Papua, ostensibly to recover the stolen weapons and apprehend perpetrators of the raid. However, the TNI also notes that some of the soldiers stationed at the facility apparently assisted the gunmen. The Indonesian Government has arrested nine soldiers and at least eight civilians in connection with the raid and recovered 21 of the 29 weapons.

While we fully support Indonesia's territorial integrity, we continue to believe that the Indonesian Government should move forward to implement Special Autonomy provisions for Papua. This is the best way to resolve the problems in that province.

Ms. Watson's Question:

As you know, the procedure through which Papua was incorporated into Indonesia in 1969, the so-called "Act of Free Choice," has been attacked even by the UN office who was lead monitor of the process as "fraudulent." Rather than a free vote, Indonesian officials rounded up 1026 Papuans who voted unanimously for incorporation. A similar process occurred in East Timor when it was incorporated into Indonesia.

Has the State Department reviewed the U.S. role in this matter to determine whether its conduct was appropriate in terms of protecting the civil and political rights of the people of Papua at that time?

Mr. Craner's Response:

In 1962, the United States strongly urged Indonesia to commit to holding a people's consultation in what was then West New Guinea. Indonesia agreed to do so in its August 15, 1962 New York Agreement with the Netherlands. In 1969, Indonesian authorities, with assistance from the United Nations, conducted the Act of Free Choice under which slightly over 1,000 Papuans were convened in eight councils. Under intense pressure from the Indonesian authorities to adopt a decision favoring the territory's incorporation into the Republic of Indonesia, they came to a unanimous decision in support of integration. Though U.N. representatives at the Act of Free Choice later stated that the process was deeply flawed, this decision was confirmed in a resolution of the UN General Assembly on November 19, 1969.

Ms. Watson's Question:

The State Department's annual human rights report notes several court proceedings as ongoing. In recent days and weeks since the report was published the results of these trials are in. The Indonesian military personnel who carried out the torture and murder of Papuan civic leader Theys Eluay were sentenced to three and one half years for the senior officer and three years each for the three lower ranking personnel who carried out the murder.

Does the State Department regard this sentence as appropriate?

Mr. Craner's Response:

We continue to urge the Government of Indonesia in the strongest terms to pursue accountability for all human rights abuses.

We supported all efforts to bring to justice those responsible for the death of Theys Eluay in Indonesia's Papua Province, and we welcome the convictions of four soldiers. The accused received sentences of between 2 and 3.5 years, which we understand is lighter than the law allows. We note that prosecutors had asked only for 2–3 year sentences, but still, we believe this is a short sentence.

Ms. Watson's Question:

In September 2002, it is my understanding that an American citizen was detained on a visa violation in Aceh by the Indonesian military. She was denied her right to communicate with the U.S. Embassy and beaten when she tried to stop the detaining military officials from sexually molesting her female companion, a U.K. national who was also denied the right to communicate with the Embassy.

Has the U.S. Government protested this abuse of an American citizen?

Mr. Craner's Response:

Thank you for raising this question. We take very seriously the treatment of American citizens overseas.

American citizen Joy Lee Sadler was detained by Indonesian soldiers for a visa violation in a remote region of Aceh, Indonesia on September 11, 2002. Due to the remoteness of the location as well as the uncooperativeness of the local military, a consular official was unable to establish contact with her until September 17, 2002 when she had been transferred to the capital city of the province, Banda Aceh.

Embassy officers visited Ms. Sadler dozens of times, and protested the lack of timely consular access. We took very seriously the allegations of abuses against her and investigated them. As soon as we became aware of her situation, Embassy officials also met with numerous Indonesian officials to expedite her case and improve the conditions of her detention, remained in constant telephone communication once she reached Banda Aceh, and provided toiletries, medicines and magazines. In the United States, our officials briefed her family, seven Congressional offices, and state and local officials in Iowa.

Ms. Watson's Question:

International human rights organizations have been very critical of the failure of the Indonesian Special Tribunal set up to investigate and prosecute those Indonesian military and civilian officials responsible for the killings and destruction unleashed against East Timor after the people there voted for independence in a 1999 referendum. So far, sentences have been handed down only against two military officials, and human rights observers contend that their sentences fell far short of the minimum sentence required by law for the crimes they committed.

Does the United States Government plan to take any action in light of the failure of the Indonesian justice system to produce justice in this matter?

Mr. Craner's Response:

We are concerned by the ineffective prosecutions of war crimes in the ad hoc tribunal in Jakarta. The military has grudgingly gone along with trials for a small

number of officers for crimes against humanity and genocide. Out of 18 trials, prosecutors have obtained only five convictions, with one defendant awaiting a verdict. The conviction on March 12, 2003 of an Army General officer represents a tangible step on the path to accountability, though the five-year sentence did not meet the minimum 10 years required by law.

The U.S. consistently has urged the Indonesian Government to mount effective prosecutions in this tribunal that meet international standards of justice and fully utilize the wealth of available evidence. We have also supported the efforts of the Serious Crimes Unit in East Timor. As the close of the Jakarta tribunal nears, we are consulting with multilateral partners on options to achieve truth and accountability for all of the crimes against humanity that were committed in East Timor during the period in question.

We are reserving the right to determine what actions we will take until the conclusion of this tribunal.

Ms. Watson's Question:

In August 2002, two American citizens were murdered and eight others were wounded in the area of Timika (in West Papua). Respected NGO groups have alleged direct Indonesian military involvement in the incident. To date, there have been no arrests and the Indonesian military, which is in charge of the case, has not given full cooperation to the FBI team sent to Indonesia to review this incident.

What is the State Department doing to ensure a just result regarding this attack on U.S. citizens?

Mr. Craner's Response:

The U.S. Government views the attack on and murder of American citizens in Papua in August 2002 as an extremely serious matter. We also regard the investigation and punishment of those responsible as a top priority. We have closely monitored the Indonesian investigation of this crime, and we have repeatedly informed the Indonesian Government of our expectation that it would act to identify and punish all those responsible, including those who may have planned or given orders to commit this crime. We have made clear to the Indonesian Government that the entire bilateral relationship will be affected by the Indonesian response to this crime.

FBI agents spent several weeks in Papua earlier this year to assist the Indonesian Government in its ongoing investigation of the attack. While there, they interviewed police, military, and civilian personnel, and they reviewed documents made available by Indonesian police and military authorities.

Since this visit, we have discussed with the Indonesian Government several issues regarding Indonesian cooperation with the FBI agents. The Indonesian Government has responded positively to requests we made regarding fuller cooperation, and we expect that these issues will not arise during future visits by FBI agents.

We will continue to press for results until this matter is resolved satisfactorily. We share Congressional concern about this very important matter.

Ms. Watson's Question:

The situation in Zimbabwe continues to deteriorate. Half the population is facing famine. 80% of adults are unemployed. The roots of this catastrophe lie squarely at the feet of President Mugabe. What more will the U.S. do to encourage the sub-region to speak out against government abuses in Zimbabwe? What additional actions does the U.S. government plan to take against Zimbabwe to protest Mr. Mugabe's human rights abuses?

What can the U.S. Government do to encourage the deployment of World Food Program food monitors to ensure the food we donate gets to its intended recipients?

Mr. Craner's Response:

The U.S. has urged the region to act more proactively on Zimbabwe. The Secretary made explicit reference to Zimbabwe in public comments about the New Partnership for Africa's Development (NePAD), a pledge by African leaders to eradicate poverty, on how ignoring the linkage between good policies and human development will only bring about greater decline. The U.S. encouraged and supported the recent initiative taken by Presidents Mbeki of South Africa, Obasanjo of Nigeria and Muluzi of Malawi to establish dialogue between the Government of Zimbabwe and the political opposition. We will continue to conduct high-level dialogue with other governments; coordinate U.S. policy on these issues with key allies; and raise our concern through diplomatic channels.

The U.S. will continue to spotlight human rights abuses, political repression and economic hardship as my Bureau did in March with the release of a 16-page pamphlet entitled, "Zimbabwe's Man-Made Crisis." We continue to maintain travel sanctions, a ban on the sale of defense items, and suspension of non-humanitarian gov-

ernment-to-government assistance. Earlier this year the U.S. initiated an assets freeze against 77 senior members of the government and senior ZANU–PF officials. The U.S. supports Zimbabwe’s suspension from the Commonwealth, the travel ban and assets freeze imposed by the EU, and steps taken by regional governments to underline concern with the situation in Zimbabwe. In April, the United States, along with the EU, co-sponsored a resolution at the Commission for Human Rights (CHR) that called on the Government of Zimbabwe to comply fully with its international human rights obligations. The resolution was defeated as the commission adopted a no-action motion by a vote of 28 in favor, 24 against and 1 abstention. All 15 countries on the UNCHR this year voted to support a “no-action” motion on Zimbabwe. The United States continues to provide Development Assistance and regional Economic Support Funds (ESF) to support civil society, human rights organizations and democratic pluralism.

The United States is the largest donor of food assistance to Zimbabwe, having given \$111 million in food aid in 2002. Although this year’s harvest will be better than last year’s, the need remains for donor assistance through the 2003–4 growing season. The United States and other donors have established, with European Union funding, a monitoring mechanism to help ensure that donor assistance reaches its intended recipients. We are working with the donor community to make this process more robust. The Government of Zimbabwe has not, except for two well-publicized exceptions last fall, hindered distribution of donor food to date. It does, however, continue to manipulate availability of commercial maize and wheat due to political considerations as well as patronage and profiteering.

Maize and wheat are the country’s staple foods but their importation and domestic marketing is under the monopoly of the state-run Grain Marketing Board (GMB). Price controls by the GMB have distorted the market with commodities being re-directed into a more expensive parallel (i.e. black) market. In response, an initiative by the USAID-supported Consortium for the Southern Africa Food Emergency (C–SAFE), is proposing a three-month pilot program in Zimbabwe’s second largest city of Bulawayo to sell 15,000 mt of USAID supplied sorghum through small-scale traders which will ensure that families receive food without going through the government GMB. Sorghum is more freely marketed than maize or wheat. Bulawayo was selected as a pilot city for the project because of consumer familiarity with sorghum, the milling capacity and the acuteness of food shortage in the region. At the rate of 10 kilos per person per month, the importation of 15,000 mt of sorghum for Bulawayo would feed 500,000 people for three months. If successful, the program will be replicated throughout the country.

QUESTIONS FOR THE RECORD SUBMITTED TO JENNIFER L. WINDSOR, EXECUTIVE DIRECTOR, FREEDOM HOUSE, BY MEMBERS OF THE COMMITTEE ON INTERNATIONAL RELATIONS’ SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS, AND MS. WINDSOR’S RESPONSES

Question:

What specific recommendations would you offer to improve the content, utility, and impact of the human rights reports?

Response:

As currently produced, the State Department report is a highly useful instrument for those interested in human rights and democracy. Our suggestions for strengthening the report are minor in nature. But we would stress the importance of ensuring that those responsible for the report take extra care in the drafting of assessments for countries that maintain security alliances with the United States. The credibility of the report will be judged on whether these particular assessments are candid, thorough, and avoid error by omission.

Otherwise, we would suggest that sharpening the focus of the introductory overview section for each country could strengthen the report. The reports are primarily notable for the extensively detailed and lengthy sections on various human rights and democracy problems. As currently written, the overview sections are meant to provide some direction for the reader as to which problems are the most serious, where improvements have been made and where decline has occurred. Even so, the overviews could be tailored to further guide the reader as to which of the many issues dealt with in the report narrative are the most important in determining the overall human rights performance of the particular country.

Question:

In your opinion, are there categories of information that should be included in the Country Reports, but are not? Conversely, are there categories that are currently included that, in your opinion, could be removed? Please give examples.

Response:

Freedom House believe that while the reports are perhaps overly long, the problem lies principally in the excessive detail within the various categories. In fact, those responsible for the report have chosen a list of categories that quite effectively covers the broad range of issues relevant to human rights and democracy.

Question:

You stated that the trend for 2002 indicated modest gains of freedom and expansion of human rights in every region of the globe. To what do you attribute these gains? What recommendations would you suggest to the Administration and Congress to facilitate further gains in these areas?

Response:

There are a number of factors involved in the gains for freedom registered over the past few years. One, certainly, is the negative model of dictatorship, which in every guise—Marxist, military-led, or nationalist oriented—has failed to produce freedom or prosperity. More important has been the growing commitment of the established, stable democracies to incorporate democracy promotion in their foreign policy process. Crucial here have been the policies of the United States, a number of European countries, and several of the most important transnational alliances: the European Union, the Commonwealth, and the Organization of American States. The incorporation of certain good governance and democracy criteria in the policies of the World Bank is a further promising development.

As far as future policies are concerned, we would urge the United States to deepen its commitment to democracy promotion. We believe that this is a critical need in the wake of the events of 9/11. It has become increasingly clear that the absence of freedom in the Middle East is a major factor in the rise of fanatical anti-American and anti-democratic movements that are willing to use terrorism to achieve their goals. The American government has given some indication of recognizing the relationship between political repression and terrorism, but shows a reticence to switch from a policy that tolerates the anti-democratic status quo in the Middle East to one that encourages democratic change. In this regard, we see the Millennium Challenge Account as an important step in the right direction. We hope that it is adequately funded and retains the good governance and democracy criteria that were part of its original concept.

Question:

According to your statement, there have been real-life freedom improvements in 28 countries and declines in 11 countries. Would you characterize these fluctuations as having more to do with a change in climate for political rights or civil liberties? What political rights specifically have increased and decreased? Likewise, what civil liberties specifically have increased and decreased?

Response:

When looked at over the period of the past decade or so, the most striking gains have been in the political rights category, and especially in the number of countries that have conducted elections for head of state and parliament that the international community judged as reasonably free and fair. To give a sense of the degree of change, Freedom House has found that the number of electoral democracies increased from 91 in 1992 to 121 for 2002. Also encouraging is the fact that once free and fair elections have been held, few countries have returned to their previous anti-democratic methods of selecting political leadership. On the negative side, there has been an increase in political corruption in a number of new democratic states, a phenomenon that has given rise to a substantial level of popular cynicism and eroded the public's faith in democracy.

On the civil liberties side, clearly there has been a continuing increase in the number of people around the world who enjoy the rights of free speech, thought, assembly, political organization, and personal autonomy. Again, the most problematic area is rule of law. In a number of new and fragile democracies, corruption has grown in both the public and private sectors, and violence and corruption are on the rise among the police and security forces.

Question:

You stated that Freedom House's latest survey results do not indicate a worldwide reversal of freedom as a result of widespread transnational terrorism. However, you also stated, "It is important to note that freedom has gained principally in countries in which the impact of ideological terrorism has been marginal or absent." Discounting nations that have had marginal or no impact from terrorism, has freedom increased, decreased, or stayed the same for nations that do have to contend with terrorism?

Response:

Freedom House regards terrorism as the single greatest threat to freedom in the world today. That the rise of terrorism has not had a more substantial impact on the level of world freedom is a heartening sign of freedom's resiliency. But we are under no illusions on this issue. A further escalation of deadly terrorist acts, especially if perpetrated by terrorist cells with transnational reach, would pose a real threat to the important progress that has been made in recent years.

Terrorism's most serious impact has come in those countries that have been mired in internal conflicts marked by acts of terrorism by insurgents and, at times, by security forces or paramilitaries loosely aligned with the government. Two obvious examples are Colombia and Nepal. Although conditions have improved, terrorism has also been a serious negative factor in Algeria, and the violent response of the authorities has cost thousands their lives. More broadly, we believe that governments in a number of countries in the Middle East and Central Asia have used terrorism as justification for failing to take measures to advance democratic change. In Uzbekistan, where a violent Islamic movement did once pose a threat to the government, the authorities have exploited popular fears by accusing regime critics en masse of adherence to extremist sects.

In general, countries that have stable democratic governments and civilian controlled security forces that enjoy a high level of professionalism do a better job of balancing the fight against terrorism and the maintenance of civil liberties. The United States and the larger countries of the EU have been victimized by terrorist acts or have had to deal with terror movements that have taken root on their soil. While these stable democracies have adopted anti-terrorism measures that we believe have a negative impact on civil liberties, these countries have managed to cope with the terrorist problem without the imposition of serious restrictions on individual freedom. We also think it is notable that several relatively new democracies, such as Indonesia and the Philippines, have managed to cope with active terror movements without experiencing an erosion of civil liberties.

QUESTION FOR THE RECORD SUBMITTED TO JENNIFER L. WINDSOR, EXECUTIVE DIRECTOR, FREEDOM HOUSE, BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA, AND MR. CRANER'S RESPONSE

Mr. Pitts' Question:

Would you explain the steps you believe the U.S. and the international community need to take to ensure that a vote for self-determination is finally held for the Sahrawi people?

Ms. Windsor's Response:

The next few months are critical for the US and the international community to cultivate political will for the Secretary General's proposed peace plan which was presented by his personal envoy James Baker in January 2003. The proposed new compromise peace plan, outlining a four-to-five year period of transition dividing responsibilities of the parties and leading to a referendum for self-determination, seems in a precarious position and is as yet formally unsupported by the government of Morocco.

The US is in a unique position to take a lead role in persuading all of the parties to accept the current plan. In particular, the U.S. should provide a clear message to the governments of Morocco and Algeria as well as the Polisario that they must accept the current plan if they want to gain further international legitimacy and partial gains.

Increased confidence building measures are critical on the part of parties which also impact fundamental liberties. In particular, the immediate release of both Sahrawi and Moroccan political prisoners and prisoners of war would be a critical step that would not only improve the human rights situation within the territory, but would serve to increase the trust and good faith among parties. The US and

the international community should publicly call upon governments to take measures to improve freedom of speech, assembly and association, which are necessary conditions for an informed and democratic process in the transition period leading up to a referendum.

QUESTIONS FOR THE RECORD SUBMITTED TO ALEXANDRA ARRIAGA, DIRECTOR OF GOVERNMENT RELATIONS, AMNESTY INTERNATIONAL, BY MEMBERS OF THE COMMITTEE ON INTERNATIONAL RELATIONS' SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION, AND HUMAN RIGHTS, AND MS. ARRIAGA'S RESPONSES

Question:

What specific recommendations would you offer to improve the content, utility and impact of the Human Rights Reports?

Response:

The reports are generally good, accurate accounts of human rights events in each country. The quality and credibility of the reports are generally very good.

Some have suggested that shortening the reports or streamlining the information would make the information more "reader friendly." Although this appears well intentioned, the process could inadvertently make the reports more difficult to use and less hard-hitting. By making the reports available by computer CD and on the website, readers are able to find information easily through a computer word search. Most readers turn directly to the section of the report that addresses their area of concern and review that section exclusively. Thus, the suggestion of streamlining the reports by only listing information once and referring readers back to the first reference would complicate the use of the reports by causing the reader to search outside of their section of interest. This form of streamlining would make the reports less rather than more "reader friendly."

The reports could be improved by ensuring that each section includes an overview paragraph describing the major areas of concern and objective description of the trends. At times the reports provide a litany of individual examples of incidents of abuse and violations of human rights, without providing a summary of the findings and perspective on the record. This leaves the reader to go through many individual cases without the benefit of an overview or summary statement by the US Government. Some reports omit cases from prior years that are attributed to the current government. In some instances, these cases have not been prosecuted and those responsible held accountable for their acts.

The reports could be stronger in some cases if the information included were presented as findings and facts, rather than qualified by attributing the accounts to nongovernmental organization reports. For example, the reports offered unqualified information on incidents of torture and other mistreatment by the Palestinian Authority, but qualified equally disturbing accounts by Israel's State security officers as information reported by human rights organizations. In addition, abuses against members of the lesbian and gay community were generally attributed to documentation provided by human rights organizations. Attribution of abuse accounts to nongovernmental organizations should occur only when the US Government lacks information on the topic, but not as a substitute for confronting a country directly on its record. The accounts of abuse have added weight when they are reports by the US Government.

The reports should be distributed broadly and integrated into the work and information of other US Government offices and agencies. For example, the reports should be integrated as part of the information that appears on the State Department websites for country-specific information, information on commercial relations and opportunities, travel advisories, the websites of US embassies abroad, as well as websites of other agencies, such as Commerce, Labor, and Treasury. Congress should be encouraged to provide web links to these reports, as should State government and universities.

The report should be formally integrated into decision-making processes that incorporate respect for human rights as a criterion. The reports are currently used in making political asylum determinations and in processing refugee cases. The reports are listed as a factor in determining licenses for US exports of police and crime control equipment and in decisions about transfers of foreign military equipment and training. However, their consideration is frequently overcome by commercial and other considerations.

For example, the Africa Growth and Opportunity Act explicitly refers to respect for human rights in its criteria for county eligibility. However, the treatment of human rights concerns and reference to the DOS Human Rights Reports is

downplayed and often ignored in the annual review for country eligibility for AGOA benefits. The reports could be a guide for evaluating eligibility for the Millennium Challenge Account, used as an indicator for progress on human rights. The Administration and Congress should use the reports in preparation for visits from foreign governments and raise the human rights issue with leaders during these visits.

The impact of the reports could be greater if they also included information about actions the US Government took to address abuses documented in the report. For example, the State Department's Annual Report on International Religious Freedom provides information on US actions, initiatives, and responses to address violations of religious freedom. This information has served to highlight trends, assisted in evaluating effectiveness of US policies, provided information on how known patterns of violations have impacted US policy, and even spurred embassies to remain active on issues of religious freedom in order to ensure adequate accounting of work on religious freedom issues in the report.

This year's instruction cable to drafting embassies included an apparently new guideline that is disturbing and can affect the report's content, quality and credibility. Specifically, US embassies were instructed, that: "Actions by governments taken at the request of the United States or with the expressed support of the United States should not be included in the report." This revised instruction could threaten the previously largely apolitical nature of the reports. Already this year, the reports appears to have been affected by the Administration's political concerns in the "war on terror" as evidenced by the recasting or complete omission of events and actions that were otherwise characterized as human rights abuses occurring in 2002. For example, the treatment of military courts in Egypt was recast to eliminate the criticisms of previous years.

Question:

In your opinion are there categories of information that should be included in the Country Reports, but are not? Conversely, are there categories that are currently included that, in your opinion, could be removed? Please give examples.

Response:

Amnesty International recognizes that the Country Reports continue to be an effective tool in holding governments accountable for their human rights record. The quality and utility of the reports have generally continued to improve over the last decade, with expanded coverage of human rights violations affecting women, disabled persons, children, labor activists, religious leaders and groups, indigenous populations, refugees and internally displaced persons, and persons discriminated against because of their sexual orientation. Amnesty International recommends that the reports continue to be comprehensive in nature, that efforts be made to continue to improve the quality and content of the information provided on existing human rights topics, and that the human rights topics of focus be expanded to include information such as:

- Analysis of a country's efforts to meet its international human rights obligations under treaties it has ratified and any persistent pattern of objections to recognizing certain human rights at the international level. For example, mention of a country's role at international forums such as the UN Commission on Human Rights, and whether the country regularly objects to the right to freedom of religion, the rights of women, freedom of association, or another area of rights.
- Adequate coverage of abuses by non-state actors acting within the territory of the state, such as traffickers in humans, drugs, and natural resources where these actions result in or fuel human rights abuses.
- Violations of economic, social and cultural rights, such as denial to food, water, housing, education and work. Violations of these rights could be analyzed from the perspective of discrimination against particular groups, such as denial of education to girls and women in Afghanistan, the denial of housing and displacement of Chechen refugees, and the withholding of food and water from civilian populations in conflict zones.
- Inclusion of government programs to provide human rights education, whether this be information to inform vulnerable groups of their rights, or efforts to mainstream such information in the school system.
- Human rights abuses related to actions and policies related to environmental degradation and illicit mining of natural resources, such as attacks against environmental activists and the displacement of and abuse against indigenous populations. The reports should cite the role of corporations, rebel groups, and States actors in illicit activities to control revenues of natural resources that

fuel abuse against indigenous populations, such as in Sierra Leone and Burma, for example.

- Expanded coverage of discrimination on the basis of sexual orientation. The information on discrimination and abuse against this community is generally attributed to documentation provided by human rights groups, and should be included in the information tracked directly by the US embassies.

Question:

You stated that the United States is not exercising proper safeguards in monitoring how countries cooperating in the war against terrorism use security-related assistance. To your knowledge, have there been specific incidences where security assistance was used to further human rights abuses? Please elaborate.

Response:

Amnesty International is concerned about the transfer of US security assistance to countries in which the security forces have a well-documented record of committing human rights violations. Without proper monitoring of such transfers, US security assistance may contribute to or facilitate violations by host country forces, by signaling US support for abusive security forces and tacitly endorsing impunity and by serving as the source of weaponry and skills that are used to commit abuse. Lack of effective monitoring and reporting on the end-use of US security assistance transfers make it difficult to pinpoint where they contribute to abuses.

Amnesty International has reported on security forces that have benefited from US equipment and have gone on to commit human rights abuse. Recipients of US security assistance include Nigeria's military forces, which include units responsible for massacres in Odi and Benue; Ethiopia's military, which includes soldiers responsible for killings in Oromia and at Addis Ababa University; and Uganda's military, which has conducted operations in the eastern region of the Democratic Republic of the Congo that have included mass killings and abuse and in Operation Iron Fist in northern Uganda against the Lords Resistance Army.

Among the largest recipients of US security assistance worldwide is Colombia. The United States continues to provide assistance to the Colombian Armed Forces (CAF) despite well-documented evidence that the CAF has committed gross violations against the civilian population, and that the CAF has failed to sever ties to paramilitary forces responsible for abuses against civilians. In 2002, over 4,000 civilians were killed as a result of the conflict, the vast majority of these attributable to the military and their paramilitary allies, with far fewer but equally egregious abuses committed by the FARC and ELN guerrilla forces. Furthermore, Colombia's Attorney General has failed to prosecute a number of high-ranking former and active military officers accused of violations. Amnesty International continues to receive credible reports of apparent joint military-paramilitary actions against the civilian population. Amnesty International has elaborated on these human rights concerns and provided evidence of the lack of progress by the CAF to the Department of State in the annual consultation for certification of security assistance to Colombia.

As part of the Bush Administration's "war on terror," the United States has increased US military assistance to the Philippines to crackdown on suspected "terrorists." The Philippine's military forces are utilizing paramilitary forces and hiring civilians to undertake the fighting. These groups have then been integrated into the Civilian Armed Forces Geographic Units (CAFGU), which were involved in, among other incidences, a massacre at a "rebel" wedding. There are estimates that US security assistance will help provide as many as 34,000 arms to new recruits that receive only six weeks of training.

Question:

You stated that countries as diverse as China, Cuba, Great Britain, India, Jordan, and others have enacted restrictive policies in the name of anti-terrorism efforts. What are some of the most common restrictive policies that these countries have taken up?

Response:

Amnesty International is concerned that many countries are following the lead of the United States on anti-terrorism efforts, by adopting or expanding anti-terrorism legislation that facilitates repressive policies and utilizing the "war on terrorism" to legitimize crackdowns on peaceful dissent. Many countries, including China, Cuba, Colombia, Great Britain, Guyana, India, Jordan, Pakistan, Tanzania, and Uzbekistan have enacted or expanded restrictive policies in the name of anti-terrorism efforts. Others, such as Malaysia and Singapore have intensified the use of existing security laws to repress dissent. The Country Reports fail to make clear the

intensified use of new or expanded anti-terrorism legislation or policies, which emulate those proposed by this Administration in the Patriot Act and subsequent initiatives.

Amnesty International has reported around the world on repressive policies that various countries have utilized under the guise of fighting a "war on terrorism." Abusive practices used by State officials, include: torture, cruel, inhuman and degrading treatment; administrative and/or incommunicado detention, in which political prisoners are held without trial for long periods of time; denial of a fair judicial process; crackdowns on dissenters, peaceful demonstrators, and on non-violent opposition groups, particularly Islamists and marginalized sectors of society; heightened restrictions on or attacks against journalists and opposition media. Although these practices in many cases predate the U.S. "war on terrorism," the current climate has appeared to excuse and even legitimize human rights violations that were heretofore viewed as completely unacceptable.

In Uganda, the government passed a law referred to as the Anti-Terrorism Act, which limits civil liberties and broadly defines terrorism as the "use of violence or threat of violence with intent to promote or achieve political, religious, economic and cultural or social ends in an unlawful manner." This new law carries a mandatory death sentence for those found to be terrorists. Many are concerned that the law threatens the legitimate work of journalists and peaceful political activists. In October 2002, the government of Uganda shut down the country's independent newspaper, *The Monitor*, justifying the move on the basis of the new anti-terrorism law. The Anti-Terrorism Act, also authorizes certain law enforcement officials to intercept communication in order to detect and prevent terrorist activities. Police are reported to have used this law arbitrarily to interfere with privacy, home, family and correspondence.

In Cuba, the National Assembly approved the *Ley Cubana contra Actos de Terrorismo* (Cuban Law against Acts of Terrorism) in December 2001, which authorizes the use of the death penalty against those found to be terrorists. Many are concerned that the law will be against dissidents. On April 11, 2003, three would-be hijackers intent on leaving Cuba were executed under this anti-terrorism legislation, despite the fact that the law does not provide for the death penalty in cases in which there are no injuries. Their appeals to the Supreme Court and the Council of State were summarily dismissed, and the three were executed by firing squad less than a week after their trial began.

In late 2001, the government of China amended its Criminal Law allegedly to accommodate terrorist threats. Although the Criminal Law included provisions punishing some "terrorist" crimes in a section of the law dealing with "Crimes of Endangering Public Security," the amendments provide the government with expanded powers. The law does not define the term "terrorist organization" and can be interpreted to refer to a variety of organizations. The amendments increase the variety of punishments for people who organize or lead a terrorist organization, and for those who "fund terrorist organizations or individuals engaging in terrorist activities." The new amendments also expand the use of the death penalty to encompass individuals who fund or are members of a terrorist organization. Many are concerned that the Criminal Law is so vague that it can be gravely misused and that the lack of precision creates renewed uncertainty regarding what actions are prohibited. It also may criminalize peaceful activities and infringe upon the rights of freedom of speech, expression, religion, and association.

The government of India enacted the Prevention of Terrorism Act (POTA) in 2002, which broadly defines terrorism to include anyone who intends to threaten the national unity, integrity, security or sovereignty. The law provides an equally vague and broad definition of "terrorist activity" and criminalizes the failure to provide authorities with "information relating to any terrorist activity." The law expands the State's investigative and procedural powers. Suspects can be detained for up to three months without charge, and up to three months more with the permission of a special judge, thus effectively subverting the principle of presumption of innocence. It provides little discretion to judges regarding the severity of sentences. Amnesty International is concerned that the law is highly susceptible to misuse and may facilitate repressive policies that can be used to silence and intimidate peaceful political opposition, dissidents, and minorities. Amnesty International has documented cases in which the law has been used against opposition party members for their remarks, and against Muslims, but not Hindus, involved in violent riots that took place in Gujarat.

The government of Jordan adopted, by royal decree, new laws expanding the scope and definition of "terrorism." The new definition of terrorism is extremely vague and could be read to include minor damage caused by peaceful demonstrations. The laws place additional restrictions on freedom of expression and the press, and on the

right of assembly and the right to legal counsel for political opponents, and pose a threat to freedom of association. Amnesty International has called on the government of Jordan to end the practice of incommunicado detention, torture and ill-treatment, and has expressed grave concerns about the treatment of individuals the United States has “rendered” to Jordan for interrogation and detention.

In the Philippines, human rights conditions have deteriorated. Increasingly, the government has accused individuals of “terrorist” activities as a means to silence political dissidents, opposition and social activists. Police and soldiers have used the law to crackdown on suspected Abu Sayyaf (ASG) members, arresting many without warrants, reportedly subjecting detainees to torture and seeking to force confessions, and eventually releasing detainees without charges. Amnesty International documented the cases of twenty-seven Muslims and an estimated 130 civilians subjected in such treatment in two separate incidents that occurred respectively in March and July 2002.

The government of the United Kingdom enacted the Anti-Terrorism, Crime and Security Act 2001 (ATCSA). Amnesty International has expressed concerns about the use of this law to detain non-UK nationals for unspecified and potentially unlimited duration, without charge or trial. Amnesty International is also concerned that the law’s provisions deny the opportunity to challenge, under fair procedures, any decision taken under the ATCSA and that it can negatively affect the status and rights of individuals who are recognized as refugees or asylum-seekers.

These examples are among many that Amnesty International has documented throughout the year. They provide evidence that the “war on terror” is being used and can be manipulated by governments to impose and expand restrictive policies against civilians. The United States has a special responsibility as a world super-power to set an example for upholding international standards of human rights. The United States must also ensure that US policies, laws and regulations intended to address the new threat of terrorism do not deny individual’s their rights to be protected against human rights abuse. The United States must also redouble its efforts to confront governments that have repressive records, especially those that are using the “war on terror” to legitimize human rights abuse.

QUESTION FOR THE RECORD SUBMITTED TO RAHMAN ALJEBOURI BY MEMBERS OF THE COMMITTEE ON INTERNATIONAL RELATIONS’ SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION, AND HUMAN RIGHTS, AND MR. ALJEBOURI’S RESPONSE

Question:

There are reportedly 400,000 Iraqi refugees in the Middle East, Europe, and the United States, and there is speculation that “thousands” might wish to return home. What is your perception of this situation? What would be the humanitarian and political implications of a massive return of Iraqi refugees?

Response:

The return of Iraqi refugees to their home from their countries of exile could play a great role in promoting democracy. We need to do the following to encourage refugees to go back:

1. In our case here in the United States, most of the Iraqi refugees who started to arrive in the US after 1992 are permanent residents (Green Card holders) most of them don’t have Iraqi passports. Applying to the Department of Homeland Security in order to get a refugee travel document takes more than a year. What I suggest is expediting the process so that it is easier for Iraqi refugees to get them.
 2. Encourage American companies to hire Iraqi refugees as part of their staff in Iraq.
 3. Give them some financial support like other counties (Saudi Arabia, Britain, Norway and others)
-

QUESTION FOR THE RECORD SUBMITTED TO RAHMAN ALJEBOURI BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA, AND MR. ALJEBOURI'S RESPONSE

Mr. Pitts' Question:

What precautionary measures did your family and friends have to take in order to keep up the appearance of loyalty to the Saddam Hussein regime so as to avoid being arrested and perhaps tortured?

Mr. Aljebouri's Response:

After I left Iraq my family survived by doing the following:

1. Dishonoring my blood by signing a pledge to the security forces saying because of my act of opposing the government, I will be no longer be their son nor their blood.
2. Supporting activities of the Baath Party such as going to demonstrations to show their loyalty.
3. Paying bribes to the Party members.
4. Reporting my activities to the authorities.

QUESTIONS FOR THE RECORD SUBMITTED TO SOON OK LEE BY MEMBERS OF THE COMMITTEE ON INTERNATIONAL RELATIONS' SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS, AND MRS. LEE'S RESPONSES

Question:

You have testified previously that during your incarceration in the late 1980s and early 1990s, the North Korean government used prison labor to manufacture items for export. Are you aware of any evidence that North Korea continues these practices? If so, what items and to which countries?

Response:

Yes. I heard from a defector who had been imprisoned in KaeChon prison camp in 1995 that North Korean government continued to produce the brassiere for export to Russia after I release from KaeChon prison camp in 1992.

Question:

You have documented how in 1995, officials at the South Korean embassy in Beijing turned you and your son out on the street after you requested asylum. Over the past year, however, South Korean diplomatic offices in China reportedly have granted asylum quietly to scores of North Koreans who successfully entered their compounds. Would you agree with this assessment? What more could South Korea and the United States do to convince China to allow more North Koreans in China to defect?

Response:

I think that South Korea and the United States should continue to urge China to grant the refugee status to North Korean in China and should set up the refugee camps in Mongolia or third country.

QUESTIONS FOR THE RECORD SUBMITTED TO SOON OK LEE BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA, AND MRS. LEE'S RESPONSES

Mr. Pitts' Question:

What recommendations do you have regarding the U.S. policy towards North Korea?

Mrs. Lee's Response:

I think the U.S. should not negotiate the issue of the nuclear weapons program for economic aid with North Korea. I think the U.S. should set up the refugee camps in Mongolia or third country.

Mr. Pitts' Question:

What are your views regarding the current policy stance by the Bush Administration with respect to North Korea?

Mrs. Lee's Response:

I support the strong policy stance of the Bush Administration with respect to North Korea.

Mr. Pitts' Question:

What role should human rights play in U.S. policy towards North Korea?

Mrs. Lee's Response:

No response was received.

Mr. Pitts' Question:

We know that the North Korean government treats political and other prisoners terribly. Would you please comment on the way the North Korean government treats religious believers?

Mrs. Lee's Response:

The North Korean government imprison a whole life of religious believers in political prison camps or prison camps until they abandon their believes. The North Korean government treats religious believers more terribly than other prisoners.

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD BY SOON OK LEE

WATER TORTURE



One day in early March 1997, I was taken into a torture chamber that I had never been in before. I saw a big kettle on a small table and a low wooden table with straps, about 20 centimeters high. By surprise, one of the two interrogators tripped me with his leg. They strapped me on to the table and forced the kettle spout into my mouth. The spout was made so that it forced my throat wide open and I could not control the water running into my body. Close to suffocation, I had to breathe through my nose. My mouth was full of water and it overflowed from my nose. As I began to faint from the pain and suffocation, I could not see anything but felt sort of afloat in the air. I had been through all kinds of torture, such as whippings, beatings with rubber bands or hard sticks, or hand twisting with wooden sticks between my ten fingers, but this was worse.

I do not remember how long it lasted but when I woke up I felt two interrogators jumping on a board which was laid on my swollen stomach to force water back out of my body. I suddenly vomited and kept vomiting with terrible pain.

I had no idea how much water ran into my body but I felt like the cells in my body were full of water and water was running out of my body through my mouth, nose, anus and vagina.

I faintly heard somebody saying, "Why doesn't this bitch wake up. Did she die?" I could not get up so I was dragged to my cell that day. From that day on, I suffered from high fever and often fainted. My whole body was so swollen that I could not open my eyes. I could only urinate a few drops of milk-like liquid with blood and felt a severe pain in my bladder. I was able to get up and walk again in about two week's time.

I can not explain how I could have survived such an ordeal. I would have died if that had happened to me in my ordinary life. I must have developed a mysterious super power to sustain myself under an emergency situation.

PRISONERS BEATEN CRUELLY



One common form of torture was to tie a prisoner against iron bars, spread-eagle by hands and legs and beat him all over the body with a rubber or cow skin whip. Just the pain from hanging by your body weight makes the ordeal unbearable. From the beatings, the skin becomes torn all over, blood splashes and the prisoners begin to feel that their skin isn't human any more. When a prisoner is released from the iron bar, his whole body is so swollen that he cannot bend his back or knees. The prisoner must evacuate and urinate standing.

In the Nongpo Police Detention Center, there were three torture chambers and all kinds of torture were routinely practiced on inmates. I was 39 years old at that time. They subjected me to all kinds of torture there.

Once I resisted when they tried to undress me. One of the torturers punched me in my face so hard that I fainted to the floor. Sometime later, I woke up to find my mouth full of something. They were my broken teeth. Obviously, I bled terribly because the floor was full of my blood. My face was so badly swollen that I could hardly open my eyes. I spit out the broken teeth only after holding up my lips with my fingers. Four teeth from the upper jaw were gone. I began to feel terrible pain in my other teeth. Usually, I was taken to the torture chamber at five o'clock in the morning and remained there until midnight.

FREEZING TORTURE

One winter night in 1987 when I was under investigation at the Chongjin Police Station, the interrogator yelled, "Bitch! You've been spoiled by the warmth in the interrogation room. I'm gonna teach you a lesson!" He made me sit outside wearing my underclothes only. It was freezing cold outside. I was showered with a bucket of cold water and left on my knees for an hour. It was here where I saw other prisoners for the first time. There were some ten prisoners on their knees before me on the ground looking like grotesque boulders. The freezing torture was repeated every night throughout the winter. Six prisoners died from this torture.

There were some ten prisoners on their knees before me on the ground. I was told to sit in the front. I walked through the other prisoners to the front. It was so cold that the guard went right back into the office. I heard a low voice, "Hey, Comrade Soon-ok, it's me here!" It was Younghwan Choi, the Supply Manager of Hweryung District! Soon, I was able to recognize the familiar faces of five former colleagues. They had all been arrested under the same false charges that I was. They all realized that if they died from the torture, they would be perishing under false charges. So they all displayed strong will power to overcome the torture and survive.

However, I witnessed a total of 6 prisoners die from this freezing torture during the winter. The cold was very painful on my hands, legs and ears for the first 20 to 30 minutes. But after that, I felt nothing at all. When we were told after one hour to get up, we were literally frozen and could not stand up. We all fell several times before we somehow managed to rise and stumble back into our cold cells.

Soon, I had large swollen ears. My feet were so swollen that I could not put on my shoes. Water was running from the sores in my swollen legs. When I finally left the interrogation center and arrived at the prison, a prison official told me to apply pine resin from the shoe-making factory. The resin melted all my flesh and I could see some of the bones in my feet. However, because of the resin, fresh flesh began to cover the bones and, after six months, I had normal feet again. I cannot remember when my swollen ears recovered.

A NORTH KOREAN MINER'S WIFE



Jong-ok Kim, about 45, wife of a minor, Hweryong district, was arrested for stealing some 20 liters of corn from a nearby cooperative farm when her children were starving at home in the spring of 1987. During the trial, the judge scolded her for stealing. There was a microphone in front of her but she did not know what it was. She murmured in a very low voice, "Of course, I know stealing is bad. Why would I steal if food ration had continued? How awful this country is." Her complaint reached the judge through the microphone. He was furious and committed her to 15-year hard labor in prison for "criticizing the party policy." She died in the autumn of 1992 of undernourishment and diarrhea, after five years in prison.

She was detained at the cell next to me during the police investigation but we did not see each other at that time because the movement of prisoners was always so strictly controlled that prisoners do not meet each other. The guards in the jails, however, always felt bored when on duty for hours and they would normally ask inmates for all kinds of questions, "Hey you! What's your name? Where are you from? What's the Charge? etc." I overheard their conversations with other inmates and knew about them and, in the same way, the other inmates knew about me even though we did not meet.

One day in prison in 1988, I was carrying work instructions as usual when a prisoner suddenly stopped me by pulling my clothes and whispered to me, "Aren't you the Supply Manager from Onsong District?" Speaking each other was against the prison regulation. I was scared and I moved off without a word. The next day, when there was no prison guard around, I asked her, "How did you know about me?" This is how we met in the prison.

She worked at the leather factory in prison. She had been in prison for about 5 years when, one day in the autumn of 1992, she became too weak to meet her work quota. She received reduced meal for punishment and began to be weaker with less food. She also had serious loose bowels and felt so thirsty but there was no water for prisoners. She was so desperate that she drank the dirty water from the bucket where floor mops had been washed several times. The next day, she dropped to the floor while trying to make a leather bag. She did not move when prison guards kicked her hard. She was dead. They had her dead body wrapped in a straw mat and carried away.

One day in 1994, while I was hiding in China waiting for an opportunity to come to Seoul, I was listening to a mid-night radio broadcast from Seoul which announced arrival in Seoul of two young brothers from North Korea. Their names rang my ears. When I was undergoing intelligence clearance in South Korea, I was able to confirm that the two brothers were indeed the sons of Sung-Ok Choi.

When I was preparing to meet her sons in Seoul, the intelligence officers advised me not to tell them about their mother's death because the boys are in a very fragile condition emotionally. So, I did not tell them about their mother's death when I first met them. One day in April, 1998, they visited me and told me that they had heard from their relatives in China that their mother had died, so I had to confirm the information. They are in South Korea now and visit me regularly.

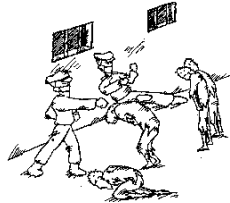
TEARING OFF THE EARS OF A PRISONER



The Comptroller of the Seamen's Club of Chongjin City was an old man, 60 years old. He could no longer withstand the tortures that continued daily. When the investigators tore off one of his ears and began tearing off the other, he decided to please the investigators by claiming to be a big thief—the bigger the better. So, he told

them that he stole a locomotive from the city railway station. He acquired the nickname, "locomotive head" from the police investigators and officers.

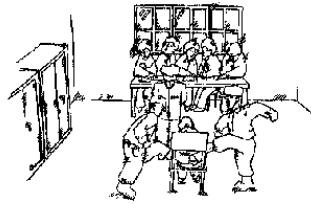
PRISONERS USED FOR MARTIAL ART PRACTICE



A prisoner in the police jails becomes a different person, skin and bone, from starvation and torture. Male prisoners appear to become undernourished and confused sooner than female prisoners. The jail guards commonly use inmates as martial arts target. They punch and kick prisoners during martial arts practice. The prisoners fall bleeding at the first blow and remain motionless for a while on the cement floor until they are kicked back into the cells.

The guards often bring fish and grill it on their stove, sending a wonderful aroma to the prisoners. This is as painful as any form of torture could be for the starving inmates.

NORTH KOREAN KANGAROO COURT



The preliminary trial was for 10:00 am at my former office, where I worked for 17 years as a loyal party member. I asked for my husband before entering the court. "Your husband is not here. Don't ever try to meet anybody else, understand?" was the reply. Don't I even get to see my husband on the day of my trial?

I met my lawyer for the first time in the courtroom. The court consisted of a judge, prosecutor, lawyer and a two-member "jury." My interrogator was there also. The judge made a few remarks about the charges against me and asked me if I accepted the charge.

I had promised the interrogators earlier that I would accept the charge, but I simply could not control myself at that moment. "Your Honor, I have neither embezzled government property nor violated any of the party policy. Never, never! I am innocent. Please allow me a fair investigation." The two guards at my sides shouted, "You must be crazy!" and started to kick me in the knees. At that moment, the judge declared the preliminary trial closed. The trial lasted less than 15 minutes!

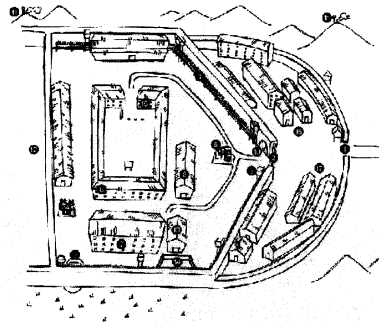
It was very cold on November 9, 1987, my trial day. In the morning, the interrogators repeated their warning, "You better be careful what you say in court or your husband and son will be in serious trouble. Remember that!" (I did not know that my husband, in fact, had already been exiled internally!) However, I was firmly determined to do what I could to prove my innocence to the party officials and my husband. I was still so naive and excited by the idea of meeting my husband and telling him loudly, in the court room, all about my sufferings.

After the preliminary trial which lasted less than 15 minutes, I was detained at the police cell for the formal trial until five o'clock in the afternoon. I was given no water and food. The interrogators persistently harassed me with the same threat, "What about your husband and son? If you accept the charge in court, they will be safe. Otherwise, you know what's going to happen to them."

At court in the afternoon, I had to say yes when the judge asked me, "Do you accept the charges against you?" There was no evidence produced nor any witnesses against me. The judge made no reference to the absence of evidence and witnesses and committed me to a 13-year imprisonment in violation of the government com-

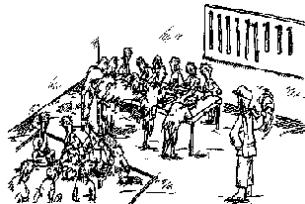
mercial policy and state property embezzlement. The lawyer remained silent throughout the entire court proceeding. The mere formality to send me to prison was thus over under the pretext of a trial.

A BIRD'S EYE VIEW OF KAECHON WOMEN'S PRISON



- | | |
|--------------------------------|----------------------------------|
| 1. Main Gate Square | 11. Chimney of the Underground |
| 2. Entrance Gate | 12. Kaechon Men's Prison |
| 3. Watch Tower | 13. Rubber Factory (ii) |
| 4. Gate to underground tunnel | 14. Pigsties |
| 5. Power Generator | 15. Administration Offices |
| 6. Factories | 16. Prison Administration Sector |
| 7. Cells for Prisoners | 17. Guard Barracks |
| 8. Rubber Factory (ii) | |
| 9. Dung Pool | |
| 10. Gate to Underground Square | |

TYPICAL SCENE OF PRISONERS AT WORK

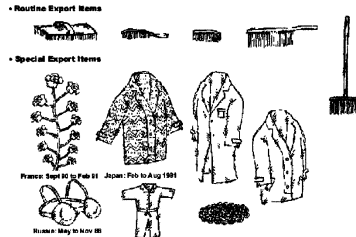


Officially, the purpose of the prison is to reform the ideology of the prisoners. In reality, however, the purpose of the prison is to exploit slave labor. The prisoners work 16–18 hours every day without wages. Cow leather whips are always ready on the walls and women are whipped, kicked, or punched daily for no reason. The prisoners are not allowed to talk, laugh or take a rest. In addition, the prisoners must always keep their heads down and only repeat the same motion for work. As a result, more than half of the women have lumps on their heads or shoulders, are hunchbacks, or are crippled. The camp officers and guards always wear masks because they cannot tolerate the prisoners' stench! The prisoners often urinate or defecate while working because they cannot wait.

The prisoners are allowed to take showers only twice a year. Therefore, all the prisoners naturally stink. The entire prison is full of the awful smell of sweat and the stench of the prisoners enters your lungs the moment you are inside the prison.

The prison officials and guards are there by life appointment. North Korean authorities never transfer them to other posts for fear that their crimes may leak to the outside world.

SO MUCH PUNISHMENT AND LOSS OF LIFE TO MEET EXPORT DEADLINE



To meet the deadlines for export, the prisoners often worked until one o'clock in the morning or, for many months, the prisoners slept two to four hours at the work site. They ate, worked and slept in the same place. The standard export items all year around were clothing and different kinds of brushes. They were for markets in Europe, Japan and Hong Kong.

On an ad hoc basis, prisoners produced rose decorations of various colors, each prisoner producing 60 pieces an hour or 1,000 pieces a day, for export to France (September 1990 to February, 1991). They produced some 900,000 pieces of brassieres for export to Russia for \$2 a piece (May to November 1988), and countless pieces of sweaters to Japan (February to August, 1991).

There were big water pans for the prisoners to wash their hands clean frequently. Each prisoner was given a piece of white cloth to cover their dirty laps and keep the products clean. The finished products were beautifully packed and shipped for export.

Prisoners often fall asleep while working and wake up when their fingers are injured by the sewing machine. They apply sewing machine oil on the wound and continue to work. They have to hide their bleeding fingers for fear of punishment for sleeping. So much punishment and loss of life for the sake of meeting the export deadline! I was informed that the foreign exchange earned was spent to supply imported television sets and refrigerators for the security and police officers.

HAVE YOU HEARD ABOUT THE HUMAN MOTOR?



The power supply in North Korea was erratic and almost every other day prisoners worked without electricity during the daytime. However, the prison rule was that the daily quota had to be met whether there was electric power or not. So, female prisoners were whipped to keep the motor running manually for the power sewing machines.

There were about 100 sewing machines in the sewing factory, operated by one electric motor. The women were forced, ten in each team, to pull the belt on their shoulders and operate 100 sewing machines, for one hour each. The hardship of the prisoners was beyond description. The production officers mercilessly whipped the prisoners to maintain their productivity.

Female prisoners have to meet their work quota to get the standard meal of 100 grams. Each shoe manufactured requires a countless number of small nails to be hammered and so each prisoner has to hammer so many nails every day.

Their fingers are all bent and deformed with hard skin. Three hundred prisoners produce 1,000 pairs of boots daily, working 1618 hours daily to meet the work quota. Often they are forced to work until morning to meet the quota, under collective punishment for the failure of other prisoners to meet the quota.

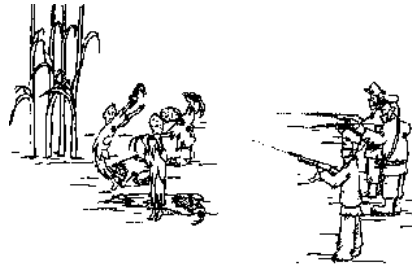
Myong-suk Kim was a very competent and skillful worker and produced the best quality boots for senior officers. The machines were German, but they were im-

ported in the sixties and started to give problems as they aged. One day, she could not meet the quota due to equipment failure. The guards kicked her and shouted, "You swine, you better fix your machine quickly."

When it became clear one day that she could not meet the quota, she drank hydrochloric acid that was kept there for repairing the machine and killed herself. That was in January, 1992.

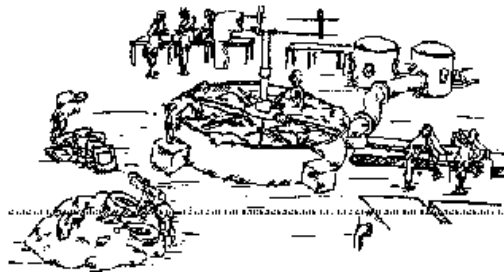
The prison authorities conducted ideology classes for all prisoners, everyday, to prevent this "ideological corruption" from recurring. It was very tiring to stop work for one hour everyday and stand listening to a nonsense speech before going to bed an hour late.

PRISONERS SHOT FOR STEALING CORN



All prisoners are mobilized once a year for harvest work in the prison farm. Some 400 guards watch while the prisoners work outside the prison. In September 1990, five male prisoners could not resist the temptation of eating raw corn during work and so they stole some ears and hurried to eat them. I was delivering a work order to a unit nearby at that time. The five prisoners were shot instantly by the guards without warning. In the prison, few trials or investigations were ever held for punishing or killing prisoners. Punishing and killing prisoners without trial or investigation were within the power of the prison superintendent.

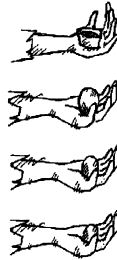
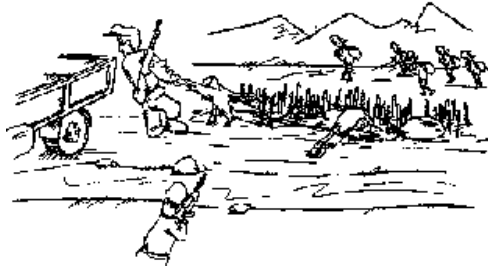
FEMALE PRISONERS AT A RUBBER FACTORY



The prison rubber factory was one of the most dangerous and difficult places for women to work. They had to mix used rubber scraps with granular rubber, carry the resulting rubber substance, mix it with rubber glue that came from a big tank which produced poisonous fumes, and knead it in a big round tank. I remember one female prisoner whose head got covered by the rubber glue while she was cleaning the tall rubber glue tank. She suffocated.

Because air creates foam in the rubber, the whole factory is tightly sealed all year round. In addition, the factory is always full of hot steam for molding shoe soles. Therefore, it's always stuffy and suffocating! The sticky mixture in the tank often overflows and women must push it back into the tank. This was very difficult work for hungry and weak women, and so the sticky mixtures often dragged women into the tank and killed them. So many female prisoners were killed and injured that the prison authorities finally ordered the factory to be operated only by male prisoners in 1989, two years after my arrival at the prison.

MEALS FOR PRISONERS

MALE PRISONERS SHOT TO DEATH FOR ATTEMPTING TO GET "EDIBLE CLAY" FROM
WOMEN PRISONERS

At the end of February 1990, we were carrying edible clay in bags. Some male prisoners on the other side of the river must have seen us eating the clay. They looked like skeletons with skulls and bright eyes. They gestured to us begging for some clay. None of us responded for fear of punishment. Desperately, three of them came to our side of the river to get some clay.

Suddenly, we heard shooting. It was a horrible scene when the shooting ended. We were all so scared. The intestines of one of the male prisoners were protruding. But he was still alive because we heard his feeble voice whispering, "Help!" The second prisoner had his leg broken and bleeding. The third prisoner was dead instantly. Soon a truck arrived and an officer said, "Put them all onto the truck, dead or alive." We were told to resume our work. That night, some twenty women complained of pain and died as a result of having eaten too much clay.

At the end of February 1990, we were bringing fresh soil from a nearby mountain to the prison farm. It was very tiring to climb up the mountain to bring fresh soil all the way down to the farm. Because it was February and still cold, we could not find any plants to eat in the mountain, no matter how desperately we looked. It was too early in the season.

One day, I saw some prisoners eating clay. As always, we were exhausted, hungry and thirsty. One of them said to me, "Accountant, you want some? This is good and tasty. Try it." I wasted no time and ate it. It was clay and, indeed, starchy and tasted good. I ate half the size of my fist that day and I felt somewhat full and even felt some strength, too. Our unit moved our burrow to a riverside location when the killing of three male prisoners took place.

PRISONERS CAN USE COMMUNAL TOILETS ONLY TWICE A DAY



EVENING ROLL CALL



The prisoners are divided into units and teams and must always act collectively by group under the slogan, "All Actions by Unit and Team!" Prisoners get up, line up for roll call, proceed to work, take meals, go to the toilet, finish work and go to bed collectively and at the mercy of the prison authorities.

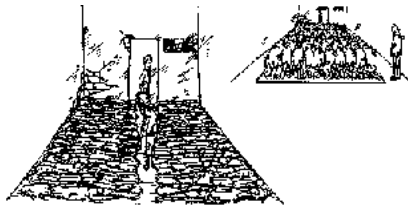
At the end of the day's grueling work, the prisoners are so tired and exhausted that many of them experience physical problems returning to the prison chamber promptly. This means that the other prisoners in the same unit have to wait and sleep less. Every night, it is a hellish experience that lasts for an hour or even longer: the calling of prisoners for others, or repeated roll calls, and prisoners desperate to go to sleep as soon as possible.

The Kaechon Women's Prison comprises the following eleven work units: miscellaneous factory, export factory, shoe-making factory, leather/rubber factory, clothing factory, fabric-cutting factory, work preparation unit, maintenance unit, drop-out punishment unit, farm unit and kitchen unit.

The prisoners must always keep their heads down at work and avoid other movement unnecessary for work. More than half of the female prisoners have lumps on their head or shoulders and are hunchbacks or crippled. Most female prisoners working in the shoe factory are baldheaded.

The entire unit is responsible for the mistakes of any one prisoner in the team. As a result, newcomers are not welcome because the entire unit will have to work more and go to bed later because of the newcomer's failure to move and work fast enough.

PRISONERS' SLEEPING CONDITIONS



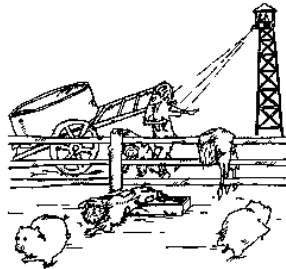
Some eighty to ninety prisoners sleep in a flea-infested chamber about six meters long by five meters wide (about 19 feet by 16 feet). Some eighty percent of the pris-

oners are housewives. The prison chamber is so congested that sleeping there is itself a torture. Prisoners sleep on the floor, squeezed together, head and feet alternating. So, prisoners sleep with the stinking feet of other prisoners right under their nose. They roll up their clothes for pillows.

During the winter, prisoners share body heat against the cold wind coming under the floor. However, during the summer, it is so stuffy with the sweat and stink of the prisoners that they prefer sleeping at the work site even though it means more work.

Two prisoners must stand on night duty for one-hour shifts. The following morning, prisoners on night duty must report to the prison authorities all the details of their duty including the sleep talking of other prisoners. They get their duty hour extended if caught sleeping.

PRISONERS KILLED FOR EATING PIG SLOPS

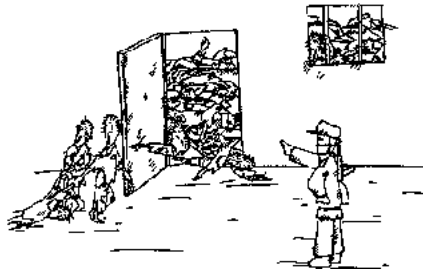


There is no wasted food in the prison kitchen. The kitchen prisoners always give the leftover food from outside to the pigs. So, the pigs are always well-fed and fat for the security officers. The prisoners envy the pigs for the good food and leisure. The dung carrying team is also responsible for cleaning the pigsty. The prisoners carrying dung are always so hungry that many of them risk their lives to steal the pig slops as they pass by. When caught eating the pigs' feed, they are shot and killed.

The prisoners on the dung-carrying team look forward to cleaning the pigsty because they can eat the leftovers from the slops with their hands still filthy with dung. The prisoners on the pig-raising team supply pig slops when the prisoners come to clean the pigsties so that the cleaning prisoners can enjoy the chance to have a "good meal" with the pigs.

Kum-bok Kim was from Kanggye town, Jagang Province. She was pretty and a very kind-hearted woman. Once, she was caught giving the pigs their feed when other prisoners were around cleaning. She was badly beaten by a prison official and kicked until she fainted. She was forced to confess her crime in writing and was sent for further investigation. She died under torture during the investigation.

PATIENTS LEFT TO DIE UNDER QUARANTINE



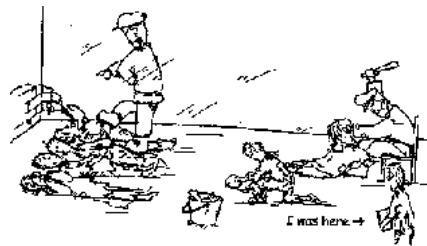
I was sequestered in a patient room and left there to die twice, in 1989 and 1992. Paratyphoid spread among the prisoners in May 1989. Many prisoners complained of pain in the abdomen and high fever before fainting. The prison doctor ordered them quarantined in a small room. Some fifty patients were put into a tiny room, so small that patients were placed on top of one another. Those who were conscious

reached out their hands for help; those who were unconscious simply remained underneath and died.

Yong-hi, a 19 year-old girl, was brought to the prison with her mother. She called her mom in a feeble voice for an apple and a little water before she died under the other patients. Her mother was working at the miscellaneous factory and did not know that her daughter perished there.

One day, I woke up to hear the voice of Shin-ok Kim, the prisoner/nurse. "How is it that you are still alive? Everybody else died. Get out from there." I was among the few lucky patients who survived the ordeal. When I somehow recovered from the disease, I was sent to report to the medical room. On this occasion, I witnessed the killing of babies in the medical room.

BABIES BORN AND KILLED



When I miraculously survived paratyphoid in 1989, I was sent to the medical room to report. When I arrived at the medical room, I noticed six pregnant women awaiting delivery. I was told to wait for my supervisor to come and take me over. While I was there, three women delivered babies on the cement floor without any blankets. It was horrible to watch the prison doctor kicking the pregnant women with his boots. When a baby was born, the doctor shouted, "Kill it quickly. How can a criminal in the prison expect to have a baby? Kill it." The women covered their faces with their hands and wept. Even though the deliveries were forced by injection, the babies were still alive when born. The prisoner/nurses, with trembling hands, squeezed the babies' necks to kill them. The babies, when killed, were wrapped in a dirty cloth, put into a bucket and taken outside through a backdoor. I was so shocked with that scene that I still see the mothers weeping for their babies in my nightmares. I saw the baby-killing twice while I was in the prison.

When I went back to the medical room for routine duty a few days later, Shin-Ok Kim and Mi-Ok Cho, the prisoner/nurses working in the medical room, were sobbing and one of them told me, "Accountant, we are devils worse than beasts. They say that the dead babies are used to make new medicine for experiments." I was so afraid that I closed her mouth with my finger and said, "I never heard you say this." I hurried to leave from their presence.

I was sent to the same medical room once again when I recovered from pleurisy in 1992. This time, there were some ten pregnant women in the small medical room. They were all injected to induce forced delivery and suffering from pain for many hours. A woman, so undernourished and weak, could not endure the delivery and died during labor. The prisoner/nurse there whispered to me that it is more difficult to deliver a dead baby than a living baby.

The other pregnant women looked so pale from the pain, and they had sweat on their faces. If they groaned from the pain, the doctor mercilessly kicked their belly hard and shouted, "Shut up! Don't feign pain!" I was waiting for my supervisor to take charge of me from the doctor at the corridor outside. I heard the crying voice of Byung-Ok Kim, 32 years old, and peeped into the room through the half-open door. She had just delivered a baby and cried, "Sir, please save the baby. My parents-in-law are anxiously waiting for the baby. Please, please save the baby." She was out of her mind with sorrow. All the other women remained quiet and she was the only woman crying and begging loudly. The doctor was taken momentarily by surprise. But soon, he regained himself and shouted, "You want to die, eh? Kill the baby!" He kicked her hard.

Then, the Chief Medical Officer came in and said, "Who was it yelling like that? Put her in the punishment cell!" The Chief Medical Officer kicked her hard several times and had her dragged to the punishment cell because she could not hold herself up. This is one of the scenes that I will never forget. She died shortly after she was released from the cell.

PRISONERS SHOT TO DEATH FOR FALLING ON A STEEP SLOPE



In February, 1988, while carrying a 20 kilogram bag of top soil from a mountain to the prison farm, an exhausted female prisoner slipped and fell on the slope, causing two other prisoners also to fall from the path. Although they could have been helped up to rejoin the line, they were immediately shot and killed. The prison guards shouted at the rest of the women, "Did you see what happened? This will happen to you if you fall!"

Every February, all the prisoners are mobilized to carry top-soil from Kaecheon Mountain to the prison farm. The mountain is outside the prison, 600 meters high, very rugged and slippery when climbing up and down the steep slope.

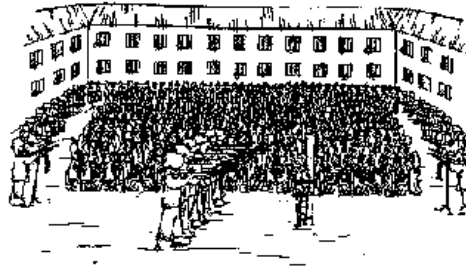
Each female prisoner must carry a 20-kg bag of topsoil on her back all the way down to the farmland. Prisoners are kicked and beaten for any bag that weighs less than 20 kilograms. 300 prison guards and 350 policemen line up on the path with rifles pointing at the prisoners. The prisoners are ordered to make three trips in the morning and three more trips in the afternoon. Climbing up and down a 600-meter mountain six times a day is like torture. The prisoners were warned that if they strayed from the path by even a step they would be shot to death instantly.

GUARDS KILLING PRISONERS FOR FUN



A couple of times, I saw guards stop a group of male prisoners for fun. "Hey, you and you, come here. If you cross the barbed wire, I will let you go home." With these words, the prison guards tempted prisoners to cross the electrified barbed wire. The prisoners were so desperate and confused that, without hesitation, they jumped to their death with the faint hope of going home. This shows how prisoners are considered disposable and easily replaced. This is not an isolated incident. I have heard about it several times and have myself seen it happen twice during the five years I was in prison.

PUBLIC EXECUTION IN PRISON



Public executions are standard practice in and outside prisons in North Korea. In 1988, seven men and one woman were publicly executed in the Kaechon prison without trial. At each public execution, all the prisoners, some six thousand (1,800–2,000 women and 4,000 men), are crammed into the prison square to watch.

The victims are always gagged so they cannot protest. They are tied to a pole in three parts; chest, sides and knees. Six guards fire three bullets each into the chest for a total of 18 bullets. With the top ropes having been cut by the bullets, the upper part of the body hangs down bleeding, like a rotten log broken in half, still tied to the pole by the lower ropes. Then, all the prisoners are forced to march around the dead body and look at it.

PRISONERS GO INSANE FROM WATCHING PUBLIC EXECUTIONS



Execution victims included those who pleaded for death during torture, stole food, or simply wept over the fate of two small children left home alone. The charge was lack of confidence in the mother party. Also included are those who are branded as “anti-party elements” or “reactionaries.”

The public execution ground is so crammed with prisoners that the women in the front watch the killing from a distance of only a meter or so and often get blood splashed on them. Some women prisoners are so shocked that they vomit, faint, or develop mental illness (e.g., sudden singing or laughing hysterically). They are sent to punishment cells for being “weak in ideology” and “showing sympathy to the people’s enemy.” Those who become completely insane simply disappear and nobody knows what happens to them.

Hi-suk Choi and Young-ok Choi, housewives from Kimchaek City, were punished for singing at the site and later died of shock during electric torture. The Kaechon Prison has twenty punishment cells that are always full of “ideologically weak” prisoners on the days of public executions.

DEAD PRISONERS BURIED UNDER FRUIT TREES

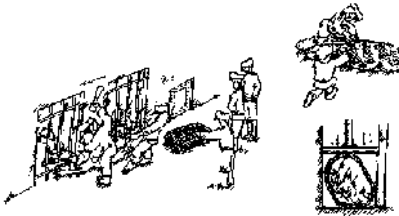


Many prisoners died from hard work, poor treatment, and beatings. The dead bodies were often buried under the fruit trees in the prison orchard. The fruits (apples, pears, peaches, and plums) from the Kaechon orchard have earned a reputation for their large size and sweet taste. They are reserved for senior party and police officials.

On one occasion, 150 corpses were rolled up in straw mats and buried under the fruit trees. The families were never informed and the bodies can no longer be identified.

I remember some of the victims who disappeared under the trees. Kwang-ok Cho, a 62-year old housewife from Shinuiju city, who was arrested for trying to obtain a blanket in the black market for her daughter's wedding gift; In-suk Kim, a middle-aged housewife whose husband died in a mine accident and who often cried out in her dreams the names of her three children left behind at home; Dok-sun Kim, a middle-aged housewife from Chongjin city who was terribly worried about her old parents; Sa-won Kim, a housewife from Kosong-kun, whose handicapped husband badly needed her; Jong-shim Lee, a 19 year-old girl. Once, a group of dead prisoners were buried collectively at a location near the chestnut forest outside the prison.

PRISONERS KILLED IN TEMPERATURE-REGULATED COMPRESSION CHAMBER



There are executioners in the Interrogation Department of the Provincial Security Headquarters. Here, they execute the prisoners that they are embarrassed to execute publicly. They always execute prisoners at midnight without trial and bury the corpses in a nearby valley.

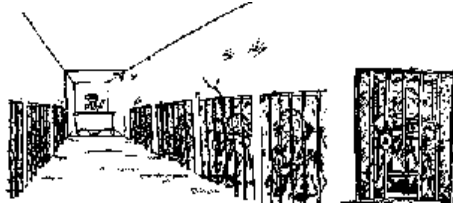
There is also a temperature-regulated compression chamber used for torturing or killing. The chamber is 60 square centimeters and the height is adjustable according to the prisoner's height. A prisoner is pushed into a rice straw bag first, and then into the chamber with his head pushed down between his knees. These acts usually occur between one and two o'clock in the morning. Freezing temperatures are used in the winter and hot temperatures in the summer.

A 17 year-old boy, the son of a welder in Kimchaek Steel Factory, was brought here sometime in October 1987. He was arrested for organizing gang fighting in school. Gang fighting is considered a very serious crime leading to subversion in North Korea. He was killed in the chamber by freezing in the midnight. I heard this from Yong-ho, a guard, who proudly told us, "You bitches better obey unless you want to be killed like the boy, frozen and compressed." In fact, other guards repeated similar threats.

A young man became lunatic as a result of continuing torture. He complained one day, "Great Leader? What has he done for me?" He was frozen to death in the chamber that night.

The chamber was next to my cell at the end of the corridor. The cries of a prisoner resisting and angry voices of guards trying to push him into a rice straw bag and into the chamber always woke me up. I always found executioners in uniform and with a star on their shoulders on such occasions. During the 14 months I was there, I remember five or six killings in the chamber.

PUNISHMENT CELLS, CHAMBERS OF DEATH



The punishment cell is one of the most dreaded punishments for all prisoners. The cells are usually 60 cm wide and 110 cm high. Therefore, the prisoners have no room to stand up, stretch their legs or lie down. They cannot even lean against the walls because they are too jagged. There are twenty such cells for female prisoners and 58 cells for male prisoners. They are usually detained for seven to ten days as punishment for certain offenses, such as leaving an oily mark on clothes, failing to memorize the president's New Year message or repeated failure to meet work quotas.

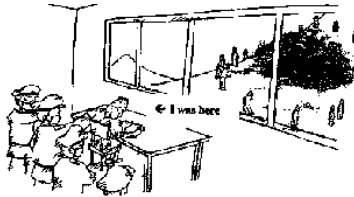
When the prisoners are released from the cells, their legs are badly bent, with frostbite in the winter, and so they can hardly walk. Many victims are permanently crippled from the lack of adequate exercise and eventually died as a result of the work resumed immediately after the release. The prisoners call the punishment cell "Chilsong Chamber," meaning a black angel's chamber of death.

In November 1989, I was detained in the punishment cell for a week for attempting to cover-up a faulty piece of shirt made by a 20 yearold girl. The young girl was sent to the torture chamber and never seen again. Among other things, the freezing cold wind from the toilet hole made the experience extremely painful. During the summer, the prisoners struggle to brush thousands of maggots back into the toilet hole.

After being released, I had problems walking for 15 days but I was able to recover because my job gave me the needed opportunity to walk to all corners of the prison with work instructions.

They say it is a day of great fortune if a prisoner finds a rat creeping up from the bottom of the toilet hole. The prisoners catch it with their bare hands and devour it raw, as rats are the only source of meat in the prison. They say the wonderful taste of a raw rat is unforgettable. If they are caught eating a rat, however, the punishment is extended. So they have to be very careful when catching and eating a rat.

PRISONERS KILLED DURING THE TESTING OF A NEW CHEMICAL POISON



One day in February, 1990, I was doing routine paper work at the staff operation office at around 10:00 o'clock in the morning when, to my surprise, the prison superintendent, vice-superintendent, intelligence chief and three other unidentified officials walked into the room. One of them pointed to something outside my window. I was very terrified at their unusual appearance. Then, I overheard them saying, "Look! How powerful. What a great scientist Dr. Sung-ki Lee is, indeed! Well, from now on, its chemical warfare." Shortly afterwards, as I was walking to the other side of the room to deliver some papers to my guard, I saw them seriously watching something outside the window. On my way back to my desk, I took a quick glance

outside. I saw many prisoners lying on the slope of a hill, bleeding from their mouths and motionless, enveloped by strange fumes and surrounded by scores of guards in the gas masks I delivered to the Chief Guard earlier in the morning.

In February, 1990, I was asked by the Chief Guard to follow him to an administration warehouse at 05:30 in the morning. He ordered me to check out six bundles (five pairs in each bundle) of gas masks with rubber gowns, which looked like a sea diver's kit. When I returned to my prison chamber, a total of 150 prisoners, several from each unit, were selected and separated from the other prisoners. The selected prisoners were mostly crippled and weak women who had less labor value.

I had to issue instructions for lunch with the same usual number for the male prisoners but 150 meals less for women. The prisoners started to exchange nervous looks with each other when the 150 prisoners did not return to work. An air of unusual tension and fear spread among the prisoners.

Normally, when a prisoner is sent to a punishment cell, an announcement is always made about why the prisoner is being punished to warn others. But that night, so many prisoners were sent to punishment cells for whispering, looking around nervously and exchanging signs of tension without the usual announcement. That night, the punishment cells were all full with a long list of prisoners awaiting the punishment. Obviously, the prison authorities attempted to cover up the killings.

Around October, 1990, an engineer supervisor was sent here from the defense chemistry factory in Hamhung. He was responsible for an explosion in the factory there and was secretly executed at an underground cell in about a month. At that time, I was told to reduce the number of meals by one in the kitchen. Later, I was confidentially informed about the killing by a prisoner/nurse who was involved in getting rid of the corpse.

At that time, 500 female prisoners were sent from here to the Hwachon area for some kind of expansion work of a chemical factory. The prisoners returned in about a month's time. One of the prisoners told me that there was a special chemical research institute in Hwsachon.

PRISONERS KILLED DURING A BIOLOGICAL TEST



One day in May 1988, I had been in the prison for only six months and I was still trying to get accustomed to the prison conditions. I was working on the second floor of the export factory moving half-finished products from one table to another for assembly. During lunch time, I saw a pile of fresh cabbages at the kitchen entrance through the windows. This was the only time I saw cabbages in such good shape at the prison. I was so hungry that I began to wonder who would be the lucky people to eat them.

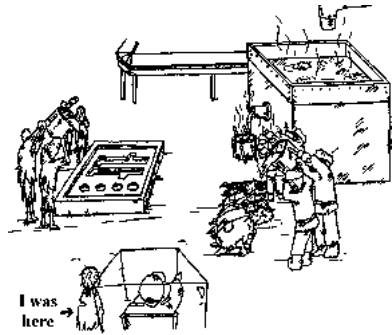
A little later when I came back to the same spot, I saw some fifty women prisoners eating the cabbage from a bowl with their fingers. The cabbages appeared somehow steamed. Soon, I saw the prisoners vomiting, bleeding from their mouths and moaning on the ground. I could not stay to watch more.

However, when I came back to the same spot again after a little while, I saw camp guards loading the dead prisoners onto a truck.

There were several strangers in white gowns around the dying prisoners. This was very strange because the political prison was under such strict control that no strangers were allowed inside. Then, I remembered that some fifty women had been told to come outside earlier, a few from each work unit.

Later, it was announced that they died from food poisoning. The prisoners knew what happened and they started to inform each other through their eyes. The prison officials were very nervous trying to keep the prisoners quiet. Why were the prison officials so nervous over the food poisoning when its mention was not a subject for punishment on other occasions? Unusually, many prisoners were sent to punishment cells that night for whispering or looking nervous.

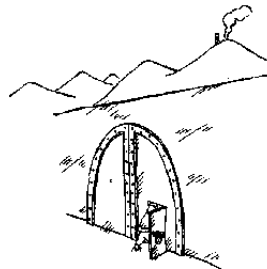
CHRISTIANS KILLED FOR REFUSING TO CONVERT



The cast-iron factory was considered the most difficult place to work in the entire prison. Christians were usually sent there to work. One Christian working at the cast-iron factory was killed by hanging in a public execution in December 1988 for hiding a friend at his house before he was arrested.

In the spring of 1990, I was carrying a work order to the cast-iron factory in the male prison. Five or six elderly Christians were lined up and forced to deny their Christianity and accept the Juche Ideology of the State. The selected prisoners all remained silent at the repeated command for conversion. The security officers became furious by this and killed them by pouring molten iron on them one by one.

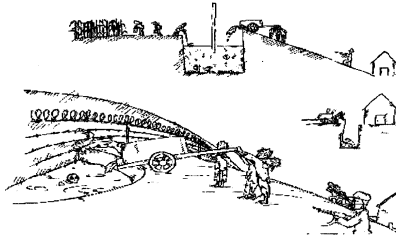
UNDERGROUND EMERGENCY EXECUTION CHAMBER



Near the prison gate, there is a huge iron gate that leads to the underground tunnels. Guards often remind the prisoners that their lives are considered disposable and that they can be collectively annihilated at any time in the underground tunnels. The tunnels, of course, can be blasted at any time, leaving no traces of massacre. It is said that the underground space is so large that it can accommodate several thousand prisoners at one time. The male prisoners' sector has a huge underground factory for the production of ammunition and weapons. I have never been to the underground weapon factory myself but I have frequently heard prison officials talking about it. I do not know whether the underground tunnels in the women's sector are connected to the men's underground factory.

I often saw fumes coming from a distant chimney atop a nearby hill. I was told that the chimney is one of the ventilators of the underground tunnels.

WOMEN PRISONERS CARRYING DUNG



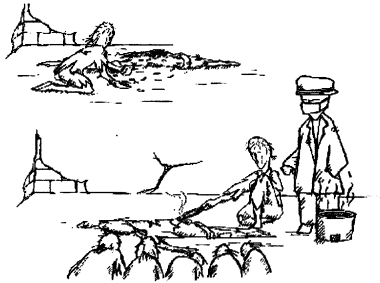
Prisoners who are old, slow at work or caught looking at their reflections in a window glass are sent to the “drop-out team” for 3 months, 6 months or one year for punishment. Their main job is to collect dung from the prison toilet tanks and dump it into a large dung pool everyday for supply to the farming teams working at the prison farm outside the wall. Teams of five prisoners must pull a metal tank weighing 800 kilograms.

Two women wade knee-deep at the bottom of the toilet tank to fill a 20-liter rubber bucket with dung using their bare hands. Three other women pull up the rubber bucket from above and then pour the contents into a transport tank.

Sometimes, the prisoners pulling up the bucket are so weak, they fall into the toilet tank because of the weight of the bucket. When the heavy tank is full, they haul it up to a very large and deep dung pool on the hill.

One rainy day in 1991, a housewife from Pyongyang named Ok-tan Lee had been carrying dung all day long and was ready to transfer the dung to the huge pool. However, the lid of the tank on the wheel somehow got stuck and would not open. When she climbed on the tank to push the door open, she slipped from the rain-wet surface and plunged into the ground dung pool. It was so deep that she disappeared into the dung. A guard some distance away (they always keep their distance because of the stink from the prisoners) shouted, “Stop it! Let her die there unless you want to die the same way yourself!” She was left to drown there in the dung.

PRISONERS DIE AFTER SPENDING TIME IN PUNISHMENT CELL



Hun-sik Kim was the principal of Pyongyang Light Engineering College. She was sentenced to a 5-year imprisonment for suggesting to the City Education Board that her students' labor responsibility be reduced so that they could spend more time studying.

In prison, she was assigned the work of measuring fabric to produce jackets, which were to be given as gifts to workers outside by the President on his birthday. One time, she miscalculated the imported nylon fabric but immediately corrected the error and no fabric was wasted. However, she was detained in the punishment cell for ten days for “attempting sabotage.” She was crippled and partly paralyzed when she was released from the punishment cell. On a very hot summer day in August, the camp doctors burned her bottom with heated stones to see if she could feel pain. Just before she died a few weeks later, she whispered to me, with a twittered

tongue and tears in her eyes, "I want to see the blue sky. You know my children are waiting for me."

When she was released from the punishment cell, she needed two prisoners to help her walk to the work site and back. The camp officials claimed that she was feigning injury, and yelled,

"You bitch! Who do you think you are fooling?"

She was kicked around like a soccer ball by the guards but withstood the insults and beatings for about a month. She suffered injuries all over her body while pulling herself up. The sores began to badly suppurate from the infections. She often fainted. She was sent to the sick room but she had to continue her work in the sick room. I was in the same room because I was a paratyphoid patient. One day in August, the camp doctors burned her with heated stones to see if she could feel pain. I could smell flesh burning, and felt like vomiting and fainting. I remembered what the camp official told me when I first arrived at the camp, "You must give up all your rights as a human!" She never felt any pain when her flesh was burning.

From that day on, she could not control urination and evacuation. I was suffering from a high fever myself but tried my best to caress her burnt wounds with the dirty cloth the doctors gave me. She said to me, with a twittered tongue and tears in her eyes,

"I want to see the blue sky. You know my children are waiting for me."

The next few days, I felt very sick and was unconscious myself, so nobody looked after her as she kept moaning.

A few days later, I came to myself, crawled to her and removed the cloth from her wound. I was shocked to see the wound full of maggots! She died that night. I shouted to a guard through the small door hole,

"Sir, somebody died here."

The reply was,

"So what? You bitch! Don't panic. Wait until morning!"

I found the floor full of maggots the following morning. I had to brush the floor with my bare hands and pick up the maggots into a vinyl bag. I told myself, "You must not die like this. You must survive and tell the whole world about it."

