

**HUMAN RIGHTS PRACTICES AROUND THE WORLD:
A REVIEW OF THE STATE DEPARTMENT'S 2003
ANNUAL REPORT**

HEARING
BEFORE THE
**COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES**

ONE HUNDRED EIGHTH CONGRESS

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WEDNESDAY, MARCH 10, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 1:39 p.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. In commemoration of Human Rights Day, I stated, at the dawn of the 21st century, there can be no doubt that the security of democracy in an increasingly dangerous world is linked inexorably with the efforts of democratic nations to advance the interests of human dignity and human rights across the globe. With these words in mind, it is with great pleasure that I convene this hearing to review the status of human rights and democracy around the world.

The United States leadership in advocating human rights and promoting democratic values is unyielding and unwavering. The President, the Secretary of State, and you, Mr. Craner, are to be commended for your dedication to the alleviation of suffering of those who reside in the numerous oppressed societies spanning our globe. However, you know as well as I that bringing visionary policies and initiatives into reality requires not only leadership and vision but the concerted efforts of those around you. So I would be remiss if I did not also acknowledge and thank the many foreign service officers and State Department workers whose tireless efforts enable important and ambitious goals to be actualized.

I must also mention the indefatigable work and commitment of the Members of this Committee to alleviating human suffering and promoting democratic values. During the past year, landmark legislation, including the Millennium Challenge Account and the HIV/AIDS bill, were debated, agreed upon, and passed by this Committee. Crucial reauthorizations of the Torture Victims Relief Act and the Trafficking Victims Protection Act were also agreed to and passed by this Committee. The Burmese Freedom and Democracy Act was authored by my good friend and colleague, the Ranking Democratic Member, Mr. Lantos. The past year also marked the fifth anniversary of the passage of the International Religious Freedom Act, which was shepherded by this Committee.

I commend my colleagues for these vital pieces of legislation and partition participation in commensurate hearings and markups. We

do not have time to illustrate all of the human rights resolutions that have come before the Court, but suffice it to say, they are numerous and further reflect Committee Members', both Democrat and Republic, stalwart support of the promotion of human rights around the globe.

This hearing is particularly timely, as next week is the sixtieth session of the United Nations Commission on Human Rights, and it convenes to, once again, cast the spotlight on and provide a forum for discussing the progress and regress of defenders and offenders of human rights around the world, as well as an opportunity to accordingly commend or condemn those countries.

Last week, the House passed a resolution sponsored by the Vice Chair of this Committee, Mr. Smith of New Jersey, urging this year's United States representative to the Commission in Geneva to sponsor a resolution on the People's Republic of China calling upon the PRC to stop human rights violations. China's numerous violations and abuses are extensively covered in this year's *Country Reports on Human Rights Practices*, and I look forward to hearing the Administration's position on sponsorship of this resolution, as well as on other resolutions it intends to sponsor and support.

I would also request that Mr. Craner comment on the status of the State Department's implementation of the Freedom Investment Act as it pertains to the placement of foreign service officers whose primary responsibility is to monitor human rights developments and missions abroad.

Before turning to our review of the *Country Reports*, I cannot fail to mention the distinguished career and tragic death of a true human rights champion, Mr. Sergio Vieira de Mello. Minister de Mello's career at the United Nations spanned decades, and his legacy will long be remembered and cherished. It is with the deepest sympathy that our condolences go out to the de Mello family and the families of the 22 United Nations workers who lost their lives on a hot August day in Iraq in selfless duty to others.

As chronicled in this year's *Country Reports on Human Rights Practices*, we have witnessed tremendous progress and continued vigilance in striving to attain a world where human rights are respected and the seeds of democracy flourish. We need only look at Iraq, at the restoration of freedom and dignity to the Iraqi people, and with the capture of Saddam Hussein, the citizens of that country will no longer live in fear of this tyrant.

In Afghanistan, we witnessed the adoption of a new constitution, a process that incorporated the participation of women and ethnic minorities. Although serious and sustained work must be continued in these countries, the citizens of each are experiencing freedoms that were unheard of in previous decades.

In Africa, the government of Kenya continues building on its success, now calling for the creation of an independent national human rights commission. In Sierra Leone, we see continued efforts to stabilize the country and the progress of the special court which handed down 13 indictments, including an indictment of Charles Taylor. In Liberia, we are cautiously optimistic about the cooperative traditional government agreement and the elections scheduled for 2005. However, we continue to have grave concerns about the conditions in Liberia, particularly in those areas where

U.N. peacekeepers are unable to access. This Committee will continue to monitor the situation very closely.

In the Middle East, we have witnessed incremental improvements, particularly in the area of governance, from the governments of Morocco, Qatar, Jordan, Yemen, and Oman. Additionally, President Bush is to be commended for his commitment to foster and support democratic practices in the Middle East. I look forward to working with the Administration to bring these objectives to fruition.

In the Western Hemisphere, the electoral processes in Argentina, Guatemala, Barbados, Grenada, Belize, and Paraguay were deemed free and fair.

In Bosnia and Herzegovnia, new criminal codes and criminal-procedure codes at the state and entity levels were adopted.

I cannot fail to mention the efforts of the people of Hong Kong, who took to the streets twice during the past year in peaceful demonstrations that yielded positive results, including the holding of open, local, council elections.

However, these successes are tempered with setbacks and disappointments. In a speech addressing the National Endowment for Democracy, the President referred to Cuba, Burma, North Korea, and Zimbabwe as "outposts of oppression in our world." Indeed, this is the case, and our thoughts and prayers are with the people and families who are struggling to exist and function in these bastions of repression.

I note, we are quickly approaching the March 18th anniversary of last year's brutal crackdown on democracy activists in Cuba. In Burma, Aung San Sun Kyi remains under house arrest, and reports on conditions in North Korea and Zimbabwe are increasingly horrific and disturbing.

As we discussed on the Floor last week, in conjunction with the passage of H. Res. 530, the People's Republic of China has not fulfilled commitments made during the 2002 bilateral human rights dialogue to improve human rights conditions and allow unrestricted access to international monitors. Assistant Secretary Craner has used the term "backsliding" to describe China's efforts on key human rights issues.

We remain deeply concerned and troubled about the continued incarceration of political prisoners of conscience, the repression of practitioners in unregistered or unauthorized religious groups, the government's one-child policy, and the continued forced repatriation of North Korean refugees in contravention of the 1951 United Nations convention related to refugees and its 1967 protocol, of which China is a party.

In Iran, we welcome the well-deserved recognition for Nobel Peace Prize Recipient Shirin Ebadi, an Iranian human rights lawyer and activist, while also recognizing that the people of this country continue to suffer under a government that engages in gross human rights violations and systematically stifles burgeoning democratic efforts of its citizenry.

Unfortunately, there is not enough time in this forum to discuss the panoply of instances of abuse and repression of our fellow men and women around the globe. So I will conclude by saying that I look forward to today's important discussion and now turn to the

distinguished Congressman and human rights advocate, the Ranking Democratic Member, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me, at the outset, commend you for your powerful and steadfast leadership on the issue of human rights globally. Let me also mention that the bipartisan Congressional Human Rights Caucus celebrated its twentieth anniversary this past fall, and we had the privilege of having the Dalai Lama be our keynote speaker.

Mr. Chairman, I want to thank you for holding this important hearing to review our State Department's annual *Country Reports*. In launching this year's reports, the Administration has explicitly linked U.S. efforts to advance human rights to our broader goals in the war against terrorism. I strongly support this logical link.

The September 11th attacks on America made it vividly clear to all of us that the morally bankrupt, corrupt, and illegitimate regimes that are the worst human rights violators create cesspools of disaffection, intolerance, and hatred that generate terrorists. Unfortunately, this year's hard-hitting reports reveal that America still has a lot of work ahead to drain the swamps that continue to provide a rich recruiting ground for al-Qaeda and other global terrorist organizations.

We find that in key states, such as Algeria, Iran, Syria, Tunisia, Lebanon, and Indonesia, horrendous human rights situations either showed no improvement and, in some cases, worsened. Even in states that the Administration calls allies in the war against terrorism, such as Egypt and Saudi Arabia, the reports generally indicate that the governments' human rights record remain poor while noting minimal improvements in some areas. Yet, incomprehensibly, the report's introduction touts these minimal improvements with the bland assertion "that change continued across much of the Arab world." But what kind of change?

Closer examination reveals that in the critical cases of Egypt and Saudi Arabia, the minimal changes have been largely ineffectual, show no real progress, or are merely cosmetic. At the same time, in both countries, security forces continue to torture and abuse detainees and prisoners, and both regimes continue to repress the fundamental rights of their citizens, particularly women, in the case of Saudi Arabia.

If we are going to reform these so-called "allies," our rhetoric has to be backed up with more than just grants from USAID. Profound structural change is called for, and the Secretary and the President will need to demand these changes with the same urgency that they demand greater cooperation in intelligence and security matters.

Right now, Mr. Chairman, the message is clearly not getting through. In response to the United States-sponsored reform initiative launched at last week's Arab League foreign ministers' meeting, Egyptian President Mubarak sounded very much like an unreconstructed ruler, stating:

"If we open the door completely before the people, there will be chaos."

Egypt's foreign minister, Maher, absurdly added:

“The basic obstacle to the reform process is the continuation of Israeli aggression against the Palestinian people and the Arab peoples. It is difficult to explain human rights conditions in Saudi Arabia by reference to the continuing dispute in the Middle East.”

This year’s reports, unfortunately, play right into the hands of some corrupt dictators by harshly and unfairly characterizing as excessive Israel’s response to the unrelenting terrorist attacks it faces from global terrorist organizations, such as Hamas, Hezbollah, and the Islamic Jihad. It is ironic that the same report that so roundly condemns Israeli counter-terrorism measures concedes that they would like to have a 50 percent decrease in the number of attacks in the country by Palestinian groups or individuals compared to 2002. Even after cutting the number of attacks in half, the State of Israel suffered more than 150 attacks that killed 213 men, women, and children. Given Israel’s size, proportionately this would equate to 11,000 assassinated Americans.

Mr. Chairman, can you imagine the level of force the U.S. military would unleash against terrorist groups based in Bethesda or Chevy Chase if they were sending suicide bombers each and every day to maim and kill innocent people in restaurants and supermarkets in the District of Columbia?

On a more positive note, the reports are blunt and accurate in describing the alarming and deteriorating human rights situation in both China and Russia. I hope that these honest assessments will generate stiff and effective responses.

In the case of Russia, the United States should make clear that if President Putin continues to behave like a dictator, he will not maintain his current standing in the club of civilized nations. An authoritarian Russia does not belong as a partner or a member in the G-8. At a minimum, we need to insist that Putin immediately desist from indicting and imprisoning businessmen who finance free media and opposition parties in Russia. To show how serious we are about this, the United States should sponsor a resolution at the Human Rights Commission censuring the Putin regime for violating due process by imprisoning Russian citizens who threaten Putin’s monopoly of power.

I support the Administration’s stated intention in the report’s introduction to form a democracy caucus in Geneva and to press for reforms to the U.N. Human Rights Commission. I have been pushing for this approach for many years, and I am glad that the Administration is finally moving ahead on this front.

Mr. Chairman, I look forward to hearing the testimony of both the Administration and our NGO witnesses, and I want to commend you again for your leadership on human rights.

Chairman HYDE. Thank you very much, Mr. Lantos.

I would like to, as I did this morning, not encourage opening statements by other Members, but I don’t want to discourage them either, and I understand Mr. Sherman has a brief statement to make.

Mr. SHERMAN. It is, indeed, brief. I would like to thank the Chairman and the Ranking Member for holding these hearings at the full Committee level. Traditionally, these hearings occur annually at the Subcommittee level, and as the Ranking Democrat of

the relevant Subcommittee, I might have preferred that the Subcommittee hear these *Country Reports*, but I can understand the decision to have these hearings here at the full Committee, and perhaps that gives them an even wider attention.

I want to thank the Assistant Secretary for his great work on these reports. They pull few punches. I want to associate myself with the comments of my good friend and the Ranking Member. It is good to see him back from San Francisco, and I want to especially associate myself with his comments about how Israel's position needs to be understood and how measures that prevent terrorism will ultimately do far more for human rights than anything that is argued to be respectful or lenient but that, in fact, fails to prevent terrorism.

I am looking forward to what I believe may be an even more important report than the one we are going to hear about today, and that is in 1 month the Department will release a report explaining how the U.S. is confronting the top abusers of human rights around the world. That report will detail the actions we are taking because it is not enough to issue a report on human rights; we need to focus on what the Administration is doing to make human rights concerns a focal point of our foreign policy.

One specific action that I hope will be taken, and that is that the United States should ensure that a resolution dealing with Iran is offered and, hopefully, approved in Geneva. I am losing patience with the lack of resolve to confront this regime on the part of our European allies and other allies, as was certainly the case this week at the IAEA, where Europeans and some others forced to acquiesce to a rather weak statement on Iran's nuclear activities.

Finally, I would like to bring to the Committee's attention the French bill informally known as the "head-scarf law." Unless that law is repealed, Muslim children in France will not be allowed to wear a head scarf required of women and girls in public under some interpretations of Islam. What that means is you are either going to deny the free exercise of religion or deny a public school education to girls in France, particularly from a minority community where that education is so necessary.

In addition, it is likely that Sikhs will be prohibited from wearing the turban, which is a requirement of their faith; Jews will not be allowed to wear Yamakas, and Christians are likely to be affected if the crosses they wear around their neck are viewed as ostentatious by one school administrator or another or if it happens to be Ash Wednesday, and French Catholics choose to go to school with ashes on their forehead.

Why do I mention this? First and foremost, it is critical that we focus on our western allies and urge them to respect human rights and especially the free exercise of religion because the West has to serve as an example.

Second, the French effort to try to impose uniformity of dress, culture, or belief is doomed to be counterproductive. It is difficult to imagine a better way to increase the influence of militant Islam than to put Muslim parents in France, particularly those in the working class, in this bizarre dilemma where they must either violate their views of religion or send their children to what might be very expensive private schools. And Wahhabi extremists and others

may stand ready to finance those schools, so that which was billed in Paris as an integration of an Islamic minority may instead lead to the segregation of that minority.

The United States, I think, serves as an example to France and to others who are just beginning to become nations of immigrants to recognize that it is by allowing the free exercise of religion that one can build a united country out of a hundred different or several hundred different streams.

Chairman HYDE. The gentleman's time has expired.

Mr. SHERMAN. If I could just have 30 more seconds.

Chairman HYDE. 30 more seconds, surely.

Mr. SHERMAN. I want to draw my colleagues to the attention of House Resolution 528, which I have introduced with my good friend, Mike Honda. It has 19 cosponsors. It urges France to revise and revisit this deprivation of human rights found in its so-called "head-scarf law." I thank the Chair for the 30 seconds.

Chairman HYDE. Mr. Smith of New Jersey.

Mr. SMITH. Thank you very much, Mr. Chairman, and I want to thank you again for your leadership on human rights and for scheduling this very timely hearing, especially on Human Rights Day, and to welcome Secretary Craner, who is doing an outstanding job, he and his bureau, on behalf of beleaguered people all over the world.

I, during the course of the questioning, will go in, as will other Members, into a number of countries of particular concern, but I would like to begin and just raise China as an area where there are ongoing, egregious, human rights abuses in a myriad of areas. There seems to be no area at all, when it comes to individual liberty and privacy and respect for the value and dignity of human life, that China is going in the right direction. It all seems to be one of deterioration, and, to use the word that is in the State Department's *County Reports*, "backsliding" when it comes to human rights.

On religious persecution, as you know, Mr. Secretary Craner, China is considered a country of particular concern. The crackdown on the Falun Gong, on the Catholics who are underground, the Protestants, the Uigurs, the Muslims, the Buddhists, is outrageous. To think that a civilized, or one that purports to be civilized, continues to engage in such barbaric practices: Hundreds of Falun Gong who have been tortured to death; many others, including one bishop that I mentioned on the Floor the other day, Bishop Su of Baoding. I met with him. For meeting with me, he was arrested and held for 9 days in the mid-1990s. He has spent a total of 27 years and counting because of his religious beliefs.

The China Democracy Party and any others who would aspire to freedom and democracy, right where you sit, Mr. Secretary, the China Democracy Party sat, members of it, in exile, to talk about their goals and aspirations of a free China. They are all silenced now. Many of them are incarcerated. Some have been let out on medical parole, but most are incarcerated.

On torture, it is absolutely commonplace in China, despite the fact that they claim, as you point out in the report, that torture is against the law. Big deal. It is a law not worth the paper that it is printed on because, in actuality, torture is commonplace for polit-

ical, religious, and common thieves and prisoners when they are arrested for common infractions.

On the issue of forced abortion and forced sterilization, as you point out so well in here, the linchpin is the social compensation fee. As you pointed out in this report, anywhere from ½ a year's salary to 8 years of a person's salary is taken away, including other benefits like health care for their child or for their family; they may lose their apartment—they may have it actually wrecked, as is pointed out in the report, all part of an effort to implement the one-child-per-couple policy, which continues to be an outrage and is certainly violative of women's privacy rights, the right to life, and every other basic human right that we know.

It is even Orwellian, on page 14, where it says:

“The government does not consider social compensation fees to be coercive.”

You take 8 years of someone's salary away, you leave them with little recourse than to abort the child that she is carrying.

I also found it very disturbing, as you point out in this report, and it has been reported before but with greater clarity in this report, that the suicide rate among women in China is five times, according to the World Bank, higher than any other country on earth, and as pointed out in the commentary, that is attributed, at least according to some, to the one-child-per-couple policy. Five hundred women commit suicide every day in China. That is because the country, the government, the dictatorship, infringes upon their basic liberty. It takes away their children. It tells them when and if they can have children, and there are, of course, other violations of human rights as well.

And on the media, look at the wrong direction they are going there, Mr. Secretary. The three forbiddens that were announced in July by the government: No discussion of constitution reform, no discussion on political reform, no reconsideration of Tiananmen Square and the aftermath of Tiananmen Square. They have silenced *Time Magazine* international division for carrying an article on the Falun Gong. It is banned in China. What does that tell you? It tells you it is a country that is in regression, backsliding, as you aptly put it, and that should be of very serious interest to everybody on this Committee. They jam Voice of America, they jam Radio Free Asia, and they jam the BBC.

This is hardly a country that wants to emerge and engage the world as a civilized nation. They are a dictatorship. We ought to be willing to call it that, and I implore you, as our resolution did last week, and I know you are working on this very hard, to take this to the United Nations Commission on Human Rights, raise this issue—forced abortion, torture, the mistreatment of political prisoners. I discovered in this that you cite credible sources that upwards of 2,000 Tiananmen Square protestors are still in prison. We thought the number was much lower. This indicates there are credible sources that the number is that high. That, too, is an outrage.

So this country has to be held to account. I thank the Chairman for yielding his time to me.

Chairman HYDE. Ms. Napolitano, did you seek?

Ms. NAPOLITANO. No, thank you, sir.

Chairman HYDE. You did not. I misread your head gesture.

Mr. Leach?

Mr. LEACH. Thank you, Mr. Chairman.

As a representative of the extended family of an individual whose death is cited in the State Department's *Human Rights Report*, I would like simply to note that in the Middle East there is a multiplicity of dimensions to every cause, and there can often be credible perspectives and heroism on each side of philosophical and religious divides. But it is clear that the tragic death of a young woman named Rachel Corrie underscores the extraordinary precept that there is beauty in naivete and majesty in idealism. Putting one's life in jeopardy in a way that does no harm to others symbolizes courage and, in this case, sacrifice of the highest order.

In this context, I am obligated to relay to Secretary Craner that Rachel's family continues to have profound concerns that the investigation of her death has been inadequate in scope and unconvincing in logic. Thank you.

Chairman HYDE. Mr. Burton of Indiana.

Mr. BURTON. Thank you, Mr. Chairman. I will try to be as brief as possible.

I applaud India and Pakistan for having talks on the disputed territory of Kashmir, and because of that, we postponed a hearing on human rights in my Subcommittee on the Government Reform and Oversight Committee. However, since we have this hearing today, and we have the assistant Secretary here, I thought it would be wrong for me not to just briefly mention that the hundreds of thousands—in fact, 600 to 700,000—it may be up to a million—of Indian troops still occupy Kashmir. Women are still being gang raped. They are still using horrible torture,—cattle prods, running heavy rollers over people, finding bodies in some of the canals there—and so the horrible human atrocities continue at the hands of the Indian troops and the Indian government.

Now, we hear about the rebels who are fighting against the Indian government, and they are called terrorist, and I guess, you know, you could probably define it if you wanted to stretch it that way, but those people have been fighting because they have been repressed, and their women have been gang raped, and they have been tortured for years and years and years, and they want to have a referendum, as was promised by the United Nations in 1947 and 1948, on whether or not they go with India or Pakistan or have independence. And I would just implore you, Secretary Craner, and I am not sure there is an awful lot we can do about it—I hope that the talks bear fruit between India and Pakistan on this issue, but as the leader of the free world, I hope that we will continue to put any bit of pressure that we can on the Indian government to stop the repression of the people in Kashmir. Just keep the pressure on them.

Thank you very much, Mr. Chairman.

Chairman HYDE. Thank you. If there are no further opening statements, 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 on June 4, 2001. He coordi-

nates U.S. foreign policy and programs that support the promotion and protection of human rights and democracy worldwide.

Prior to this appointment, he served as President of the International Republican Institute, which conducts programs outside the U.S. to promote democracy, free markets, and the rule of law. He served as President of IRI from 1995 until assuming his current appointment.

And, Mr. Secretary, if you can encapsulate your statement to approximately 5 minutes, that will be much appreciated, and your full statement will be made a part of the record. Secretary Craner.

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

Mr. CRANER. Thank you, sir. In keeping with the spirit of the day, let me try for 1 minute. Let me, first of all, thank you for your focus that you have brought to human rights by having this hearing, including at the full Committee level. I also want to thank you for your compliments to my staff and to other members of the State Department that help put together these reports every year. They do a very fine job, and your compliments are well deserved.

Sir, I know that many were worried after 9/11 that America might put human rights aside, and I hope we are all past that worry at this point. From the President on down, from the National Security Adviser, certainly from my boss, the Secretary of State, and Under Secretary Armitage, it has been made very, very clear that human rights and democracy issues need to stay on the front burner.

Over the past couple of years, you have seen unprecedented structural efforts to do this through the Middle East Partnership Initiative and the Millennium Challenge Account. Both initiatives have received great support from this Committee, and for that, I am very thankful.

I want to endorse a further step that this Administration has taken, and that is to double the budget of the National Endowment for Democracy. I used to be, as you noted, part of that family. Every dollar that is given to NED is well spent. I cannot tell you how many countries I have been to around the world where new democrats who have come to power talk about how NED made the difference in bringing democracy to their country, so I would commend that to you.

I also appreciate the support of the Congress for my own Bureau's Human Rights and Democracy Fund. Because of that fund, we were able to start up programs in the Middle East immediately after 9/11 to put our money where our mouth was in terms of supporting human rights in that area. We have been able to start up programs in China and other places that was not possible before.

I am not going to go through the entire list of countries. I know that there are obviously some that are of great concern to you, and I look forward to answering your questions on those.

On China, in particular, I can tell you that we are definitely headed toward doing a resolution at the Human Rights Commission. We are heading in that direction because the fruits of our own dialogue with the Chinese have not been very plentiful this past

year, in fact, not at all plentiful. And that comes against the a backdrop of increased repression in China, backsliding, and of most concern to me, I have been very interested in these structural changes underway in China over the last decade. People who are taking advantage of these changes over the last year are being put into jail or otherwise dealt with, and that is very, very discouraging. So, again, we are headed that way.

I want to, finally, thank you for your good words about Sergio de Mello. I had worked with him in other places around the world before he became Human Rights Commissioner. He was a very, very fine man who was dedicated not only to improving the human rights commissioner's office, which is vitally important around the world, not only to improving the Human Rights Commission, which desperately needs improvement, but also, in his dying days and dying hours, to improving the situation in Iraq, and he is greatly missed. My old NGO, the International Republican Institute, will be giving him and Dr. Rice their Human Rights Awards this year, and I hope many of you will be able to attend that. But again, your compliments to him are well deserved.

With that, I am finished, and I look forward to taking your questions.

[The prepared statement of Mr. Craner follows:]

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

Chairman Hyde, Subcommittee Chairman Gallegly, Mr. Lantos, Mr. Sherman and Members of the Committee, thank you for holding this hearing to spotlight the submission to Congress of the 28th annual *Country Reports on Human Rights Practices*. Your focus on these reports, and having this hearing today, reinforces the longstanding belief that America is dedicated to advancing democracy and human rights around the world.

In my travels, and in meetings I've had here in Washington, I often hear first hand from champions of human rights and democracy how grateful they are for what Americans—Republicans and Democrats—have said on their behalf. Those who fight for liberty know that the American people, and America's leaders, are their allies.

When Secretary Powell announced the release of the *Country Reports*, he reminded everyone what President Bush said two months ago in his State of the Union message: "Our aim is a democratic peace, a peace founded upon the dignity and rights of every man and woman." The Secretary also emphasized that the defense and advancement of human rights is America's special calling, and the promotion of human rights is an integral and active part of our foreign policy agenda, and that sentiment is worth repeating.

Words are important, and we have close to two million of them in the 2003 edition of the *Country Reports on Human Rights Practices*. But for many years, even as their quality improved, some believed that the use of the words in the annual *Country Reports* ended on the day they were published. That is no longer the case. More and more over the past few years, the *Country Reports* have become a basis for the policy process—for Congressional certifications, for diplomatic demarches, for long-range policy direction and for designing aid programs. Policy makers working to improve human rights are increasingly turning to this volume. In the words of Secretary Powell, they are "more than a valuable informational tool—they are a vital policy instrument . . . (and) they help us to identify and close gaps between principles and practices, between internationally agreed human rights standards and the actual enjoyment of such rights by a country's citizens."

Examined retrospectively, a quarter century of Human Rights reporting shows that many countries have begun to close those gaps and turned horror stories into success stories. Their examples have helped us understand how gains can be made in protecting human rights and expanding freedom.

For the last two and a half years, we have taken those lessons and applied them to a new world. After September 11, 2001, some observers questioned whether the

United States could afford the “luxury” of concern about human rights and democracy abroad, and whether we might sacrifice our principles for expediency in the global war on terrorism. Within days, National Security Advisor Condoleezza Rice provided a clear answer: “We are not going to stop talking about the things that matter to us—human rights and religious freedom and so forth. We’re going to continue to press those issues. We would not be America if we did not.”

In his January 2002 State of the Union address, President Bush underscored the unequivocal U.S. commitment to human rights when he said “. . . America will always stand firm for the non-negotiable demands of human dignity: the rule of law; limits on the power of the state; respect for women; private property; free speech; equal justice; and religious tolerance. America will take the side of brave men and women who advocate these values around the world, including the Islamic world, because we have a greater objective than eliminating threats and containing resentment. We seek a just and peaceful world beyond the war on terror.”

Later that year, Secretary of State Colin Powell backed these words by unveiling the U.S.-Middle East Partnership Initiative, a program designed to assist political, economic and social reforms in that region. Henceforth, those seeking freedom in the Middle East can count on the same support long provided to Latin Americans, Central Europeans, Asians, Africans and others. The United States is now working across the Middle East to strengthen the skills and opportunities of men and women who wish to compete for office, administer elections, report on political events and influence them as members of civil society. We have reinforced MEPI programming with unprecedented diplomacy to remedy problems described frankly in the *Country Reports*.

Some worried that our new focus on the Arab world would distract us from advancing human rights and democracy elsewhere. In early 2002, the President announced the creation of the Millennium Challenge Account, “a new compact for global development, defined by a new accountability for both rich and poor nations alike.” Nations that invest in their people’s education and health, promote economic freedoms and govern justly—defined by the prevalence of civil liberties, political rights, rule of law and a government’s accountability and effectiveness—will be rewarded. The MCA will provide a substantial incentive for reducing the gap between human rights ideals and actual practices. Relying on independent indicators, MCA will analyze a country’s performance on human rights and democracy and other aspects of just governance. As the recently released report on the proposed methodology for country selection makes clear, the MCA Board can also use the *Country Reports* for supplemental information to assess issues such as the rights of people with disabilities, the treatment of women and children, and worker and other rights.

I am a strong proponent of MEPI and MCA as new ways to deal with long-standing challenges, but I want to take this opportunity to give my strongest endorsement to yet another Presidential initiative to advance human rights, and that is the proposed doubling of the budget of the National Endowment for Democracy. Where human rights and democracy have been advanced, the NED has been involved. From Nicaragua to Poland to Serbia to Georgia, the Endowment and its family members—of which I was once a proud part—have been cited repeatedly by victorious democrats as making the difference. Adding to NED’s capabilities would be money well spent.

Within the State Department, other efforts to remedy problems outlined in the *Country Reports* have intensified. Thanks to strong Congressional and State Department support, the Human Rights and Democracy Fund within my own bureau has tripled in size over the past two years. When our attitudes on democracy in the Middle East changed immediately after September 11th, HRDF, designed to be flexible and innovative, enabled us to put our money where our mouth was. As our troops arrived in Central Asia on their way to Afghanistan in late 2001, HRDF ensured that they were accompanied by American values and we mounted an unprecedented effort to support the development of representative political parties, human rights organizations and independent media. And HRDF has allowed us to begin, for the first time, a substantial U.S. government assistance program in China to advance human rights awareness and support legal and electoral reform.

Through HRDF and other mechanisms, we have also worked more actively to contribute to the promotion of freedom in places like Burma, Zimbabwe, Cuba and Belarus. These efforts to advance freedom have often been strengthened by partnerships we have nurtured with other members of the Community of Democracies, a growing organization composed mainly of nations that over the past quarter century have made the transition from dictatorship to democracy.

In about two months we will submit to Congress a kind of sequel to today’s report, which is called *Supporting Human Rights and Democracy*. Whereas the *Country Reports* describe problems around the world, the sequel will detail how we’re trying

to fix them. I would welcome an opportunity to appear before you again after its release.

Mr. Chairman, the introduction of today's *Country Reports* acts as a comprehensive executive summary, and covers a range of developments in 2003, from the dramatically uplifting to the disappointing. It provides a comprehensive portrait of Afghanistan, where the Loya Jirga crafted a new constitution that will continue to advance to role of women and minorities after thirty years of conflict. The introduction also describes the horrors of the dying days of Saddam Hussein's regime, with its capricious human rights violations.

It describes the stunning July 1 demonstrations by half a million citizens in Hong Kong which caused the Government to withdraw proposed national security legislation, and the resignation of Eduard Shevardnadze in November, in the wake of non-violent protests, ensuring a new Georgian democracy. And it describes advances made in Kenya with the accession to power of the country's former opposition.

It also provides a picture of the situation in China, where unfulfilled commitments, backsliding on key human rights issues and the Government's poor record on Tibet have inspired our movement toward a resolution at this year's U.N. Commission on Human Rights. The introduction also reflects the totalitarian repression in North Korea, the darkening picture for democracy in Burma with the May attack on Aung San Suu Kyi's convoy, and the dramatic worsening of human rights abuses in Cuba, where 75 peaceful dissidents were sentenced to prison terms a year ago. It describes the campaign of violence, repression and intimidation in Zimbabwe. And it describes the manipulation of elections in Russia and the continued violence and human rights abuses in Chechnya.

It is a purposefully lengthy and comprehensive introduction this year, meant to inform a general reader of the *Country Reports*, and for that reason, I request that it be submitted for the record.

Before I take your questions, I want to make a poignant end note to my testimony: The world was deeply saddened by the death of U.N. High Commissioner for Human Rights Sergio Vieira de Mello last August in Baghdad. I had the privilege to meet him on several occasions as I know many of you did. Secretary Powell noted after his death that "[he] was a consummate professional who devoted his life to helping others, particularly in his decades of distinguished service to the U.N. . . . In my book, Mr. Vieira de Mello was a hero, who dedicated his life to helping people in danger and in difficulty. His loss is a terrible blow to the international community."

For those of us who press every day for greater respect for human rights, we may have lost a champion, but not a role model. May his legacy be reflected in a redoubling of our efforts to further the cause of the courageous, fight for the powerless and give voice to the voiceless.

Mr. Chairman, members of the Committee, I'm pleased to take your questions now.

Chairman HYDE. Thank you, sir. Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman.

Let me first ask the Secretary concerning our posture vis-a-vis Russia in view of the gradual undermining of democracy in that country, the imprisonment of individuals, presumably for tax disputes, and the almost total takeover of the electronic media by the government. We all had high hopes when the Soviet Union collapsed, and while during the Yeltsin era, there were plenty of problems, there was still noticeable progress.

Under Mr. Putin, we have seen a steady march backward. It is difficult to see any justification in Russia for the kind of suppressive measures that the regime almost reflexively takes, and I would like to get your reactions.

Mr. CRANER. Sir, I think you have seen from Secretary Powell's article that he published when he was in Moscow, and also from the tone of this year's report where we note that the situation has worsened in some areas, that we would agree with much of what you say. I had the privilege, during the 1990s, of witnessing many elections in Russia, and it was quite heady, in the early 1990s, to see troops who had formerly served the Soviet Union now voting

for a President. But the December 2003 elections clearly fell short of international standards.

We have seen a weakening of press freedom. The last nonstate TV station has now gone out of business—a tax on civil-society organizations, alleged espionage cases, the cases that you referred to, and also continued local restrictions on religion.

So, clearly, we are seeing the problems there. Clearly, we are trying to address them. Secretary Powell and others are talking to Russian leaders about them. We are also continuing the support that we have had for about the last decade to help those in Russia who continue to want to see democratic development there at a fairly high level.

Mr. LANTOS. We allowed Russia to join the G-7, the great democracies of this world, on a probationary basis at a time when trends in Russia were all moving in a positive direction. Now, as you agree, trends have now been moving in a very negative direction, yet the Administration seems to be opposed to excluding Russia from this very prestigious club. Why is that, if I may ask?

Mr. CRANER. I think the issue is taking that step at this point. This is a question addressed more appropriately, I think, to Secretary Powell, but I think that we are not prepared to take that step at this time, believing that there are certain things we can say to them that may help improve their human rights record.

Mr. LANTOS. Now, let me commend the Administration on doubling the budget for the National Endowment for Democracy. I was in the audience when the President gave his speech at the twentieth anniversary of NED, and I was delighted to hear his statement, long overdue, that while we have been promoting democracy everywhere on the face of this planet, from South America to Central Europe, we studiously avoided the Middle East for all of the obvious reasons, which, I suspect, come down to the word, “oil.”

It was a very welcome, fresh, new departure which has run into almost universal opposition by Egypt, incredibly backward remarks by the foreign minister of Egypt, no support in Saudi Arabia, and it seems that the President’s fine speech will just be a piece of paper without any follow-through. What is your office doing, and what does Secretary Powell plan to do, to make it clear to the countries involved, and there are quite a few of them, that this is not just a naive dream on the part of the American government and the American people, but it is an essential prerequisite to fighting global terrorism? As long as these countries remain repressive, oppressive, as in the case of Saudi Arabia denying women even the most fundamental and elementary rights, explosions will come and will take the form of new terrorist acts.

Mr. CRANER. Sir, let me try to put your mind at rest that this is not just a piece of paper and tell you a few things.

Number one, it is not unusual that people who are rulers in countries don’t like the idea of more democracy in their countries. We have also seen quite a few rulers like that over the years. What I think is most important about this initiative is what I encountered recently on a trip through Tunisia and Algeria. I was in Tunisia, which is a fairly tightly controlled country. I was in Algeria, which certainly has some human rights problems.

Every day I was in Algeria, I was making public statements, and every day I was in Algeria, I was on the front page of the Algerian newspapers. There are about 15 of them, and it is a relatively, for the Middle East, free press, and I couldn't figure out why. That usually does not happen to me. And it hit me suddenly why this was happening: Because no one, as you said before, has ever really said these things to a Middle Eastern country about the need for more open elections, about the need for letting journalists do what they do in most countries, about the need to allow the growth of a civil society.

My trip followed Secretary Powell's trip by about a month, where he said, again, for the first time for a Secretary of State, exactly the same things, and his trip, in turn, followed the speech that you referred to, which was really a landmark, remarkable speech.

So, first of all, there is definitely follow-on diplomatically. The visit of President Ben Ali, I think, reinforced that. A lot of people doubted that the Administration might say anything, and, clearly, in the public statements, the Secretary of State and the President were very, very clear about what they want to see.

We are also putting our money where our mouth is. We are not just talking about these things. But this Middle East Partnership is backing up all of these initiatives so that we have Saudi journalists coming out of Saudi Arabia to be trained alongside people from Iraq, Yemen, Oman, Qatar, and elsewhere. We are working with women who want to run for political office in Morocco. We are working with NGOs in Algeria, all for the very first time. And what you are seeing, if not from the leaders in these countries, certainly from the people in these countries, is the beginning of an understanding that the United States sincerely wants to see democracy where they live.

So I think it is a very, very important effort that has been backed up diplomatically and also backed up substantively.

Chairman HYDE. Mr. Green of Wisconsin.

Mr. GREEN. Thank you, Mr. Chairman.

Mr. Craner, last year, you may remember, I asked you some questions regarding the Administration's continued support for normalized trade relations with Laos, despite the fact that that country has, to put it mildly, a reprehensible human rights record. At that time, it was including the detention of a U.S. citizen and pastor from my neighboring state, in St. Paul, Minnesota.

You said, last year when we discussed this matter, that it was the Administration's position that extending NTR to Laos would cause their human rights practices to improve. Looking at this year's *Human Rights Report* on Laos, however, I think we all see yet again that Laos has really failed to genuinely improve its record. You wrote the report, so I will not go over it in detail, but suffice it to say that the report is very, very negative.

So even though I think it is logical to say, with the hope of NTR for Laos hanging out there, that the government of Laos would be on its best behavior, we still see tremendous human rights abuses. So having said all of that, is it still the Administration's position that extending NTR would somehow help the situation there and actually improve human rights?

Mr. CRANER. We have tried to use NTR over this past year as an incentive to improve human rights in Laos. Clearly, the human rights record remains very poor there, as you outlined. It is also the case that they have taken small steps to permit more religious freedom, and I want to particularly here, thank Ambassador John Hanford, who was out there recently, and also his predecessor, Bob Seiple, who has done a lot of work on this.

It is my belief that, over time, extending NTR to Laos can improve their human rights record, and by that, I mean that if Laos is opened up to the rest of the world, because this is one of those countries where the leaders don't get out too much, that the people will be able to see what is going on in the rest of the world, what is going on in many of their neighbors in Southeast Asia, and that they will begin to get the idea that their country does not measure up in terms of freedoms, and that they will begin to demand more freedoms.

That is clearly not a process that is going to take 6 months or a year or even 2 or 3 years. That is a fairly long-term process.

Mr. GREEN. To follow up on that, though, doesn't that presume, when you say that exposing the country to other countries will cause or enable their people to see that they don't measure up to other countries, doesn't that presume that in Laos there is some sort of citizen expression that could move toward reforming the government? I think what we have seen is just the opposite, that it is an authoritarian government with human rights abuses unlikely to react in a positive way and much more likely to further crack down.

Mr. CRANER. Yes. Certainly, you and I both agree. We looked at the same situation on the ground. There are no political parties, there are no elections, there is no real freedom of the press, et cetera, but what I have seen over the last 20 years in countries from Central America to Central Europe to Asia to Africa is that even in an authoritarian country or a dictatorship, when the people begin to get the idea that things ought to be better in their country, that is the first step to making the country better. That has been the case in most of the countries that have moved from dictatorship to democracy over these past 20 years, and I think there were something like 30 democracies in the world 25 years ago; there are over 100 today. That has been the pattern in most of those countries.

Mr. GREEN. One last point on this subject. Clearly, the reaction in Laos to the report, the *Human Rights Report*, was not a positive one, suggesting that they were open to changes. I am quoting here. They said that:

"The report does harm to our two countries' cooperation, particularly humanitarian cooperation, between the two governments and peoples, on the issue of Americans missing in action during the war in Laos."

So it seems as though when the subject of human rights is brought up, even indirectly through this report, the reaction of the Lao government is, again, to crack down and to close off communications.

Mr. CRANER. That is not an uncommon reaction. I have had this report waved in my face by Prime Ministers, but I have also had ordinary people applaud me, when I have been overseas, for doing this. The Lao also know that our Ambassador there addresses these issues day by day. This is not a once-a-year event that we talk about human rights with the Lao. Our Ambassador there has been very, very forthright, both on individual cases and on the structure of the country. So they hear this all of the time. The cooperation is continuing.

Mr. GREEN. And I also applaud the focus here in the *Human Rights Report* on Laos. I think it is extremely positive, and to the extent that it can get out to the people of Laos, it is great. I guess I am not as optimistic as you are about NTR, since that olive branch has been dangled for a while, what progress it will make.

Chairman HYDE. The gentleman's time has expired.

The gentlelady from Minnesota, Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chair.

Mr. Secretary, I, too, was going to speak to Laos, and your staff has done a lot of work in speaking with Laotian citizens from not only Minnesota, where I represent one of the largest groups in the United States, but throughout the United States this past month, and they very much appreciated the information that the State Department shared with them and their community as they move forward to what they hope will be normalized trade relations and many families celebrating the return of people from the Wat in Thailand.

As you know, I support the Administration's position in favor of extending normalized trade relations in Laos, and the 2003 report is very telling, and it tells us that there is an internal struggle continuing to go on in Laos, and human rights abuses, as you pointed out, does remain a serious challenge, and the Lao government, I couldn't agree with you more, has a long road to go before they even meet satisfactory, let alone above satisfactory. But I, too, was pleased to hear Ambassador Hanford talking about religious freedom improving and Ambassador Hartwick's day-to-day involvement.

But the report also documents an increase in violence by antigovernment insurgents in Laos over the past year, 2003. I am going to give a couple of examples from the report because I think it is important that the Committee hear both sides, and I do hold the Lao government very much up to improving their human rights, but having said that, I still would like to show this for the record.

In February 2003, a group of armed insurgents ambushed a bus and other vehicles, killing 10 persons, including two Swiss citizens and one Chinese citizen. In April of last year, another ambush of a civilian bus resulted in 12 persons being killed, many who were students on their way home from the Lao New Year's holiday. After attacking the bus, the attackers doused it with gasoline, ignited it, and burned the bodies of the dead, and seriously injuring the passengers on board. Now, these ambushes are detailed in your report, and they are committed by antigovernment insurgents.

Now, Mr. Secretary, the government of Laos must improve its human rights, but the insurgents also must stop the indiscriminate

attacking of innocent civilians. The war in Indochina is over, and I very much hope, along with you, that we can move toward normalized trade relations because I know, with the number of people from my district who want to go to Laos to improve the quality of life, one of the poorest countries in the world where the infant-mortality rate is one of the highest in the world, want to see change brought about, and they believe—these are the people who are from Laos that live in the United States—they believe NTR will finally bring this war to a close, and Laos can move forward.

So, Mr. Secretary, I just want to compliment you and your staff—you answered my question pretty much when you answered Congressman Green's—and the Administration's support of this baby step toward democracy with NTR. Thank you.

Chairman HYDE. Ms. Napolitano is seeking recognition.

Ms. NAPOLITANO. Thank you, Mr. Chair.

I was wondering, Mr. Secretary, and thank you for your report,—I haven't had a chance to go over it, but I have a report from my staff—and there apparently seems to be a question that I will pose to you. I know you don't have the answer, but why is it that we, the United States, continues to fund countries that continue human rights abuses, even though they are improving, as per your report, but we do not hold them accountable for the funds that we give them, prorated, if you will? To me, it is like rewarding the countries for continuing their violations that we know occur on a day-to-day basis and are aware of them. They know we know, and yet we continue to put funding into their government coffers. I don't understand why. Maybe you could explain a little bit of that.

Mr. CRANER. Most of our aid programs are not putting money into government coffers. That does happen in some countries, but in most countries we are actually working through USAID or other mechanisms to try and go directly to the people. But in either case, unless a country is truly off the map, including on human rights issues, we think it is important to be in the country, to be offering the U.S. as an example, to be bringing examples from other countries of how they have progressed on democracy and human rights so that we can begin to crack open what is going on politically in that country, so that we can begin showing the ordinary people from the country that there are alternatives, and also so we can keep pressing the government to continue to open up that little crack that we start so that there will be more and more space available to ordinary people who want to publish a newspaper, who want to start a civil society, an NGO, or who want to begin a political party. That is why we are doing it in almost all countries on earth.

Ms. NAPOLITANO. Can you cite some example of where you have had a long-term success—I know this does not happen overnight—so that we can understand, myself as a new person,—

Mr. CRANER. Sure.

Ms. NAPOLITANO [continuing]. How important it really is to continue supporting.

Mr. CRANER. Absolutely. Almost 20 years ago, Mr. Hyde was the Subcommittee Chair of the Subcommittee on Western Hemisphere Affairs. A Member of that Subcommittee was a guy named John McCain, who is now a Senator, he was then a Congressman, and

I used to sit up there as a staffer and listen to a lot of discussion about Central America, and it was very, very bitter and divisive and an often very partisan discussion about all of these countries.

We began making this kind of investment in El Salvador in the early 1980s when it was a very, very nasty place and in other places in Central America when they were very nasty, and we used to have very rough hearings on this subject. I think El Salvador, from the 20-year-ago point, is a very good success story. Today, you have a race in El Salvador where you have a former guerilla competing against the ARENA party, which had some rather bad roots back in the 1970s.

I think a great example from the late-1980s is all of Central Europe, where we were engaged immediately before the revolutions, but certainly right after, in trying to help these societies open up. In that same era, we were doing exactly the same thing in South Korea and Taiwan, which were allies of ours, insisting that they begin to open up their countries. We were doing the same in South Africa in the 1980s and in many other countries in Africa. Today, we are beginning to do the same thing in the Middle East.

So, as you look around the world at all of these nations that have become democratic, as I said, most often, they credit what the U.S. has done, that the U.S. stood up for them, not only in terms of words in publishing the *Human Rights Report* every year and the Secretary of State saying the right things, but also in having Americans and others go into those societies and say, this is what democracy is all about. The people in those countries got ideas, they got big ideas, and they began to get a little democracy from their government, and they wanted more democracy, and that is how these places changed. And as I said before, there are probably 90 countries around the world where we have had that kind of effect to one degree or another in helping them change.

Ms. NAPOLITANO. Thank you, sir. The last question has to do with the treatment of terrorist suspects because it is brought to my attention that the U.S. has treated some of the al-Qaeda suspects very much like we criticize other countries for treating.

Mr. CRANER. The White House and the Defense Department have made very clear that we do not torture terrorist suspects. People are being held in Guantanamo, as you know. They are being held as enemy combatants. As you also know, the Defense Department is working to send many of those people back home, where we can get assurances that they will not be tortured. There will be some that will remain at Guantanamo. There will be some that will be tried. But I, frankly, reject the idea that what we are doing is the same as what these other countries are doing.

Ms. NAPOLITANO. It is not the same as; it is just that these interrogation processes include sleep deprivation, shackling of prisoners in painful positions—in a sense, it would be a torture—to be able to get information from them.

Mr. CRANER. The kind of torture that we have talked about in the reports is very different from the way people are generally being treated at Guantanamo. But I think, if you would like to get into this, the Defense Department has the responsibility for these people, and I would encourage you to pursue it with them.

Chairman HYDE. The gentlelady's time has expired.

Ms. NAPOLITANO. Thank you, Mr. Chairman.

Chairman HYDE. Mr. Smith of New Jersey.

Mr. SMITH. Thank you very much, Mr. Chairman.

I would just comment that I have been down to Guantanamo and, frankly, asked a lot of tough questions, along with other members of our delegation. It struck me, when I learned that the average weight gain was 17 pounds per—there is an issue of status, and that is a legitimate issue, but the ICRC is on the ground and has unfettered access to those individuals without any kind of listening devices, so if there is torture, we will hear about it from the people, not just our own government, but we would hear about it from the International Committee for the Red Cross.

Let me just ask you to comment, briefly, if you would, on—I mentioned in my opening about China, especially as it relates to the ongoing and, I believe, egregious practice of one child per couple, its impact on women, as is pointed out here, 500 suicides a day, in whole or in part, attributable to that policy, not to mention the wholesale slaughter of children and the maiming of many women mentally as well as physically.

I would ask you if you would touch on the issue of Turkey and torture. As Chairman Hyde mentioned in his opening, we have produced three now, three very significant Torture Victims Relief Act pieces of legislation for domestic centers, for overseas centers, and the Human Rights Foundation of Turkey operates five treatment centers for victims, and yet they are under continual harassment that is unrelenting. Some of their people have been put on trial. Dr. Ayin of the Ishma Treatment Center was given 18 months for attending a funeral.

They make bogus claims, and we know that there is a very serious problem of torture in that country. As a matter of fact, providing information, the Executive Committee of the Human Rights Foundation of Turkey to the rapporteur from the United Nations, for doing that, for passing information, they are now facing very significant sanctions. So if you could touch on that.

On Belarus, Irina Krasovskaya, who is going to be speaking later on, and I have met with many of the ladies who have had disappeared husbands in Belarus. We all know that Lukashenko remains, on the order of Nicholas Chaochevsko and Milosevic, one of the worst dictatorships in Europe, and if you could touch on what we are doing, especially as it relates to the disappearances of those individuals. We don't know where they are at. What are we doing as a country, and will we be helpful, with this upcoming election, in trying to help civil society, the media?

We passed, with Chairman Hyde's leadership, the Belarus Democracy Act in the State Department. It is a free-standing bill, pending Floor action. We want to help that civil society so that they get a fair chance at a free and fair election rather than have Lukashenko rig it all again as he has in the past.

If you could touch on those three. I have many more, but that would be an opening.

Mr. CRANER. Let me do those three. Let me come back very quickly on Guantanamo. There are two issues here. One is the treatment of people day to day, and the other is their legal status. There are fine arguments to be had on the legal status, and as I

open the newspaper every week, I find them being made in U.S. courts, and they will be made all the way up to the U.S. Supreme Court.

As far as the day-to-day treatment of people, clearly, in the very beginning, when people were put in Guantanamo, the conditions were not as we would have wished in terms of housing in those days after 9/11 or the day-to-day treatment. It was not understood that people needed to have Korans, that they needed to be able to pray so many times a day, that they needed special diets, et cetera.

We invited the ICRC to come in, which is what they do around the world, and tell us what we were doing wrong. The ICRC lived at Guantanamo for a year, and they came in, and they would tell us, and I sat through some of these briefings, here is what you are not doing right, both in terms of physical issues but also in terms of comfort issues.

Now, there continue to be reports of people being ill treated, mostly in Afghanistan. Human Rights Watch put out a report in the last few days about that. Where we get those reports from outside, but also where we uncover such reports inside by our own investigating, we want to find out what happened and correct that situation. Now, again, you can argue about the legal issues, but, regarding the day-to-day comfort, ill treatment is clearly not something that we want to see, and it is something that we are very committed to ending very, very quickly, if it happens.

On China, on the birth-control policy, you know that we have been very forthright about this, as has the White House, obviously, and it is something that we very much want to see ended as we begin to see it affect issues like the suicide rate, but we also begin to see it affect issues like trafficking, and the government does deserve some praise for trying to eradicate trafficking, but the fact is that the one-child policy has helped increase it, and I think that was maybe an unintended effect, but that is what is actually happening.

The Turkey report details the legislation that has been passed to try and end torture in Turkey, but it also details that what happens in many other countries is currently happening in Turkey, and that is while there are good laws, they are not always being observed, and so we go through some of the examples that we know of that make it clear that people still are being tortured in Turkey.

Mark Grossman is personally interested in this issue because he used to be Ambassador there. At the State Department we are all very, very committed to trying to end it, working with the Center for Victims of Torture, for example, to try and bring in people that aren't normally involved in these issues—doctors, lawyers, et cetera,—in Turkey to try and end it, but it is something that is still going on.

Chairman HYDE. Mr. Schiff of California.

Mr. SCHIFF. Thank you, Mr. Chairman.

Mr. Secretary, a few months ago, the President gave a major speech on democratization, the essential point of which was that the spread of democracy, the propagation of liberty, is the best guarantor of our security, and I think that is exactly right. The foundations of the old view that we could perpetuate our security

by alliances with Saudi Arabia, I think, were shattered on September 11th.

The challenge, though, is putting those good words into deed, and that challenge becomes all the greater in several countries where there is a real clash of our strategic interests and our goal, our broader goal, of the promotion of democracy, and I think your work in human rights and the *Country Reports on Human Rights* are really part and parcel of the democratization effort. Where there is no democracy, there are seldom human rights, and where there is strong democracy, there are seldom great abuses.

But we can see conflicts all around us. I think we saw a conflict in Haiti between a strategic imperative, a humanitarian crisis, and democratization issues. We see it very graphically in Uzbekistan, which has one of the most serious human-rights-abuse records, but would be a great place for American bases, and I know that is something that is possibly on the horizon.

It probably is most graphically illustrated in Pakistan. All of the roads seem to lead to Pakistan on the nuclear front, on the democratization front, on the human rights front, on the war-on-terrorism front, and none of that is going to be easy to unravel.

My question is, what concrete evidence is there that, aside from a very well-articulated speech, that we are really changing direction, that we are really more forcefully engaging in the effort to promote democracy, when some of the illustrations around us, for some perhaps good, immediate strategic reasons, appear to indicate that nothing much has changed?

Mr. CRANER. I would disagree with you somewhat. In the Middle East I think you see a number of countries that, both for their own reasons, but also because we have encouraged them, are examples to the region. I would include in this category Qatar, Bahrain, Morocco, Jordan. Now, hopefully, Iraq, with their new constitution, for example, where we can tell other countries in the Middle East and other people in the Middle East, you don't need to be like America. You are Muslims. Go next door to another Muslim country and find out that being a democracy is okay. And we are trying very hard to encourage those examples.

It is the case that there are countries, in the Middle East, Egypt and Saudi Arabia among them, that have not taken the lead on these issues. We would like to see them take the lead on these issues because we think they can be important examples. But in a place like a Qatar or a Bahrain, Bahrain, home to the Fifth Fleet; Qatar, home to the biggest runway that we own, I think, in the Persian Gulf, we are very much encouraging these practices. In a place like Uzbekistan, we, again, are pressing very, very hard on these issues. With the U.S. troops came a tripling in the amount of money we give to democracy and human rights.

There have been incremental improvements in the human rights situation in Uzbekistan. When we don't see improvements, like we did not last December, when we had to certify improvements, we will say that, and we refuse to certify that there had been, and waive the requirement that there had been human rights improvements in Uzbekistan.

Mr. SCHIFF. Mr. Craner, if I could interject, can you give any specific example of a situation where the very near-term, strategic in-

terests of the United States came into collision with the longer-term vision of the United States in favor of democratization where democratization won? To give you an example, it may be, down the road, we want a permanent base in Uzbekistan. If Uzbekistan hasn't cleaned up its human rights record, will we go forward with a permanent presence there? Where has democracy won? Where do you think democracy will win out over more near-term objectives?

Mr. CRANER. Well, I would say the whole of the Middle East, for starters. I mean, for 50 years, we have basically ignored democracy and human rights there, and on a day when we very, very much needed them, after 9/11, we suddenly said, we are not going to be quiet about these issues anymore. We are going to start pushing them, and we desperately needed the support of every regime in the Middle East, pretty much, that would talk to us. So I would start with the 20 nations in the Middle East.

Mr. SCHIFF. Thank you.

Chairman HYDE. The gentleman's time has expired.

I am going to ask for the attention of the Committee. There are several Members: Ms. Watson, certainly, and Mr. Pitts, Mr. Burton, Mr. Rohrabacher, Mr. Houghton, Mr. Tancredo, and Mr. Royce. We have two more panels. The next panel are people who have been victims of oppression, and I would like to, with your indulgence, release Secretary Craner, and he will make himself available to answer any written inquiries, I am sure, and let us get to the next panel. We expect to have votes in about 15 minutes, and I fear the Committee will dissolve after the vote, so may have your permission to do that? Thank you.

Mr. Secretary, thank you for your important presentation. Your full remarks will be made a part of the record, and we will study them carefully.

Mr. CRANER. Thank you, sir. I appreciate it.

Chairman HYDE. Thank you.

I would like to welcome Mrs. Irina Krasovskaya. Before her husband's disappearance on September 16, 1999, she was a career professional and homemaker with no desire for the limelight. In the years since, she has been instrumental in publicizing the issues of the disappeared. She has repeatedly taken her cause to the Embassies of foreign governments, the U.N. Commission on Human Rights, the Organization for Security and Cooperation in Europe. She was a key lobbyist last year at UNCHR in favor of our successful resolution urging Belarus to establish accountability for the cases of the disappeared.

Next, I would like to welcome Mr. Gabriel Shumba. Mr. Shumba is a human rights lawyer from Zimbabwe. In January 2003, he was arrested and tortured while in police custody. Has had to flee Zimbabwe and now is the Director of the Accountability Commission-Zimbabwe, and organization based in South Africa, which collects information and evidence of human rights abuses occurring in Zimbabwe in an effort to bring about positive change and a democratic rule of law.

Finally, I would like to welcome Ngawang Sangdrol. Ms. Sangdrol is a Tibetan nun and a former political prisoner, and while in prison, Ms. Sangdrol and 13 other nuns secretly recorded poetry and songs in tribute to their homeland and His Holiness,

the Dalai Lama. Because of her devotion to her religion and to her homeland, Ms. Sangdrol often suffered beatings at the hands of her captors, and her sentence was extended several times during her incarceration, for a cumulative total sentencing of 21 years, the longest sentence imposed on a female political prisoner. Ms. Sangdrol was eventually released prior to serving her complete sentence and was allowed to travel to the United States in 2003 for the purpose of medical treatment for an injury she received while imprisoned.

We are very happy to have you and your fellow panelists here today to share your stories. We look forward to your testimony, and I will suggest that the translator, instead of going through the witness, Ms. Sangdrol's, speaking in her native tongue, you have her statement, and you can read her statement, and that will suffice, if that is all right.

If we could have a brief, 5-minute presentation, and then we will ask questions. All right? We will start with you, Ms. Krasovskaya.

STATEMENT OF IRINA KRASOVSKAYA, BELARUSIAN HUMAN RIGHTS ACTIVIST

Ms. KRASOVSKAYA. Thank you. Thank you, Mr. Chairman. I request my full statement and accompanying materials be submitted into the record in their entirety.

My name is Irina Krasovskaya. I am the mother of two beautiful daughters and the grandmother of a marvelous granddaughter, Martha. I am the wife of Anatoly Krasovsky, a businessman who provided financial assistance to the democratic opposition of Belarus for many years. Last year, it was the 25-year anniversary of our wedding, but I had to celebrate this occasion without my husband.

On September 16, 1999, my husband was kidnapped. That evening, I was waiting at home for my husband and his friend, the vice speaker of the Belarusian Parliament, Victor Gonchar. Normally, on Thursdays, my husband would return home at 11 p.m. after visiting a sauna. That evening, I started calling him at about midnight, but there was no answer. After midnight, when his phone became disconnected, something broke down inside of me. My husband always informed me of his whereabouts, no matter what.

With each passing minute, the thought that something had happened to him frightened me more and more. I stood near the window and looked into the darkness of the night. The sound of every passing car gave me a hope. A few hours later, I finally understood that something was really wrong, and I called up all of the police stations, hospitals, and morgues. There was no word of my husband.

The next day, in the morning, I received a phone call from the police. When I picked up phone, I was asked, "Your husband disappeared, didn't he?" I was surprised by how informed the police were. I went to them hoping to receive at least some information, and, instead, I was interrogated. The room was filled with high-ranking police officers saying shocking things and repeating constantly, "Admit it. You know where your husband is."

The investigators arrived shortly after I returned home. They took pictures of every inch of my apartment, and I asked them, "Why are you doing all this?" Their response was, "Maybe you killed your husband yourself." Other investigators, who came 8 days later, in order to obtain information about the car, said that we will find out the truth eventually, but not anytime soon. After the search, my friends and I went to the place of the kidnapping. There, we found only shards of glass, drops of blood, and skid marks from the braking car.

When the initial shock passed, we began to come up with possible scenarios. We thought of everything, from secret imprisonment to forcible hospitalization in a psychiatric institution. Two weeks later, however, my friends told me that I should be a realist and understand the facts: In our country, when people are kidnapped, it is not for the purpose of keeping them alive and hidden somewhere.

According to the investigators working on this case, the kidnapping transpired as follows. My husband, together with his friend, Gonchar, left the sauna and got into the car. Immediately after they turned the corner, a car cut them off. My husband, who was driving, attempted to back off but was blocked by a second car. The doors of our car would lock if one hit the brakes abruptly, and that is exactly what happened then. People who jumped out of those two cars broke the side windows and pulled out my husband and his friend. The traces of Victor Gonchar's blood were found at the scene. Then they were forced into separate cars and taken away. Our jeep was left there because the doors automatically locked. Later on, our car was towed away. That night, my husband, Anatoly Krasovsky, and his friend, Victor Gonchar, were shot in the forest.

My psychotherapist told me that I should start living as if my husband had died. At that time, I said to myself that I could not live and think that way. However, some years hence, I realized that my husband was dead and that I couldn't live under illusions, continuing to lie to myself and to my daughters. My mind won over my heart that refused to believe that the person it loved eternally was dead.

Almost 5 years have passed since the kidnapping of my husband. Now I see him only in my dreams. Many nights, I have dreams in which he comes back, and I feel a great sense of relief. In the dream, I hug him and say, "I have been waiting for you so long. Finally, you have come back."

My husband was an incredibly strong person. I never saw him cry. Many times, when my husband was alive, I would come home from work upset and cry, and he would always calm me down and explain that there should be a far more important reason for tears. He was always my defender and a real support for me. And after a few months had passed after the kidnapping, he appeared in my dream with tears running down his cheek, saying, "Irina, please save me." I woke up and understood that I would never forgive those people who made my husband cry.

On September 16, 1999, in one instant, my life was destroyed because of a sick tyrant who is willing to kill people only to maintain his stronghold on power. All that I have done since then is to carry

out a fight. This fight is for dignity of my husband. This fight is for the peace of my family, for my children's happiness. This fight is for my mother, who can't walk after this tragedy. This fight is for my country and myself. I do not want anybody else to see the nightmares I have seen.

Everything that I am telling you takes place in Belarus. At present, my country is ruled by the last dictator of Europe. The Lukashenko regime violates the most basic human right, the right to live.

Sadly, I am not alone in accusing the regime of murder. Other prominent politicians and public figures have disappeared. I have brought the Committee a copy of the Council of Europe's report, which concludes that documents and extensive testimony prove that Lukashenko and his associates have conspired to murder any Belarusian who opposes their rule.

I speak before you today on behalf of women like myself, whose husbands, well-known Belarusian public and political figures, disappeared. I speak before you as the founder of the civil initiative named "We Remember," whose aim is to unite the efforts of Belarusian and international organizations in the search of the truth about the fate of the members of our families. And I speak before you today in the hope that one day my granddaughter, Martha, will bring flowers to the grave of her grandfather, whom she has never seen. Thank you very much.

[The prepared statement of Ms. Krasovskaya follows:]

PREPARED STATEMENT OF IRINA KRASOVSKAYA, BELARUSIAN HUMAN RIGHTS
ACTIVIST

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On September 16, 1999, my husband was kidnapped. That evening I was waiting at home for my husband and his friend, the Vice Speaker of the Belarusian Parliament Victor Gonchar.

Normally on Thursdays, my husband would return home at 11:00 p.m. after visiting a sauna. That evening I started calling him at about midnight but there was no answer. After midnight, when his phone became disconnected and the operator repeated endlessly that the number was unavailable, something broke down inside of me. My husband always informed me of his whereabouts no matter what. With each passing minute, the thought that something had happened to him frightened me more and more. I stood near the window and looked into the darkness of the night. The sound of every passing car gave me a hope. . . . A few hours later, I finally understood that something was really wrong. I called up all the police stations, hospitals, and morgues. There was no word of my husband.

On September 17, in the morning I received a phone call from the police. When I picked up phone, I was asked, "Your husband disappeared, didn't he?" I was surprised by how informed the police were. I went to them hoping to receive at least some information, instead I was interrogated. The room was filled with high-ranking police officers, saying shocking things and repeating constantly, "Admit it, you know where husband is."

The investigators arrived shortly after I returned home. They took pictures of every inch of our apartment. I asked them, "Why are you doing all this?" Their response was, "Maybe you killed your husband yourself." Other investigators, who came eight days later, in order to obtain information about the car which disappeared along with my husband and his friend Mr. Gonchar, said that we will find out the truth eventually, but not any time soon. After the search, my friends and

I went to the place of the kidnapping. There we found only shards of glass, drops of blood and skid marks from the breaking car.

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. . . My psychotherapist told me that I should start living as if my husband had died. At that time I said to myself that I could not live and think that way. However, some years hence I realized that my husband was dead and that I could not live under illusions, continuing to lie to myself and to my daughters. My mind won over my heart that refused to believe that the person it loved eternally was dead.

Almost five years have passed since the kidnapping of my husband. Now I see him only in my dreams. Many nights I have dreams in which he comes back and I feel a great sense of relief. In the dream, I hug him and say, "I have been waiting for you so long. Finally you've come back."

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On September 16, 1999, in one instant, my life was destroyed because of a sick tyrant who is willing to kill people only to maintain his stronghold on power. All that I have done since then is to carry out a fight. This fight is for dignity of my husband, this fight is for the peace of my family, for my children's happiness; this fight is for my mother who can't walk after she helped me to live through our family's tragedy; this fight is for my country and myself. I do not want anybody else to see the nightmares I've seen.

Everything that I am telling you takes place in Belarus. At present my country is ruled by the last dictator of Europe. The Lukashenko regime violates the most basic human right, the right to live.

Sadly, I am not alone in accusing the regime of murder. Other prominent politicians and public figures have disappeared. I have brought the Committee a copy of the Council of Europe's report which concludes that documents and extensive testimony prove that Lukashenko and his associates have conspired to murder any Belarusian who opposes their rule.

I speak before you today on behalf of women like myself, whose husbands, well-known Belarusian public and political figures, disappeared. I speak before you as the founder of the civil initiative named "We Remember" whose aim is to unite the efforts of Belarusians and international organizations in the search of the truth about the fate of the members of our families.

Thank you.

Chairman HYDE. Thank you very much.
Mr. Shumba.

STATEMENT OF GABRIEL SHUMBA, ZIMBABWEAN HUMAN RIGHTS ACTIVIST AND TORTURE VICTIM

Mr. SHUMBA. Thank you. Thank you, Mr. Chair. Thank you all Members of the Committee. I request that the entirety of my statement, along with the additional material, be submitted for the record.

My name is Gabriel Shumba. I am a human rights defender from Zimbabwe, as well as a human rights lawyer. I practiced in Zimbabwe as a lawyer until March last year, before I was condemned to live in exile. The events leading to my fleeing the country are in my statement. I will try to be very brief.

I was arrested on the 14th of February 2003 for representing an opposition member of Parliament. The opposition member of Parliament had been harassed and politically persecuted, to the extent that eventually he had been accused for a crime, the crime of treason, falsely. Because of events leading to his harassment, I was requested to attend to him, which I did, in the company of my young brother.

We were then approached by riot police officers in the company of Army personnel wielding AK-47s, grenades, and dogs. I inquired as to the nature of the outfit because they simply stormed my office, the room where we were holding the meeting, but instead of obliging me with an answer, they told me that there was no place for human rights lawyers in Zimbabwe. We were taken, then separated, and I was taken to a police station several kilometers away from where they had initially got a hold of us.

I was taken, Mr. Chair, to a place so horrendous that even in a place where the rule of the jungle prevails, one shudders to think that such conditions would exist. I was made to sleep for 3 days in a cell infested with maggots, those white maggots. It was a mixture urine and human waste on the floor where I was spent 3 days.

On the second day, they came to take me away. They placed a hood over my head. I managed to identify some of my tormentors, but suffice it to say that they drove me for about 1 hour, 30 minutes, outside Harare, to an area, I suppose, in the countryside, judging by the bumping noises that the car was making. The car, before they put the hood on, I noticed it was lined with black carpets, black curtains and black carpet on the floor.

I was then taken underground to a torture chamber that is about three floors downstairs, and with my hands handcuffed, the feet shackled, I was asked then to slip the feet through the hands. A thick plank was then slipped in between the hands and the feet, and shortly before that, I had already been stripped entirely naked. They hung me upside down on the wall. The wall was lined with planks. So I was hung upside down and beaten on the soles of the feet with rubber and wooden truncheons. I was also kicked, and for 9 hours, this persisted. I was then taken down.

I was placed in that position, and a contraption which was black in color, resembling a telephone, was then brought over to a small table. It had copper wires dangling from it. The wires, one was put in my mouth, and another was wrapped around my genitals tightly. In fact, they were pulling some of them to say, we want to see whether it is fitting up, and one of the wires in my mouth actually has made a permanent groove on one of my teeth. Another one is actually broken from that experience. Other wires were tied to my toes and fingers.

Then a blast of electricity was switched on. I had never imagined that it is possible to feel hot and cold at the same time, but I did. I could even feel my eyes bulging out of their sockets, but I couldn't see anything. I just went spasmodic. This went on and on for a pe-

riod of about 7 hours, interspersed with questions, humiliating questions, for example, about how many times my father and mother had sex before I was conceived, and if I couldn't answer, then another dosage would be put through my body.

So, at the end of it all, I eventually went unconscious, then woke up to find they were sprinkling some chemical all over my body. I even vomited blood, and then some of them came urinating all over me in that position. Some were taking photographs, and they were saying, "This is humiliation. This is humiliation," and they appeared drunk.

Suffice it to say that after the ordeal, then I was forced to roll on the floor in that position, handcuffed like that, to drink the foul and revolting mixture that included my own urine, as I had lost control of my bladder, their urine, and one of them actually stuck his member into my mouth, and, to this day, I even cringe when I remember the smell and feeling of his member in my mouth.

I was then, after the interrogation, taken back to a police station, where I was charged with treason. Fortunately, the charges were dropped, as the court established through medical evidence that the evidence that was thought to be lead had been obtained by duress. I, however, was threatened, and although my family continues to live in Zimbabwe in mortal fear for their lives, I was threatened and had to run to South Africa. Thank you, Mr. Chair.

[The prepared statement of Mr. Shumba follows:]

PREPARED STATEMENT OF GABRIEL SHUMBA, ZIMBABWEAN HUMAN RIGHTS ACTIVIST
AND TORTURE VICTIM

Mr Chair and Members of the Committee, I request that the entirety of my statement, along with the additional material, be submitted for the record. I thank you for the singular honor that you have accorded to me. To be given the opportunity to address this esteemed body at a time when my country, Zimbabwe, is facing an unprecedented social, economic and political crisis is a manifestation of the Free World's concern with democracy and human rights the world over. Further testimony of this commitment is evident in the 2003 U.S. State Department Report on Human Rights Practices, which devotes significant space to the human rights issues affecting my country.

Mr Chair, I am a human rights lawyer from Zimbabwe who was last year condemned to live in exile in South Africa because of unrelenting persecution, death threats and torture at the hands of President Robert Mugabe's regime. Allow me to narrate the ordeal that forced me into exile.

Pursuant to the call of my profession, on the 14th of January 2003 I consented to represent an opposition Member of Parliament, Mr Job Sikhala. He had engaged me to represent him in a matter in which he alleged political harassment by members of the Zimbabwe Republic Police (ZRP). At that moment in time, the MP was hiding from the police.

My young brother, Bishop Shumba, accompanied me to take instructions. I found the MP in the company of one Taurai Magaya and Charles Mutama. I proceeded to take instructions and confer with Mr Sikhala. However, at or about 23:00 hrs, riot police accompanied by plain-clothes policemen, the army and personnel, who I later discovered were from the Central Intelligence Organization (CIO), the spy agency of the government, stormed the room. They were armed with AK 47's, tear gas canisters, grenades and vicious-looking dogs.

I identified myself as a lawyer and enquired as to the nature and purpose of the police actions. Thereupon, one of the officers confiscated my Lawyer's Practising Certificate and informed me that there was 'no place for human rights lawyers in Zimbabwe'. Others grabbed my diary as well as files and documents. All of us were prodded with guns in the back and bundled into a police vehicle. Several acts of assault and violence were perpetrated upon my person. In particular, I was slapped several times and kicked with booted-feet by amongst others, a certain detective inspector Mbedzi, the officer in charge of Saint Mary's Police Station. They also threatened to let the dogs maul us, and boasted that this had been done before.

Moments later, we were driven to Saint Mary's Police Station but no charges were preferred. We were denied access to legal representation and were abused and insulted for allegedly working in cahoots with 'western powers' in an attempt 'to reverse the gains of the liberation struggle'. Our mobile phones were also confiscated, and we were denied contact with our lawyers, relatives and friends.

Around 1:00am we were driven to Matapi Police Station some seven kilometers from the initial place of 'arrest'. Here Mr Sikhala and Bishop were booked into the holding cells. I was taken to Mbare police holding cells, a further three kilometers away from Matapi, whilst, as I subsequently discovered, Mr Magaya and Mr Mutama were taken to Harare Central Police Station, which is about five kilometers away. The tactic of separating arrestees and taking them to locations removed from where they have been arrested is a favorite of the police in Zimbabwe. This is designed to prevent their relatives or lawyers access to them when they are tortured in torture chambers scattered all over the country.

I was only booked into the cells at around 3:00am. I was denied blankets and had to sleep on a concrete floor. The cell that was about 3m x 4m housed over 20 inmates. I had to spend the whole night squatting in a pool of urine and human waste. This revolting mixture had maggots and worms that irritated or bit at me the whole night. As if this was not enough, I had to endure the torment of other denizens of the cell, which included lice and bed bugs.

Around 12:00pm on the next day, personnel from the CID (Criminal Investigations Dept—Law and Order Section) of the Harare Central Police Station booked me out of Mbare holding cells. Even now I have not been told of the nature of the charges preferred against me, nor had any official entry been made to indicate that I was being held at Mbare, another notorious police tactic. The police were under the charge-ship of one Detective Inspector Garnet Sikhova. In spite of my bruises and the pain that I felt, I was dragged to a yellow mini-bus whose registration numbers I was prevented from looking at. My constant pleas for legal representation, food and water were in vain.

Mr Chair, the mini-bus that I was hauled into had no seats inside. Even more sinister was the fact that it had black curtains and a black carpet lining the windows and the floor. In the extreme end of the vehicle was a raised platform whereupon some of the Police Officers sat. I was nonetheless ordered to sit on the floor facing the back of the vehicle. A black hood was then slipped over my head. It was made of nylon and did not have any breathing-holes in it. In a short while I became claustrophobic, sweated heavily and had difficulties breathing. My requests that part of the hood be pulled slightly over my nose to allow me to breathe were rudely denied. Instead, I was asked to use 'the mouth that you use to defend the MDC to breathe'.

After what appeared like an hour's drive, the vehicle pulled over and my hands were handcuffed behind my back. I was bundled out of the car to find myself in a tunnel of some sort, judging by the echoes that our footsteps made. I was advised that 'you are now a blind man and have to act like a blind person'. After several twists and turns, in what appeared a labyrinth of some sort, we descended about three floors of stairs underground.

Off to the right I could hear the sounds of horrible screaming. I was thrown against the wall and the hood was then removed. I was stripped utterly naked, then had my hands and feet handcuffed and bound so that I was in a foetal position. The police then thrust a thick plank between my legs and hands. Other planks lined the room and the light was dim. In a corner to my right side, there was a pool of what my tormentors told me was acid, into which I could be dissolved without a trace. I was also informed that I could be crucified on the planks against the wall, or have needles thrust into my urethra if 'you are not co-operative'. In the middle of the room were a small table and a chair. About 15 or so interrogators stood over me and some of them began assaulting me with booted-feet and fists all over the body. I was then given the option of either 'telling the truth or dying a slow and painful death'.

Several questions were asked about my background as a student activist, the political affiliation of judges, my scholarship to pursue a Masters degree in South Africa, my alleged involvement in the burning of a government bus, and my political ambitions. At some point I was hung upside down on the planks and assaulted beneath the feet with wooden and rubber truncheons, as well as some pieces of metal.

Running concurrently with the other assaults and ongoing interrogation, various electrical shocks were introduced to my body. A black contraption resembling a telephone was placed on the small table. It had several electric cables emanating from it. One cable was tied to the middle toe of my right foot, whilst another was tied to the second toe of the left foot. Another copper wire was wrapped tightly around my genitals. Again, another one was put into my mouth. Still in the foetal position,

I was ordered to hold a metallic receiver in my bound right hand and I then forced to place this next to my right ear. A blast of electric shocks was then administered to my body for about eight to nine hours.

On several occasions, I lost consciousness only to be revived to face the same ordeal. A chemical substance was applied to my body. I also lost control of my bladder, vomited blood and was forced to drink my urine and lick my vomit. I was also urinated upon by several of my interrogators. Whilst the questioning was in process, several photographs were taken of me cringing and writhing in pain and in nakedness.

At the end of this ordeal, around 7:00 pm, I was unbound and then forced to write several documents under my torturers' dictation. In the documents, I incriminated myself as well as senior MDC personnel in several subversive activities. Under pain of death, I was also forced to agree to work for the Central Intelligence Organization, the government spy agency. In addition, I was compelled to swear allegiance to President Robert Mugabe, as well as to promise that I would not disclose my ordeal, either to the independent press or the courts. I later did.

Around 19:30 pm, I was blindfolded and taken to Harare Central Police Station, where I was booked into a holding cell even more horrendously inhumane than that at Mbare Police Station. On the third day of my arrest, my lawyers, who had at that point obtained a High Court injunction ordering my release to court, were allowed access to me. I had not had food or water throughout the period of my detention, which was three days. I had also not been formally notified of the nature of the charge against me. Subsequently, however, I was charged under Section 5 of the Public Order and Security Act, which deals with organizing, planning or conspiring to overthrow the government through unconstitutional means. These charges were dismissed in a court of law after medical evidence established that we had been tortured. Subsequently, I was threatened with death and had to flee for my life.

I worked at the International Criminal Tribunal for Rwanda in Tanzania for two months and was threatened by the High Commissioner of Zimbabwe to Tanzania. I then had to flee to South Africa. In spite of psychiatric and other medical treatment, I continue to experience nightmares, suffer depression as well extreme fatigue.

I am convinced that my torture and ill treatment was authorized and condoned at the highest level of the Zimbabwe state. It is inconceivable that President Mugabe is unaware that his police, army and intelligence officials are using torture. The President has been aware that torture is being used against human rights activists and those suspected to be linked to the MDC, as is exemplified by the case of journalists Mark Chavunduka and Ray Choto. The two were brutally tortured by the army and Chavunduka died later. Mugabe was however on TV gloating that those who write stories about the army should expect 'army justice'.

I lodged a report of what transpired to me with the police, but up to now no action has been taken. I have also instructed my lawyer to institute civil proceedings, but am not hopeful, as the Executive has largely subverted the judicial system. Furthermore, the police in Zimbabwe are notorious for defying court orders.

Mr Chair, I should also point out that members of my family who are still in Zimbabwe are in mortal danger as I speak. I cannot afford to lose them as we are a very small family, having been orphaned early in life. I am the first born in a family of four. Both my parents are deceased. My father died of cancer of the liver when I was 10 years old. I became the sole breadwinner of the family after my mother passed away some years later. My mother succumbed to the AIDS virus in 1995, having spent many years trying to raise us.

Eventually, I struggled through education with the help of a kind white couple, Mary Austin and John Ayton. I mention this couple to dispel the myth that the crisis in Zimbabwe is a tug of war between black and white.

At the University of Zimbabwe where I obtained a Bachelor of Laws (Honours) degree I was a student activist. In 1995 I led demonstrations against police brutality. This culminated in my suspension from the University of Zimbabwe (UZ) for a period of two years. Whilst on suspension, I wrote articles on student rights and addressed seminars on academic freedom in Zimbabwe. After readmission to the University in 1997, I mounted a one-person demonstration to protest the heavy handedness of the police in quelling student disturbances. For this I was abducted and tortured at a torture chamber situated in the basement of Harare Central Prison.

Mr Chair, to date I have been arrested and assaulted or tortured 14 times under the regime of President Robert Mugabe. At my graduation on the 18th of August 2000, I was again arrested and taken into police custody for attempting to hand over a petition protesting the breakdown of the rule of law in Zimbabwe, especially on the farms, to President Robert Mugabe. As I approached Mugabe, who is also

Chancellor of the University, his bodyguards whisked me away. As a result, I could not graduate with my fellow students as I was in prison, complete in my academic regalia. This incident was reported in the press. Mr Chair, I submit that all that which transpired to me should be seen as a microcosm of the brutality visited upon human rights and opposition activists in Zimbabwe.

I thank you Honorable Members.

Mr. SMITH [presiding]. Thank you very much, Mr. Shumba. That was a very powerful and sad and tragic rendition of the terrible torture that you have endured, and we thank you for bearing witness to what has been done to you because that gives us, as difficult as it is for you, I am sure, to share that, an idea just how despicable these people are. So we do thank you for that.

I would like to now ask Ms. Sangdrol if she would begin.

**STATEMENT OF NGAWANG SANGDROL, TIBETAN NUN AND
FORMER POLITICAL PRISONER**

Ms. SANGDROL. Mr. Chairman and Honorable Members of the Committee, my name is Ngawang Sangdrol, and I am a former Tibetan political prisoner. I am greatly honored and privileged to be speaking before the United States Congress today. Ever since my release, it has been a hope of mine to be able to personally thank the United States Congress for your support in my case. Since my English is not good, as I am studying to learn it, I seek your permission to have Ms. Pamagrov translate for me.

Ms. SANGDROL [through translator]. Mr. Chairman, I would, first of all, request that my full statement be placed in the hearing record, and I will just give a few brief remarks.

I would like to express my utmost gratitude for this opportunity to testify before the United States Congress about the human rights conditions in Tibet. I feel immensely happy and empowered to be able to meet with representatives of the Congress.

Human rights conditions in Tibet are not improving. On the contrary, they are worsening. I say this because of what I have experienced and seen with my own eyes. To tell you briefly about my experiences, children and youth are subjected to the same torture as adults. They are suspended in the air with their hands tied behind their back. Torture equipment used in the prisons include water hoses, leather belts with heavy metal buckles, bamboo canes, and electric prods of various sizes which they shove in the prisoner's mouth or prod their body with.

Torture tactics include starvation and lengthy solitary confinement, forcing the prisoners to engage in various manual activities. Soldiers trained in martial arts would come and beat us up. These tortures of all types have cost many people their lives and made many others chronically ill. I had internal injuries to my organs and chronic migraine headaches as a result of torture and beatings I suffered.

No matter how brutal their treatment towards us we have so far remained committed to the principles of nonviolence. To give an example from my own prison experience, in 1996, my fellow inmate, Phuntsok Pema, and I were each put in a small, dark room with no windows to freeze and starve. Due to the wall between us, we would not see each other, but if we shouted loud enough, we could hear each other. During our conversation, Phuntsok Pema told me that she felt sorry for the prison guards. When asked why, she re-

plied that the prison guards had to torture us in order to keep their job and feed their families. I found myself completely agreeing with her.

Besides, our solitary confinement gave us the opportunity to pray in isolation without being bothered. In spite of the harsh physical conditions of solitary confinement, the prayers and thoughts of His Holiness, the Dalai Lama, comforted our hearts greatly. If you are a political prisoner, you are not allowed to be outside in the prison courtyard. Instead, you have to do prison labor all day inside your cell. You are only allowed to go to the bathroom four times a day. At Drapchi, there was a prison school building supposedly for educational purposes, but none of us political prisoners were allowed to have access to that building.

I request you to please improve these conditions and appeal to secure the release of Pekyi and Namdol and the rest of the political prisoners. We have not committed any act of violence to deserve such torture and punishment. We only tried to protect and preserve our culture and religion in a nonviolent, peaceful way. However, when we try to protect the Tibetan identity, even if we have no political motives, we are accused of plotting to sabotage the state and subjected to imprisonment and torture. These cases are today increasing in eastern Tibet.

During my final years in prison, there was a very slight improvement in the quality of our food and the way the prison doctors treated us political prisoners. A small number of us have been released early, including myself. Especially, I would like to thank you for the recent release of Phuntsok Nyidrol from the bottom of my heart. It was only after my release that I realized that this was due to the efforts of His Holiness, the Dalai Lama, and the international community, especially the leadership of the United States.

However, we must remember that these things do not represent a genuine improvement in the Chinese government's human rights record. It is merely a ploy to counter and discredit the annual *Human Rights Report* published by the United States Government. If they truly adhered to their laws and constitution, we should have been released a long time ago.

Unless there is strong pressure on the Chinese government, it would never be honest in its actions. That is why the human rights conditions in Tibet are still very bleak. Even if a prisoner of conscience is released from prison, they are still not free. They are not allowed to find employment, education, or receive medical treatment. They do not even have freedom of movement. Many are seriously ill, but they have a difficult time traveling to get proper medical treatment.

Since I live in a free country today, I want to make an appeal to you. Please support the Tibetan political prisoners after their release so that they can receive proper medical treatment, have a livelihood, and enjoy educational opportunities. The fact that I, as a young girl, underwent torture in prison was not because my political understanding, abilities, and experiences were greater than anyone else's. It was because I could not bear to see the stark absence of free speech and the destruction of the religious and cultural identity of the Tibetan people. Above all, it was because of

the constant inspiration that I drew from His Holiness's grace and efforts.

Since you are committed to the protection of human rights, and since the human rights conditions in Tibet today are so bleak, I think you can understand that a fundamental political solution to the Tibet issue is the central prerequisite for the Tibetans to enjoy genuine human rights. Therefore, I urgently request the United States Government to take concrete actions to support His Holiness, the Dalai Lama's, middle-way approach of seeking a negotiated settlement with the Chinese government. Time is running out for Tibet.

I thank you, and I would be happy to take any questions you may have.

[The prepared statement of Ms. Sangdrol follows:]

PREPARED STATEMENT OF NGAWANG SANGDROL, TIBETAN NUN AND FORMER
POLITICAL PRISONER

My name is Ngawang Sangdrol. I am 27 years old. From age 8, I was a nun in Garu Nunnery in Tibet. >From age 11, I began to speak out with my fellow nuns against the Chinese rule of our country. Most of my life, from age 15, I have only known what it means to live as a political prisoner inside the walls of Lhasa's Drapchi prison. During my 11 years in prison and even during my interrogation I was subjected to torture and prolonged ill-treatment. I was released from prison on good behavior parole in October 2002—9 years before my sentence was due to expire but only days before the Chinese President was to meet with President Bush at his ranch in Texas. Five months later, I was put on a plane to the United States for medical treatment. People who saw me board the plane said that I did not look back. Last week, almost exactly a year after I arrived at Reagan National Airport, I received news that my political asylum application has been approved.

I would like to begin by expressing my gratitude to you and, through you, to the American people for all your efforts on behalf of the Tibetan people. Thank you. It is an unimaginable honor to be invited to speak to the United States Congress. This is also a very meaningful day for the Tibetan people as March 10, 1959 was the date the Tibetan people rose up against Chinese rule in our homeland. Since that time His Holiness the Dalai Lama has addressed the Tibetan people from exile annually on this date. This is the first year that I have been able to hear broadcast His Holiness the Dalai Lama's March 10 address. I thank you for this gift.

Since I have been in the United States, I have been often overwhelmed by kindness and by the solidarity that so many Americans freely express for His Holiness the Dalai Lama and the Tibetan cause. It is taking me time to adjust to this new atmosphere of freedom. This is because I was brought up under an authoritarian system where freedom is found only in one's heart.

I sit before you today, proof that when the United States insists on human rights, even powerful countries can be moved. From my own small experience I can say that the guards in Drapchi prison knew of the international attention given my case and that their attitude towards me changed. At least they were more careful in their dealings with me. I was obviously released many years before my scheduled date because of pressure from the international community.

I have learned that Phuntsog Nyidrol, a fellow nun with whom I served in prison, was just released on February 26, 2004, also as a result of consistent pressure on the Chinese government by the United States and other free countries. I hope to be able to see her soon, both of us meeting as free human beings for the first time.

My colleagues at the International Campaign for Tibet have read to me the State Department's country report on human rights in Tibet. When I hear read the descriptions of the injustices suffered by my fellow Tibetans, I am filled with a strong desire to try to do something to help. I hope that by sharing my experiences with you, their presence may also be felt here today. This is my story and, in many ways, it is their story, too.

I was first detained in 1990 for participating in a small demonstration at a cultural festival in front of the Norbu Lingka palace in Lhasa. At the time, I was a 12 year old nun. We prayed for the long life of His Holiness the Dalai Lama and called for freedom in Tibet. For this measure of free expression, I was detained for nine months in Gutsa detention center without charges. Upon my release I was forbidden from going back to my nunnery.

In 1992, I was again arrested for participating in a pro-independence demonstration in Lhasa, along with other Garu nuns, and some monks from Gaden monastery. I was sentenced to three years imprisonment “for incitement to subversive and separatist activities” at Drapchi prison.

I received a six-year sentence extension in 1993, for tape recording songs in praise of His Holiness the Dalai Lama and freedom in Tibet. We were 14 nuns who sang together. This tape was smuggled out of Drapchi to give courage to our fellow Tibetans. In fact, it was eventually distributed not just in Tibet but around the world. In 1995, the United Nations Working Group on Arbitrary Detentions ruled that my continued detention was arbitrary because I had been punished for exercising my right to freedom of opinion. The Working Group asked China to remedy the situation and abide by the provisions enshrined in the Universal Declaration of Human Rights. Instead, they extended my sentence.

In 1996, my prison term was extended for another eight years after I was accused of demonstrating inside prison. In 1998 my sentence was extended a third time, by another six years, after some of us were accused of being involved in a protest demonstrations. This brought my total sentence to 21 years.

Right from the first time I was detained, Chinese officials used different torture instruments on me to break my spirit. I was subjected to both physical and mental torture to make me denounce His Holiness the Dalai Lama and the aspirations of my people. My fellow political prisoners and I were subjected to electric shocks from different types of electric batons and prods on sensitive body parts such as my mouth, underarms and palms of hands. We were beaten with pipes, canes and sticks of different sizes, thick leather belts with heavy metal buckles, and by the hands and feet of prison guards who were trained in martial arts. Other nuns and I were hung in the air with our arms tied behind our back for extended periods of time, and we were frequently made to stand in the direct sun or freezing cold for extended periods of time, and if we collapsed from the heat or exhaustion, we were beaten. We were made to race each other in competitions for the entertainment of the guards, during which they threw rocks at us and hit us if we ran too slow or got the words wrong to the Chinese songs we were forced to sing. I spent weeks in solitary confinement for refusing to accept the lies and punishments of my captors. This torture and mistreatment started while I was just a child of 13 and continued through most of my life in prison.

During my imprisonment in 1992, I witnessed all my fellow Tibetan political prisoners being tortured as well. In 1996 when Phuntsok Pema and I were placed in a small cell, we learnt that prisoners in Unit Five, including Ngawang Phulchung, were tortured solely because they appealed to higher officials after the death of one prisoner who died as a result of torture.

Although the Chinese claim that Tibetans have religious freedom, the State Department report documents that this is not true. This is not true. At any time, you are liable to be persecuted for practicing religion and for having faith in your spiritual teacher, and we are unable to honor our leader, His Holiness the Dalai Lama, with prayers for his long life or by making certain religious practices that he encourages. I was very sad to see in the State Department report that in Kham, in eastern Tibet, the authorities have cracked down on centers of Tibetan culture and religion that had been able somehow to escape the strict measures in place in most of Tibet. As the authorities continue to use all the means at their disposal to attack Tibetan Buddhism, our precious and unique culture is at growing risk every day.

You would not be surprised to learn that the situation is worse in the prisons, where there are no rights at all. There have been cases of people who have been persecuted solely for reciting prayers, as it is not permitted for prisoners to practice religion. At one time, while in Drapchi prison, five nuns of Shugseb Nunnery—Palden Choedak, Jigme Yangchen, Woesser Choekyi, Yangzom, and Chime Dekyi—were reciting the Mani prayer on home-made prayer beads made of flour dough. Upon seeing this, prison officials immediately beat these nuns, made them run in the courtyard, threw stones at them to make them run faster and, to complete the humiliation, they made the nuns eat the prayer beads.

Even though they tried to deny us the ability to practice our religion, Drapchi Prison became our nunnery and the prison guards were our gurus. The Buddha taught that an enemy is the best teacher, because only when someone is cruel to you can you truly be tested on your practice of compassion toward all sentient beings. My fellow nuns and I would sing about our joy in having such an opportunity to develop compassion as we were being tortured and mistreated in prison. No matter our sufferings, our spirits were far from broken. We never lost faith in the leadership of His Holiness the Dalai Lama or the strength of our religious commitment.

I am deeply moved by the interest that the international community has shown in my case, as I am an ordinary person. I am simply a Tsampa-eating Tibetan but my small actions were inspired by the terrible actions of the Chinese. I did what anyone whose community is deprived of its dignity and respect would do. In our hearts, no Tibetan can stand the denunciation of our peerless leader, His Holiness the Dalai Lama, or accept the denial of our fundamental rights. However, the political situation in Tibet and the suppressive rule there are not permitting the Tibetan people to come out with their true feelings. There is fire inside our bodies, but we dare not let the smoke out.

As I said before, it is very clear to me that I was released and given freedom because of international concern. Even as I learn to enjoy this freedom, I am concerned about the many more Tibetan political prisoners in Chinese jails. I appeal to you good people to help give them freedom. I want to especially call attention to two women with whom I was jailed in Drapchi prison, Peki and Namdol; I am gravely concerned about their health and urge you to assist in gaining their early release from prison.

I also am gravely concerned about the fate of former prisoners, including Phuntsok Nyidrol, who face a difficult life after their release from prison. After my release, even though I was free from prison, I was cut off from Tibetan society. As a former political prisoner, I was not allowed by law to return to my nunnery; I could not find any other job. A former political prisoner cannot even get a job as a street sweeper. Without the support of my family, I would have had no place to live, no food and no medical treatment. Almost all released prisoners face these same problems and many are living in the shadows, with no support. Many must go begging. Many risk their lives fleeing Tibet for hope of any future. These people who have sacrificed so much for freedom are paying the dearest price. I appeal to you for some attention to their cases.

When I came into exile in the United States, my foremost desire was to set my eyes on His Holiness the Dalai Lama. I cannot describe the joy I felt to see His Holiness in good health and to receive his blessing. I pray every day that His Holiness the Dalai Lama's efforts towards the resolution of the Tibetan problem will bear results. I will abide by any advice His Holiness may have so that I can best contribute towards the fulfillment of his wishes for a solution to the just cause of Tibet. The Tibetan people in Tibet are eagerly waiting for the day when they can see the return of their beloved leader to their homeland, with dignity, freedom and respect.

As a Tibetan, I am most grateful to the United States for supporting His Holiness the Dalai Lama's efforts to find a negotiated solution to the Tibetan issue. I would like to urge you to continue to do so. It is only His Holiness the Dalai Lama who has the trust and loyalty of the Tibetan people, and he is our only hope for freedom in Tibet.

I thank you for this opportunity of submitting this testimony to the United States Congress. I hope my words have made a difference.

Mr. SMITH. Thank you very much for your very troubling testimony that you have provided us, and I would just remind all of us that despite a robust trading relationship with the People's Republic of China, we continue to see a deterioration on a multitude of fronts, and that is, probably with a great deal of emphasis and exclamation points, with regard to the Tibetans, the monks as well as the nuns.

Just several years ago, we had sitting where you are sitting Paul Dangiatsu, who told us and actually brought in some of the implements that were used against him and his fellow Tibetan prisoners,—cattle prods and terrible implements of torture—and I can tell you, it was a very moving experience then, and it continues to be, to hear these very sad and disturbing tales from a country that aspires to increase its influence on the world stage.

Mr. PITTS?

Mr. PITTS. Thank you, Mr. Chairman. I have a question for each of our witnesses.

First, Ms. Sangdrol, were individuals serving prison sentences for nonpolitical reasons, were they treated differently than those who were political prisoners? And when you were in prison, did you

know that international focus was on you, that efforts were being made to secure your release? Did you ever speak or see any international visitors or were aware of any international delegations who may have toured the prison?

And then I will go to Mr. Shumba. What types of human rights abuses taking place in Zimbabwe are you documenting in South Africa, and how do you collect this information? If you could respond to that.

And then for Irina, the 2003 report on Belarus mentions surveillance of opponents of the President by the presidential guard and the security service. Were you or your husband, before his disappearance, aware of any governmental attempts to monitor your activities or intercept any of your correspondence? If yes, are you still aware of any types or forms of government surveillance?

Who would like to begin? Mr. Shumba?

Mr. SHUMBA. Mr. Chair, is it possible, with your permission, for me to begin?

Mr. SMITH. Yes.

Mr. SHUMBA. Thank you, Honorable Member. I would just like to say that in Zimbabwe we have seen quite a deterioration of the human rights situation, and, in particular, only last February, 50,000 youth militia supporting the ruling party were unleashed on the populace. This had led to an increase in the rate of women supposed to be sympathetic to the Movement for Democratic Change or sympathetic in general to anybody who is a Movement for Democratic Change party member.

These are the kinds of atrocities that we are recording as Accountability Commission-Zimbabwe. We have also seen other kinds of threat that are generally consistent with the breakdown of the rule of law in general, in particular, indecent assault on men supposedly sympathetic to the Movement for Democratic Change, all of those that are active in human rights defense. We have also seen and recorded quite a lot of torture incidents.

In general, I might just wind up by saying, we record basically gross human rights violations. We have seen disappearances, particularly in Nabanyama, for example. We have seen death and mayhem, for example,—Tonderai Machiridza, and a lot of other people who have died. In fact, the Zimbabwe Human Rights Forum has recorded that we have had more than 400 deaths since 2000, and most of these, we record.

How do we collect the information? We directly interview individuals. We have representatives in Zimbabwe. Of course, it is just unfortunate that I had to flee to South Africa, but even in South Africa, we have more than three million Zimbabweans. We have fled torture and rape in Zimbabwe. So we go as individuals and also sometimes advertise in newspapers, when resources permit, for the victims to come to us so that we can take down their statements.

So, basically, Mr. Chair and the Honorable Member, that is how we do it.

Mr. PITTS. Thank you.

Ms. SANGDROL [through translator]. Yes. Nonpolitical prisoners are treated differently from political prisoners. They have more freedom. They have access to education. They can even go out.

Even the tasks that they give us, if they don't do it, they don't get reprimanded, whereas we would, and there also would be people who would be monitoring us, whereas those people, the nonpolitical prisoners, are not watched that often.

To answer the question, if I knew about the international pressure put in my case, while I was in prison, I did not know. I only knew about it after I was released.

Mr. PITTS. Thank you. Irina?

Ms. KRASOVSKAYA. You know, my country is a dictatorship, and so all opposition in my country is under the control of secret services, and it was also when my husband and his friend disappeared because it was before the presidential election, 2000. Victor Gonchar was the leader of the opposition, and he could be President if an election, a real election. And I saw myself how the secret services followed Victor Gonchar, and it was absolutely clear that it was, but the question is, why an investigation could not clear up the truth about the disappearances if they followed all opposition leaders?

And the second part of the question is about me and the safety in my country. It is impossible to be safe in my country because the authority in my country has passed the moral borders, and everything can happen in my country, unfortunately. I am just an ordinary woman, and I am afraid of this situation. But as Pop said, "Be not afraid." And I also feel the pressure from the authority for myself because I think that it is very dangerous for our authority to have this investigation because if it would be a real investigation, it could change the authority in my country. Thank you.

Mr. PITTS. Thank you very much.

Mr. SMITH. Ms. McCollum.

Ms. MCCOLLUM. I just want to thank everyone for your testimony. It is very difficult to give, I know, but it helps me, in going back home and retelling your story, why it is so important that the United States stand for—I cannot even think of the words, I was so moved by your testimony. It is so important that we share this story with our citizens, not only so they appreciate their freedom, but they realize that we are not free until everyone is free because you have really, really brought forward issues that need to be addressed in the open, in the public, by everyone. Thank you.

Mr. SMITH. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, and I know time is growing very slim here because we have got to go over for a vote. Let me just note, while my colleague from Minnesota is still here, in terms of a statement made earlier about the Vietnam War, the war in Indochina, being over, and thus, we should move forward with normalization, I don't think that the victims of torture and of tyranny believe that simply by normalizing relations, that means we are going to have better treatment and more democracy.

In fact, we have had more and more relations with Laos over the years, just like we had with China, except we officially normalized relations with China. There has been not one bit of reform that has gone in China because we have normalized relations, and in Laos there has been absolutely no liberalization whatsoever and democratization in Laos, to the point that Amnesty International isn't

even permitted in that country to check on the human rights abuses.

So to underscore that position, what I would like to ask our witnesses is, do they believe that if the United States would treat economically their countries with normal trade relations, as we do with democratic countries, would that make the leader of their country more or less likely to continue the human rights abuses that we have heard today?

Ms. MCCOLLUM. If the gentleman would yield just for a second, and I will only be a second.

Mr. ROHRABACHER. Sure.

Ms. MCCOLLUM. I represent people who lived in refugee camps who were victims of torture, who are working and traveling back—

Mr. ROHRABACHER. Well, you are not the only one.

Ms. MCCOLLUM. If you would let me finish.

Mr. ROHRABACHER. No, I won't. I reclaim my time.

Ms. MCCOLLUM. But you are making it appear—

Mr. ROHRABACHER. Madam, I am reclaiming my time.

Mr. SMITH. Regular order. Regular order.

Mr. ROHRABACHER. The fact is, we all have represented people like that, and we have come to different conclusions. One conclusion is make friends with the dictator and the torturer, and it will get better. Other say, oppose the dictatorship and the torture, and things will get better. We have got some witnesses here. Maybe they would like to answer that question.

The lady from Tibet and then on down or from Belarus on down, either one.

Ms. KRASOVSKAYA. Thank you. Thank you for the question.

I am not sure that the situation will be better if the United States makes some economical changes between our countries because it is a very specific country. I see only two possibilities to change the situation in my country. The first is connected with the disappearance of my husband and my—to know the truth. The first possibility is to change the regime because if this regime is in power, we will never know the truth because it is proving that higher ranking officers are involved in this situation.

That is the first, and the second; I think that if the United States and the European countries will help us to investigate these cases of disappearances, it will change also regime and then—

Mr. ROHRABACHER. Yes, ma'am. The question mainly is about economics, whether or not we would start treating, our friend from Zimbabwe,—I don't know how to pronounce your name correctly—I am sorry, but if we would treat the leader of your country economically just as if he was a democratic leader, would that make him more likely to reform his country and to quit the tortures that we heard about?

Mr. SHUMBA. Mr. Chair, I think, in Zimbabwe, we have already seen the results of targeted sanctions that were extended against President Robert Mugabe's regime. In fact, I would say unequivocally that these sanctions, targeted as they are, have worked. Actually, diplomatically, Mugabe has felt their blow. It wouldn't make any sense, for example, to—with a dictator and then claim that it would be possible to normalize the situation eventually. I would

support strongly any efforts that would give support to civil society, not dealing directly and economically with an evil regime that tortures and spills blood.

Mr. SMITH. Time has expired. Let me thank all of you for your very moving and courageous political work and the fact that you have all taken the time to come here today to testify before Congress. I chair the Africa Subcommittee, and so I had a question, in particular, for Mr. Shumba I wanted to ask him.

I want all of you to know that there are many Members of Congress that are very concerned about the human rights situation in Tibet and Zimbabwe, in Belarus, all over the world, but I wanted to say to Mr. Shumba, we had a particularly impassioned presentation at the International Convention on Torture here last year, and the subject, the primary focus, was Zimbabwe, and we heard from witnesses.

I guess one of the gravest circumstances is the rape which is occurring across Zimbabwe. Most women are not supporters of ZANU-PF. They don't have party identification cards, and so they are often subject to rape by men who frequently are HIV positive. So for many of these victims, it ends up, in the long term, becoming a death sentence.

I think, on the subject of human rights, we need to all speak out, and I really commend all of you for having the courage to come forward today to tell your individual stories.

I wanted to just focus on one thing I think we can do, and that is in terms of going after the assets of those people that are involved in looting their governments, and I want to talk about the Zimbabwe Democracy Act because that is something that we passed here, and these sanctions have been placed on Robert Mugabe and by other generals who are involved in human rights abuses.

The Administration is now moving to freeze assets on those ZANU-PF leaders, and those are the same people that are bleeding the economy dry through, in most cases, corrupt business deals. What other steps would you recommend that the United States take to promote freedom in Zimbabwe, Mr. Shumba, if I could ask you?

Mr. SHUMBA. Thank you, Mr. Chair. I have already mentioned that it would be tremendously helpful if we could see increased support toward civil society initiatives, in particular, those that are involved in fighting torture, recording information regarding victims so that wherever or whenever the situation makes it possible, we can then prosecute the perpetrators.

I might also mention that we have seen quite a lot of people in the diaspora that have supported the Zimbabweans in exile in South Africa; three million of us are in the U.K., and even here, to a lesser extent. I would want to appeal to you strongly, if it is possible, to increase the pressure on—leaders in South Africa, in particular. Uztansi has not been very, very encouraging vis-a-vis the situation in Zimbabwe.

Recently, President Bush managed to come to South Africa and engage in dialogue with President Tswangirai. The result of the meeting, according to our understanding, was that South Africa would take the initiative in trying to seek a resolution of the crisis.

In fact, the foreign affairs minister is on record as saying that South Africa will never condemn human rights abuses in Zimbabwe. That makes—

Mr. SMITH. I hear you. I hear you. Unfortunately, Mr. Shumba, I have got to run to this vote. We are going to recess temporarily, come back for the next panel. Again, I thank you all for your testimony here today.

[Whereupon, at 3:39 p.m., a recess was taken.]

Mr. TANCREDO [presiding]. So now I would like to call our third panel. I would like to welcome Mr. Thomas Malinowski, Washington Advocacy Director for Human Rights Watch. Prior to joining Human Rights Watch, Mr. Malinowski served as Special Assistant to the President and as Senior Director for Foreign Policy Speechwriting at the National Security Council during the Clinton Administration. From 1994 to 1998, he was a speechwriter for Secretaries of State Christopher and Albright and a member of the State Department policy-planning staff.

Mr. Malinowski appears frequently as a radio, television, and op-ed commentator on human rights policy worldwide, and, of course, we know he must be an incredibly competent fellow to be able to accomplish that with that last name being pronounced as poorly as I am afraid I have.

Next, we have 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 over 9 years with the U.S. Agency for International Development, most recently holding the position of Deputy Assistant Administrator and Director of the Center for Democracy and Governance in the Global Bureau. Ms. Windsor is also an Adjunct Professor at Georgetown University.

We look forward to the witnesses' testimony. Why don't we start out with Mr. Malinowski?

**STATEMENT OF TOM MALINOWSKI, WASHINGTON ADVOCACY
DIRECTOR, HUMAN RIGHTS WATCH**

Mr. MALINOWSKI. Thank you, Mr. Chairman. Thank you for inviting me, and I also want to thank the Committee for giving all of us a chance to hear from the human rights defenders on the second panel, who really reminded us that this fight for human rights is not an abstraction; it is a life-and-death struggle for so many decent people around the world, and the whole reason why the State Department *Human Rights Report* is important. It is just a book with words in it, but it is important because it shines a light on their struggles because the dictators in their countries want us all to believe that these people don't even exist, and if they do exist, they are just a bunch of liars. And by telling the truth, as the State Department does in this report and, hopefully, throughout the year, it is pushing back, in a very, very useful way, against that terrible propaganda.

The reports, obviously, are also very important because, at their best, they help to keep our own government a bit more honest in the way that it deals with abusive governments around the world,

and that, of course, is the real test of the State Department's product. How is the Administration using the findings of these reports, not just the day they are published but the other 364 days of the year? Does it take these findings seriously in its relationships and its diplomacy around the world? And that is what I want to focus on today with a few examples. Obviously, I am not able to mention the vast majority of what we would like to discuss.

Chairman Hyde mentioned the U.N. Human Rights Commission meeting in Geneva, which is an obvious opportunity coming up very shortly to press some of these concerns. I was very happy to hear Assistant Secretary Craner today essentially commit, almost commit, the Administration to push for a resolution on China.

There is a lot of diplomacy underway right now. It is kind of the usual hostage diplomacy with China, where they release a couple of people to satisfy their external critics, even as they continue to arrest dozens of people to maintain internal control, and that is a game that we need to see through and not allow them to play, and it is very important that the Administration follow through, sponsor a resolution, and do it early enough to get votes and to actually win this time.

Mr. Lantos mentioned Chechnya, the importance of a resolution dealing with Russia's human rights violations there, and also setbacks to democracy in Russia, which are very grave. That is something else that the Administration, I think, is inching towards, but we need to encourage them to work with their European allies to have a strong resolution on Chechnya. If we are silent about that, it sends a terrible message to the Russians.

Many other examples in our bilateral relationships. Congressman Schiff mentioned a very important issue of countries that are important partners of the United States in the war on terrorism; we have strategic interests but also human rights concerns. How do we balance those? He mentioned Pakistan, a critical test case.

Uzbekistan is another one. And there is a very important decision that the State Department has to make within the next month on Uzbekistan: To certify or not to certify Uzbekistan's progress on human rights. If they fail to certify, Uzbekistan loses its military aid, so it is a very important decision, and, of course, we feel strongly that it needs to be made very honestly, with consequences for that country if it does not improve its horrific human rights record.

Many other places I could mention: Sudan, of course; Cuba, Burma, which I know are of great concern to this Committee. Maybe we can get to some of them in the questions and answers.

But the one area that I want to focus on the most is this whole question of promoting human rights and democracy in the greater Middle East, which a number of Members also referred to. It is an extremely ambitious challenge, it is vitally important, and I think President Bush and the Administration deserve enormous credit for, in effect, breaking the Middle East exception to American human rights promotion around the world. We didn't used to do this. Now we are beginning to do it, and it is vitally important because you can't ultimately win a war on terrorism if you have a whole region of the world where hundreds of millions of people are

denied peaceful avenues for expressing themselves. When that happens, they are naturally drawn to the violent alternatives.

And it is also, I think, correct for the Administration to draw an analogy between this challenge and the Cold War challenge of bringing change to the former Soviet Union and Eastern Europe. But there is a very, very important difference that I think we need to consider as we move forward, and that is that if you think about the way America was perceived in Poland, in Russia, Lithuania, and Hungary during the Cold War, America was seen as a credible champion of people's democratic aspirations, as a friend, as a partner to people who were struggling in the trenches, and that is not true today in the Middle East, unfortunately, for a whole range of very complex reasons, some of them not very rational, some of them rational, but all of which add up to a fundamental problem for the United States as we seek to promote human rights and democracy there.

Now, how do we overcome that problem? One way to do it is to be consistent and clear in our dealings with the repressive governments of that region, which we are just starting to begin to do but haven't done nearly enough. Assistant Secretary Craner mentioned Tunisia. The President of Tunisia was in town a few weeks ago and, indeed, received a very good, clear message from Secretary Powell and from the President on the need for reform in that country. But Tunisia is easy; it is a small country.

In about a month, the President of Egypt, Hosni Mubarak, is also coming to town to see President Bush. The real test of this policy is going to be whether the Administration is willing to press these human rights and democracy issues with the most important, most populous country in the Arab world, Egypt, which receives hundreds of millions of dollars in aid and is an important partner of the United States in a range of areas. And I hope that we can work with all of you to urge the Bush Administration to deliver the same kind of principled message to Mr. Mubarak that it delivered to Mr. Ben Ali of Tunisia when he was here. I think that is really an important test.

I think a final issue, and this is a difficult one, as we approach this challenge in the region, is the need for the United States to set an absolutely pristine example itself in the way that we fight terrorism. We need to fight terrorism in a way that supports and upholds the legal and moral norms of human rights. That is really the most important contribution America has made over the years, setting an example for the world, being a beacon. And, again, unfortunately, in this region, that example has eroded, to some extent, because of these problems like Guantanamo and the detention of enemy combatants indefinitely without charge.

Again, these are extraordinarily complex and difficult issues, and the question is not one of moral equivalency; the question is one of legal precedent. For years, and in these *Human Rights Reports*, even today, we have said to governments in the region, you can't simply take people, arrest them, hold them forever in prison without trial, without charge, and yet we are in a situation right now where the Administration is, in effect, arguing before the Supreme Court that the U.S. Government has the authority to do that in the war on terrorism.

We may not be using that authority against good people, against political dissidents, in the way that leaders in the Middle East do, but that distinction is a very hard one to debate, when we go there, when human rights groups go to Egypt or Saudi Arabia, or the State Department goes to those regions and defends the rights of innocent dissidents who are victimized by those governments.

So as we consider these questions, Mr. Chairman, I think it is profoundly important, whatever we think about President Bush's policies on those issues, to understand that they are being watched throughout the world, and the decisions that we make on these fundamental, domestic issues of civil liberties are very, very important in terms of our ability to promote human rights overseas.

Moral clarity, which is provided by these reports and in the President's eloquent speeches, is absolutely vital. Moral authority is just as important, and we need to maintain the moral authority that the United States has long enjoyed throughout the world as a champion of human rights and liberty. Thank you.

[The prepared statement of Mr. Malinowski follows:]

PREPARED STATEMENT OF TOM MALINOWSKI, WASHINGTON ADVOCACY DIRECTOR,
HUMAN RIGHTS WATCH

Thank you Mr. Chairman for inviting me to testify and to offer my views of this year's State Department Human Rights Reports.

And thank you for giving Irina Krasovskaya, Ngawang Sangdrol, and Gabriel Shumba the chance to remind us that the struggle for human rights around the world is not an abstraction. It is a life or death fight, waged by brave and decent people who look to the United States to take their side. When America stands with such extraordinary men and women, it can make a decisive difference in their lives and in the way the United States is perceived around the world. It empowers others to work for freedom, and in so doing, helps show the world that America's extraordinary power can serve a universal good.

The State Department's human rights reports make an important contribution to this goal. Some might wonder why that is so. It is only a book with words; all it can do is shame. But shame can sometimes save lives.

One of the interesting things about repressive governments is that as cynical and ruthless as they are, they are capable of being embarrassed by what they do. Most dictators understand that their security in power depends at least to some extent on the extent to which their people and the world consider them to be legitimate. And no government is seen as fully legitimate today if it tortures its people or crushes dissent.

And so, Aleksander Lukashenko, the leader of Belarus, vigorously denies that his government engages in extrajudicial executions. The leaders of China strive to persuade us that the people of Tibet are happy and free. Robert Mugabe of Zimbabwe wants us to believe that the journalists who criticize him are terrorists who deserve to be punished.

On some level, these governments need to convince us, their people and maybe even themselves of an alternative universe in which they are doing right and their critics are lying. And so the State Department, with this annual exercise in truth telling, is doing a very useful thing. It is making it harder for repressive governments to deny the indefensible reality of their behavior, and thus encouraging them to alter that reality.

The annual human rights reports also help to keep the State Department and the U.S. government as a whole a bit more honest in dealing with abusive governments around the world. American diplomats can still argue that engaging the governments of countries like China or Uzbekistan or Sudan may be important to the national interest, despite their miserable human rights practices. But they cannot deny the brutality of those practices, or pretend that mere engagement is improving matters, if the State Department's own human rights reports state otherwise.

This year's reports are thorough, comprehensive, hard-hitting and honest. Assistant Secretary Craner and his team deserve great credit for pulling no punches and making minimal compromises. The reports highlight in stark terms, for example, the setbacks to democratic freedoms in Russia under Vladimir Putin, as well as Russia's continuing human rights abuses in Chechnya. They candidly address

human rights violations by close U.S. partners such as Azerbaijan, Kazakhstan, Colombia, and Egypt. They are particularly strong in condemning a number of countries that have misused the war on terror to justify crackdowns on political opponents and on ethnic and religious groups, including Russia, Uzbekistan, and China. It is profoundly not in America's national interest to allow these governments to associate the United States with their abusive policies, and it is very good to see the State Department pushing back in these reports.

Of course, the ultimate test of the human rights reports lies in what happens after the day they are published. How is the administration using their findings the other 364 days of the year? Is it applying the tools Congress has given it to combat the problems described in the reports? Is respect for human rights truly a consequential issue in America's bilateral relationships with governments that abuse human rights? When it becomes an issue, is the administration applying the right strategies and doing so aggressively enough?

One very obvious test of the administration's seriousness will come later this month when the UN Commission for Human Rights opens in Geneva.

It will fall to the United States to decide, for example, whether to press for a resolution condemning *China's* human rights record at the Commission. To try to stave off a resolution, China has made its usual token gestures—the release of a leading dissident, Wang Youcai, and of a Tibetan nun, Phuntsog Nyidrol, and a small reduction in the sentence of Rebiya Kadeer, a Uighur human rights activist. Of course, every prisoner release is welcome. But we have to be wary of a hostage diplomacy in which the Chinese government releases one person to satisfy its external critics while arresting dozens of others to maintain its internal control. Especially if those released are sent into exile, such gestures change nothing inside China.

Indeed, in just the last few weeks, there have been new regulations that further impede what is available on the Internet in China; an “underground” bishop in Heilongjiang was detained; hundreds if not thousands of people were kept from petitioning in Beijing during the National People's Congress meetings; HIV-positive protesters in Henan, arrested over the summer and released in January, were hit with exorbitant fines; and Beijing once again sought to intimidate the pro-democracy movement in Hong Kong.

Absent more significant reform, the United States should sponsor a China resolution at the Commission on Human Rights. While there are indications that the administration is heading in that direction, Mr. Chairman, it needs to make this decision immediately, so that it has time to lobby other countries for support.

The administration should also make clear now that it will cosponsor a European-initiated resolution condemning Russian human rights abuses in *Chechnya*. There has been no let up in the war in Chechnya, and as the State Department reports make clear, Russian forces continue to engage in kidnappings, forced disappearances, and extrajudicial executions. These indiscriminate tactics make it harder to find a negotiated solution to the conflict, and they risk fueling support for radical Chechen groups that launch terrorist attacks against Russia. At the same time, there is evidence that when the world has paid attention to Chechnya, the intensity of abuses there has subsided. If the administration supports a Chechnya resolution at the Commission on Human Rights, it will send a message to Russia that despite cooperation on other matters, its conduct there is unacceptable. If the administration fails to do so, its silence will send a clear message as well—that Russia is winning the argument on Chechnya and free to do as it likes.

Mr. Chairman, there will be other opportunities in the coming weeks for the administration to act on the concerns outlined in these reports in its bilateral relationships around the world. Let me just mention several discrete country-specific examples, and one overarching regional challenge.

When I got my copy of this year's human rights reports, the first country chapter I turned to was *Afghanistan*. Afghanistan (along with Iraq) is a special case among the countries covered by these reports. It is a country that the United States set out to liberate by force, whose leaders owe their position to American intervention, where the U.S. military is deployed in large numbers, and where the United States wields extraordinary influence. It is a country to which America has promised freedom and human rights and where America has both the ability and the responsibility to keep that promise.

But as the human rights reports make clear, the promise is far from being realized. Much of Afghanistan today is under the control not of President Karzai and the central government he leads, but of warlords who operate their own private domains. The State Department candidly states in these reports that these regional leaders, many of whom originally came to power with the help of the U.S. armed forces, maintain secret prisons housing political prisoners, that they torture and intimidate their opponents, and that the rule of law is simply absent in large parts

of the country. With the Afghan national army far from deployment, the only solution to this problem is for the United States and its NATO allies to deploy significant peacekeeping forces outside the capital of Kabul. NATO has in principle agreed to do this. But little has happened.

Another key country covered by the reports is *Uzbekistan*. Uzbekistan is a true test case of post-September-11th U.S. human rights policy, because its government is both a close ally in the war on terror and a particularly ruthless human rights abuser. As the State Department makes clear, the government of Uzbekistan continued to detain and arrest its political opponents last year, and to engage in horrific and systematic torture in its prisons. Indeed, 6,000 people remain imprisoned in Uzbekistan for their political beliefs or for practicing their Islamic faith outside of rigid state controls—a policy that threatens U.S. interests by shutting down space in which moderate political and religious movements might flourish.

In the coming few weeks, the State Department will have to certify to the Congress that Uzbekistan is making progress in respecting human rights, or, by law, U.S. assistance to the Uzbek government, including security assistance, will be suspended. The administration has pressed the Uzbek government to take a number of reasonable steps to address its problems—by holding torturers accountable, introducing the right of habeas corpus and other legal protections for detainees, and implementing legal reforms that would decriminalize independent religious observance. But the Uzbek leadership has largely rebuffed the United States. The administration must remain firm in insisting on real, not cosmetic, progress in Uzbekistan before making a certification and releasing more aid.

The State Department reports point out that the government of *Sudan* signed an accord last year with the Sudan People's Liberation Army that brought hope of an end to violence in the southern part of that country. At the same, a new front in Sudan's conflict opened in the western region known as Darfour. As the State Department points out, the government and government-supported militias committed grave human rights abuses there, including razing numerous villages. As a result, as many as 3,000 unarmed civilians were killed; more than 600,000 civilians were internally displaced; and an estimated 100,000 refugees fled to neighboring Chad. To the extent that Sudan's reintegration with the international community depends on a resolution of its brutal conflicts, an end to attacks on civilians in Darfour has to be part of the equation. The Bush administration should step up its pressure on Sudan to end immediately obstruction of humanitarian aid efforts, to order its forces and allied militias (known as the Janjaweed) to protect civilians and allow them safe passage to Chad, to ground aircraft that have been used to bomb civilians indiscriminately, and to stop arming and otherwise supporting the Janjaweed militias.

The human rights reports appropriately condemn the government of *Burma* for continuing its brutal repression of the Burmese people, from the imprisonment of at least 1,300 political opponents, to a systematic campaign of rape against ethnic minority civilians, to the forced recruitment of child soldiers, to last year's premeditated attack on opposition leader Aung San Suu Kyi, which left, in the State Department's words, several hundred opposition members "missing, under arrest, wounded, raped, or dead."

It is vital that the administration and the Congress maintain a tough policy of sanctions until there is meaningful progress towards democracy and human rights in Burma. By meaningful, I mean more than the unfulfilled promises contained in road maps that have been announced by the Burmese government, and which so far have led nowhere. And I mean more than the release of one person, Aung San Suu Kyi, from house arrest, which, while much needed, is something we have seen before and which would change nothing. It is that tough policy, backed by coordinated pressure from other countries and the United Nations, that has prompted the few efforts the Burmese government has made to engage with the international community and its few gestures of compromise.

The administration also needs to get tough with Burma's neighbor *Thailand*, which has stepped backwards in its progress towards full democracy, and become the chief defender of Burma's repressive government on the international stage. The United States needs to press Thailand not to push Burmese refugees back to their country, and to remain an example of political pluralism and free expression for all its neighbors.

The human rights reports also rightly note that the people of *Colombia* continue to be terrorized by two illegal armed groups, the FARC guerillas and the AUC paramilitary organization, and that the Colombian military has still not severed its longstanding ties to the AUC. The Colombian government is currently engaged in peace talks with the AUC. It is vital that the United States send a clear and consistent message that any peace agreement with this group or with the FARC not permit leaders guilty of atrocities against civilians (many of whom have been named as ter-

rorists and drug traffickers by the U.S. government) to escape punishment. The Colombia chapter of the human rights reports also rightly record hundreds of human rights investigations that saw “no progress” in 2003, a clear failing of a key institution in Colombia, the office of the Attorney General. This institution is the backbone of President Uribe’s efforts to restore order in Colombia by getting criminals off the streets and in jail. Human Rights Watch has documented a clear pattern of the obstruction of cases involving allegations against narco-terrorists in paramilitary groups, often working in collusion with corrupt security force officers. Over the last several months, Colombia has been rocked by scandal after scandal involving direct paramilitary infiltration of the Attorney General’s office—something the State Department reports regrettably do not mention. This is an issue the Department must take up with the Colombian government at the highest levels.

The most ambitious challenge laid out by the human rights reports is one that I want to focus on as well today, Mr. Chairman. It is the challenge of promoting more open and democratic government, with greater respect for human rights, in the *Middle East*.

Until very recently, the United States simply did not make the denial of basic freedoms in this region of the world an issue with its partners there. President Bush has rightly recognized that such a policy is both morally wrong and strategically unsustainable. So long as hundreds of millions of people in the Muslim world are denied peaceful avenues for expressing their grievances, some inevitably will be drawn to movements that express themselves violently. So long as governments in the region shut down non-violent dissent, moderate forces will be stymied and those who preach intolerance in the shadows will be strengthened. The administration deserves enormous credit for recognizing this, and for seeking to end the Middle East exception to American human rights promotion around the world. If some leaders in the region, including Egypt’s Hosni Mubarak, have reacted with dismay to the administration’s strategy, that is an argument in its favor.

The administration is also right to liken this effort in the Middle East to the struggle for human rights in central and eastern Europe during the Cold War. The goal is just as far reaching and important. But there also are important differences in the nature of the challenge that need to be seriously considered as the effort is launched.

During the Cold War, the United States was seen by people from Estonia to Poland to Romania as a leader, as a friend, and as a champion of their democratic aspirations. There was no anti-Americanism in the region that communist governments could exploit to rally their people against American interference. In fact, most people eagerly wanted the United States to interfere. And so, America found in these countries movements for change that welcomed U.S. support, and that used it effectively to further shared aims. And once these movements succeeded in transforming their countries, they moved towards both democracy and friendship with the United States.

In the Arab world today, the situation is different. Right now, very few people in this vast region see the United States as a credible champion of their hopes and dreams. Very few welcomed President Bush’s eloquent speeches about democracy in the Middle East—in fact, most greeted his words with cynicism.

This is not because most Arabs somehow want to live in repressive societies. Earlier this year, the PEW foundation surveyed public attitudes in a number of Middle Eastern Countries and found that the vast majority of people in this region want desperately to live in societies where people can speak their minds, and choose their governments in free elections, and get fair justice in independent courts. Most are “small-d” democrats. But when the same people are asked, “do you like American ideas about democracy?” the same people, by similar majorities, say “no.” They no longer associate the United States with the values it preaches.

This could spell disaster for any American strategy to promote democracy in the region. It alienates the United States from the very people—the dissidents and activists and scholars and journalists—who should be its natural allies in promoting change. It enables repressive governments to redirect their people’s anger away from themselves and towards the United States.

Of course, the roots of this resentment of the United States are complex. Some of the reasons are not entirely rational. Some have to do with America’s unmatched military, political and cultural power, and there is little the United States can do about that. But there are other more legitimate and understandable reasons for resentment that can and must be addressed if the strategy President Bush has announced is to succeed.

The first factor, of course, is the Israeli-Palestinian conflict, which is of profound concern to people across the Arab world. I don’t believe that the United States will ever be able to promote effectively human rights and democracy in Muslim countries

unless it is seen to be making an all out effort to resolve that conflict, championing the rights and dignity of Palestinians and Israelis alike. The State Department human rights reports are relatively candid in describing human rights violations and the suffering of civilians on both sides. But once again, this is one of those things that needs to be sustained 365 days a year.

A second problem that must be overcome is the perfectly accurate perception in the region that the United States, while talking about democracy and human rights, has remained close to some of the most repressive governments in the Middle East. President Bush and Secretary Powell can change that only by reviewing every relationship the United States maintains in the region, making sure that decisions about aid and bases and security cooperation are made with human rights considerations in mind, and raising these issues both privately and publicly whenever they meet with Arab leaders.

Last month, Tunisian President Ben Ali visited Washington. *Tunisia* is one of the most modern countries in the Arab world—one that has made relatively great strides in both economic reform and in advancing the rights of women. But the government still rules with an iron hand, intolerant of political dissent and opposition. President Bush and the State Department delivered a fairly strong message to President Ben Ali on the need for political reform and tolerance of dissent. That was a good start, and a good sign. Now there needs to be follow through—with clear expectations and consequences for the relationship if expectations are not met.

On April 12, Egyptian President Mubarak will also visit Washington. I hope that members of this Committee will join in urging President Bush to be at least as clear with *Egypt* about the need for change as he was with Tunisia. Over the past few years, as the State Department has reported, Egypt has repeatedly and harshly suppressed efforts by its people to promote more open, democratic government. It has arrested and brutally mistreated peaceful anti-war activists. As a recent report by Human Rights Watch documented, it has waged an unrelenting campaign of arrest and torture against men suspected of consensual homosexual conduct. Egypt is a leader in the Arab world; the most populous country in the region. Democratic change in Egypt can come only if its people lead the way. But a consistent and principled message from the United States would aid those working peacefully for change, while showing democratic activists throughout the Arab world that the United States is now truly on their side.

A third challenge for the United States in regaining its authority as a champion of freedom in the Middle East is to lead by example at home. Throughout American history, this has been the greatest contribution the United States has made to the struggle for democracy around the world—by serving as a beacon and as a model of a society where the power of government to limit the freedom of its people is itself limited by law.

That image of America has without question eroded around the world, and particularly in the Middle East, since September 11, 2001, because of issues like the long-term detention without charge of suspected terrorists—both foreign nationals from the Arab world and American citizens—in Guantanamo and elsewhere, as well as the rendition of suspects to countries in the Middle East that the State Department reports accuse of systematic torture. Mr. Chairman, these are difficult, and controversial subjects, involving both American constitutional and international law. Some will be taken up this year by the Supreme Court, and I will not try to adjudicate them before this committee.

But I will try to convince you of two things: Number one, these controversies involve the most fundamental issue in any democracy—how much power can we trust our government to have, and what are the checks against that power? Number two, how these questions are settled will have a huge impact around the world, including on America's ability to champion the rule of law, especially in the Middle East.

When I speak to democratic activists in the region, they bring up these issues constantly. How can America tell our leaders convincingly not to lock people up without trial or charge, they ask, when your government is asserting the right to do the same thing to suspected terrorists at home? Is it enough for the leader of a country to call someone a terrorist to have them imprisoned without due process or judicial review? Remember, they say, leaders in our part of the world, like Hosni Mubarak of Egypt, always accuse their political opponents of being terrorists.

Already, these problems seem to be having some impact on American efforts to promote human rights overseas. We have been told by U.S. diplomats in Malaysia that they "can't really say much" about the indefinite detention of government opponents in that country because of Guantanamo. A State Department spokesman recently modified his call to release or charge opposition activists arrested in Azerbaijan after a reporter asked if that principle applied to detainees in U.S. custody as well.

Last year, I attended a meeting between Deputy Defense Secretary Paul Wolfowitz and a renowned Arab advocate of democracy, a man who admires the United States and who was taking a risk at home merely by meeting a Bush administration official. This brave dissident expressed gratitude for President Bush's commitment to democracy in the Muslim world. But he also pleaded with Secretary Wolfowitz not to make compromises in America's own fight against terrorism that would undermine its campaign for liberty in the Middle East. "Every dictator in the region wants to point to America's example as an excuse to crack down on dissent," he said.

Whether we agree with the President's policies or not, Mr. Chairman, we have to take that warning seriously when it is coming from those on the front lines of the struggle for human rights and democracy in the Middle East. As we make decisions on these complex matters, we have to take into account the impact those decisions will have on America's ability to champion democratic values around the world.

The fundamental point is that we need the moral clarity that is provided by these State Department human rights reports and by the efforts of the President and the State Department to condemn human rights abuses throughout the year. But the United States needs to project more than moral clarity—it must maintain moral authority to promote a more humane and democratic world. That requires consistent leadership abroad and a sterling example at home.

Mr. TANCREDO. Thank you very much, Mr. Malinowski.
Ms. Windsor.

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

Ms. WINDSOR. Great. Mr. Chairman and Members of the Committee, thank you for inviting me to testify today, and I would request that my written testimony and supporting materials be entered into the record.

Mr. TANCREDO. Without objection.

Ms. WINDSOR. Freedom House welcomes the release of the State Department's latest annual report on the state of global human rights. We commend Assistant Secretary Craner and his bureau for producing a hard-hitting assessment of human rights, even in countries that are our friends and allies.

The information contained in the report tends, in large part, to reinforce the findings of our own global assessment of human rights that Freedom House produces each year. We have found that even in the midst of global terrorism and international efforts to fight it, freedom and democracy continue to make overall progress worldwide in 2003. However, too many people still live under dictatorial regimes.

The largest freedom gap exists in countries with a majority Muslim population, especially in the Arab world. Arab societies represent half of the eight countries we rate as worst of the worst, those who are given the lowest possible score for political rights and civil liberties, and they include Libya, Saudi Arabia, Sudan, and Syria. The remaining four include Burma, Cuba, North Korea, and Turkmenistan, and two territories, that of Chechnya and Tibet. I have brought with me today a copy of our newly published report on the world's most repressive societies that we will be bringing to Geneva with us in just a few weeks, and I would ask that it be distributed to Members of the Committee.

Freedom House also commends the Administration for having made the promotion of democracy a central tenet of its foreign policy. However, the success or failure of this policy will be determined by how rigorously it is implemented, especially in the case of U.S.

Allies. Prominent among the hardest cases is Russia. We would like to congratulate the State Department for this year's unflinching assessment of conditions in Russia. We applaud Secretary Powell's recent critical comments about the democratic deterioration that has occurred in that country. However, we think the Administration needs to have a more active strategy to address the situation.

This is a critical moment for Russian democracy. In less than a week, Russians will go to the polls in a presidential election that Freedom House has concluded will be neither free nor fair nor competitive in any meaningful sense. Freedom House has been concerned about the future of freedom in Russia since the beginnings of the Putin government. We have taken note as the government, step by step, has narrowed the space of democratic freedom in one area of society after another. Last year, for the first time since the fall of the Soviet Union, Freedom House gave Russia a press-freedom rating of not free. We have also made the decision to remove Russia from a list of electoral democracies, and if a further constriction of freedom happens, Russia may well be downgraded into the not-free category.

The trend toward authoritarianism in Russia has both regional and international repercussions. As a permanent member of the U.N. Security Council, Russia wields immense influence over that body's affairs. In recent years, Russia has served as an obstacle to the fulfillment of the U.N.'s human rights mission by joining with outright dictatorships to block resolutions that call to account governments that systemically violate fundamental human rights.

Russia's domestic policy also has implications for democracies throughout the region. It is unlikely that we will see a movement toward democratic reform in Belarus, a country ruled by Europe's most repressive regime, if Russia is moving to control the press and smother its own political opposition. Similarly, the Russia example is certain to exert a negative influence over developments in Ukraine, a country whose already fragile democratic freedoms are in increased jeopardy.

Next, I would like to mention the case of Azerbaijan, where the State report accurately captured the absence of basic freedoms and the degree of outright repression in that country. The lack of basic democratic rights was made vivid during this past year's presidential election, which was marked by blatant fraud. There was also an appalling crackdown on the political opposition in the weeks following the election.

The U.S. Government has been strangely silent as the new President tightens his authoritarian grip over the country. Given that the United States has forged a strategic alliance with Azerbaijan, we should use our influence to promote political reform in that country. Instead, we have done just the opposite. In December, just weeks after President Bush's commendable speech to the NED on the importance of democracy to the security of America, Secretary of Defense Donald Rumsfeld visited that country and uttered not a word about the deplorable elections and crackdown on political opposition.

Finally, I would like to turn to the case of Egypt. If the United States is serious about pursuing a policy that seeks to further

democratic change in the Middle East, then change in Egypt, I would argue, is essential. If Egypt should continue to resist democratic reform, as it has to date, this will seriously set back the cause of democracy in the Middle East. We have welcomed the Administration's new commitment to promote democracy in the Middle East; however, we have been, frankly, disappointed that the new direction has apparently not yet had an impact on United States Government policy toward Egypt.

We were particularly disappointed that Deputy Secretary Armitage, in January, praised President Mubarak as a "partner" who is "intent" on leading the region's search for democracy. The last 20 years of rule have made it abundantly clear that President Mubarak is committed to holding on power at all costs. Meanwhile, the United States continues to provide the government of Egypt with veto power over the millions of taxpayer dollars we provide to that country each year. It is our sincere hope that when President Bush meets with President Mubarak next month, that he will use our considerable leverage over that country to encourage genuine political reform.

In conclusion, I would like to thank the State Department for its fine work in putting together this year's *Human Rights Reports*, but we urge the U.S. Government to prove that its stated commitment to the promotion of freedom is more than rhetoric and that it is willing to change its policies and its programs to encourage democratic progress, especially in those countries that we see as strategic allies. Only then will the promise of global freedom become a reality. Thank you.

[The prepared statement of Ms. Windsor follows:]

PREPARED STATEMENT OF JENNIFER 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.

Freedom House has participated in a number of assessments of the State Department's annual human rights report. As in the past, the current edition is notable for its thoroughness, its comprehensive nature, and the accuracy of its reporting. Although we may have nuanced differences with the report's findings and interpretations, we regard it as a credible document. We commend the State Department for its hard-hitting assessment of human rights, even in countries that are our friends and allies.

The information contained in the report tends in large part to reinforce the findings of our own global assessment of human rights. As you know, 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.

According to our last survey, while almost half of the world's population lives in Free societies, there are still 49 countries rated Not Free, representing 2.2 billion people, or 35% of the world's population. China alone accounts for 50 percent of the total number of people living in Not Free societies.

Even in the midst of global terrorism and international efforts to fight it, freedom and democracy continued to make overall progress worldwide in 2003. Most gains, however, have been made in regions from which global terrorism does not normally emanate, such as Central and Eastern Europe and East Asia. Freedom is still lagging in the Middle East, North Africa, and Central Asia, where certain regimes continue to use counter-terrorism to justify the stifling of dissent.

The largest freedom gap exists in countries with a majority Muslim population, especially in the Arab world. Arab societies represent half of the 8 countries we rate as "worst of the worst"—those who were given the lowest possible numerical ratings for political rights and civil liberties: Libya, Saudi Arabia, Sudan, Syria. The re-

maining four include Burma, Cuba, North Korea and Turkmenistan. Two territories, Chechnya (Russia) and Tibet (China), also received the worst ratings.

Freedom House also commends the Administration for having made the promotion of democracy a centerpiece of its foreign policy. Freedom House has long advocated the incorporation of democracy promotion as a core value of U.S. policy.

But as we give credit to the Administration for its recognition of democracy's central importance to the creation of a peaceful, stable, and humane world, we also understand that the success or failure of this policy will be determined by how rigorously it is implemented in the hardest cases. Unfortunately, the U.S. too often has not consistently translated the findings of its annual human rights report into the realities of policies and programs, especially with regard to our allies.

Prominent among the hardest cases is Russia. We would like to congratulate the State Department for this year's unflinching assessment of conditions in Russia.

This is a critical moment for Russian democracy. In less than a week, Russians will go to the polls in a presidential election that Freedom House has concluded will be neither free nor fair, nor competitive in any meaningful sense.

Freedom House has been concerned about the future of freedom in Russia since the beginning of the Putin government. We have taken note as the Putin government, step by step, has narrowed the space of democratic freedom in one area of society after another. Next week's election will amount to little more than a travesty of a genuine electoral exercise. Through a process that involved the disqualification of candidates, the withdrawal of candidates under pressure from the Putin administration, and the co-optation of other candidates, the field has been narrowed to the incumbent, President Putin, and a collection of little known, token opponents. To compound the problem, the Russian media, which is either directly controlled by the state or heavily influenced by the government, have ignored the opposition while giving extensive and uncritical coverage of President Putin. Under these circumstances, the Russian people have no real democratic choice in the election. We fully expect President Putin to win reelection with a majority vote that bears disturbing similarities to the automatic majorities rolled up by Communist Party leaders in the time of the Soviet Union.

Last year, for the first time since the fall of the Soviet Union, Freedom House gave Russia a press freedom rating of Not Free. We have also made the decision to remove Russia from the list of electoral democracies. We have done so because of the many actions taken by the Putin government to prevent genuine competition in either the election for the presidency or for parliament. If a further constriction of freedom happens in this country, Russia may well be downgraded into the Not Free category in our freedom survey.

Among specific issues that concern Freedom House are the following:

- The expanding influence of former members of the security apparatus at all levels of government;
- The singling out of opponents of the Putin government for criminal prosecution on questionable tax or corruption charges;
- The elimination of all independent television networks;
- The intimidation and even criminal prosecution of investigative journalists whose reports have criticized officials or policies of the Putin administration, and the murder of independent journalists in the Russian provinces;
- The continued persecution of the Chechen people and the refusal to grant Chechens a semblance of genuine autonomy.

Freedom House is especially concerned about the government's apparent determination to close off, shut down, or limit voices of criticism or opposition. In addition to its measures against an independent media, the government has taken steps to close off other sources of alternative opinion. Of particular concern was the government takeover of the All Union Institute on Public Opinion, a highly respected think tank that published a series of polls showing dwindling support for the war in Chechnya and majority support for a negotiated settlement.

The picture in Russia is not entirely bleak. The Putin government has taken some measures to reduce the country's endemic corruption. Russia has also been the target of a series of horrific terrorist attacks, presumably by Chechen sources, in recent years. But the overall situation is one of a steady shrinking of democratic rights over the span of recent years, and an acceleration of anti-democratic trends under Putin.

Russia is an important country, and its lurch towards authoritarianism will have regional and international repercussions. As a permanent member of the UN Security Council, Russia wields immense influence over that body's affairs. In recent years, Russia has served as an obstacle to the fulfillment of the UN's human rights

mission by joining with outright dictatorships to block resolutions that call to account governments that systematically violate fundamental human rights. If current trends are not reversed, we can anticipate that Russia will continue to play an obstructionist role.

Russia's domestic policies also have implications for democracy throughout the region. It is unlikely that we will see a movement towards democratic reform in Belarus, a country ruled by Europe's most repressive regime, if Russia is moving to control the press and smother the political opposition. Similarly, the Russian example is certain to exert a negative influence over developments in Ukraine, a country where already fragile democratic freedoms are in increased jeopardy.

Freedom House has criticized this Administration for its failure to speak out against the deterioration of democracy in Russia. However, we were heartened by Secretary Powell's strong statement on the threats to Russian democracy that was published in *Izvestiya*. We urge the Administration to follow up on the sentiments expressed in that statement by making a concern for freedom a more central part of our policy towards Russia.

Another country of particular interest to Freedom House is Azerbaijan. Again, this year's report accurately captured the unacceptable violations of basic human rights that have been perpetrated by the government of Ilham Aliyev.

Azerbaijan shares many of the problems that plague Russia, except that in Azerbaijan's case, the absence of basic freedoms and the degree of outright repression is far more pronounced. The lack of basic democratic rights was made vivid during this past year's presidential election.

The election was marked by the blatant fraud, including ballot stuffing, according to international monitoring organizations. At the same time, opposition candidates were prevented from reaching the public with their programs due to state domination of the print and broadcast media, either directly through state ownership or indirectly through effective control by relatives or allies of the leadership.

There was also an appalling crackdown on the political opposition in the weeks following the election. This included brutal tactics by the police during demonstrations called to protest the undemocratic nature of the elections as well the arrest of opposition leaders who did not participate in the demonstrations. The number of political prisoners held in the wake of the election may have reached as high as 700.

The United States has forged a strategic alliance with Azerbaijan. The U.S. government should use its influence to promote political reform in that country. Unfortunately, it has yet to do so. In December, just weeks after President Bush's commendable speech on the importance of democracy to the security of America, Secretary of Defense Donald Rumsfeld visited that country, and uttered not a word about the deplorable elections and crackdown on political opposition that has occurred. The U.S. government has been strangely silent as the new President tightens his authoritarian grip on that country.

Freedom House is also concerned about developments in Egypt.

Because of its size, its strategic location, and its historic role as a leading power in the Arab world, Egypt ranks as one of the Middle East's most important countries. If the United States is serious about pursuing a policy that seeks to further democratic change in the Middle East, then change in Egypt is essential. If Egypt registers democratic gains, then the prospects for progress in the rest of the region will be significantly enhanced. But if Egypt should continue to resist democratic reform, this will seriously set back the cause of democracy in the Middle East.

During the past year, Freedom House did take note of some positive developments. State security courts and hard labor prison sentences were abolished. The government opened wide-ranging discussions with legal opposition parties. There were also signs of a more tolerant attitude towards the airing of previously taboo subjects.

Unfortunately, this modest bit of good news was overshadowed by the failure to address the core nature of the country's anti-democratic policies. Egypt is a country in which citizens do not enjoy genuine political choice, do not have access to a free press, and are subject to persecution and torture for expressing opinions that challenge government policy.

As is the case in many other authoritarian countries, a critical issue is the absence of press freedom. Egypt has assembled a constellation of laws and regulations that can be mobilized to silence any reporting or commentary that is critical of the president, his family, or the political leadership. A journalist who violates the unwritten restrictions on news coverage can be imprisoned and his newspaper shut down. Of course, the government seldom finds it necessary to punish journalists, since it controls, directly or indirectly, the leading television stations, radio stations, and newspapers.

Egypt further restricts freedom of expression through rules that control the existence of independent NGOs and think tanks. Freedom House is especially concerned about this issue because of our admiration for Dr. Saad Eddin Ibrahim and his think tank, the Ibn Khaldun Center. Although we are pleased that the criminal case against Dr. Ibrahim was dropped, we are disturbed by reports of continuing harassment directed at him and other independent minded scholars.

Finally, we are concerned about reports of widespread torture practiced by the authorities against political opponents. Although Egypt has in the past suffered violence at the hands of political and religious extremists, there is strong evidence that today the authorities are exploiting international concern over Islamic terrorism to justify the brutal treatment of non-violent critics of government policy.

Freedom House has welcomed the Administration's new commitments to promote democracy in the Middle East. However, we have been disappointed that the new direction has apparently not yet had an impact on the U.S. government's policy towards Egypt. We were particularly disappointed that Deputy Secretary Armitage in January praised President Mubarak as a "partner" who is "intent" on leading the region's search for democracy. The last twenty years of rule have made it abundantly clear that President Mubarak is committed to holding onto power at all costs, including violations of fundamental human rights. Meanwhile, the U.S. continues to provide the government of Egypt with veto power over the millions of taxpayer dollars we provide to that country each year. It is our sincere hope that when President Bush meets with President Mubarak later this month that he will use our considerable leverage over that country to encourage genuine political reform.

In conclusion, I would like to thank the State Department for its fine work in putting together the human rights report. But we urge the U.S. government to prove that its stated commitment to the promotion of freedom is more than rhetoric, and that it is willing to change its policies and programs to encourage democratic progress, especially in those countries that we see as strategic allies. Only then will the promise of global freedom become a reality.

Mr. TANCREDO. Thank you very much, both of you, for, I think, very enlightening testimony.

Mr. Malinowski and, actually, Ms. Windsor also, but, Mr. Malinowski, you noted in your testimony that you recognized that there were strategic goals that our country has that necessitate at least taking them into consideration when we are talking about human rights issues in certain countries, and I wonder what are they specifically. From the way you addressed it, you made me feel, anyway, that you believe that they were justified, at least to some extent. For both of you, I guess, the best way to put this is, are there any strategic goals of the country that you think are important enough for us to adjust our human rights policy vis-a-vis some country that we are trying to influence?

Mr. MALINOWSKI. Well, I am a realist. I wouldn't deny that the United States has strategic interests other than the promotion of human rights. Take the examples of Uzbekistan and Pakistan, which I mentioned. After September 11th, clearly, the United States needed a staging ground for engaging militarily in Afghanistan, and it would have been rather difficult to do that without the cooperation of Pakistan and Uzbekistan, which border Afghanistan. I recognize that.

At the same time, that should not be a reason to diminish our concern about human rights violations in those countries. In fact, I would argue strongly that what happened to our country on 9/11 is an added argument for concern about the denial of basic liberties in those countries in the Islamic world.

One of the root causes, clearly, of what hit us on September 11th was the fact that there is this immense part of the world in which hundreds of millions of people have absolutely no peaceful, legitimate, democratic options for expressing their disagreement with

their governments, for expressing their frustrations, for practicing their faith, even, in some places like Uzbekistan.

Mr. TANCREDO. How did that evolve into a decision to attack the United States?

Mr. MALINOWSKI. It evolved into the creation of this movement which exists and thrives in the shadows. Look, for example, at what has happened in recent elections in Pakistan. You have a government in Pakistan, led by General Musharraf, which, because of its nature, because of its authoritarian nature, is particularly threatened, not so much until very recently when he was almost assassinated by these radical elements, not so much in the past by these radical movements but primarily by the more moderate, secular, democratic opposition in that country. That was the primary threat to General Musharraf. So he cracked down on that opposition, to the point where when they held elections, the vote for that opposition was completely suppressed, and who benefitted? The most radical Islamist elements.

Al-Qaeda doesn't need human rights to thrive. It doesn't need an open society. It doesn't need free speech to be able to thrive. People who need those conditions to be able to succeed and thrive are precisely the people who are most likely to be friendly to the United States, the more moderate, secular, democratic movements in these countries, which are precisely the movements that have been suppressed by authoritarianism over the last 30 or 40 years.

Mr. TANCREDO. Ms. Windsor.

Ms. WINDSOR. Well, I agree, in large part, with what Tom has said. I will just say a couple of things in addition.

One is that Freedom House, in our survey of freedom around the world, we are looking at governments' infringements on the freedoms of their own populations but nonstate actors as well, and that translates, in this day and age, into really being concerned about what the influence of terrorists and terrorism has on the freedom within a number of societies, not just our own but, frankly, in a lot of these countries which have been the victims of a number of attacks.

So we see the fight against terrorism actually as a fight for human rights and democracy because, by addressing a lot of these groups and getting rid of them, you are removing a large threat, we think, to freedom itself and to the practice of human rights, and certainly the secular democratic opposition within a lot of these countries have been the target of these extremists themselves, so I think that it will have a direct benefit.

The question is, can we do it in such a way that we don't actually lead to the violation of human rights? And what we have seen is, not unpredictably, a number of regimes wanting to manipulate terrorism in order to really crack down on any kind of opposition to their own regime, and we just need to call it when we see it and not let other countries get away with it. I think that would just be helpful.

I also am a realist about that, and I think what is important, having spent a number of years in the U.S. Government, is that at least democracy and human rights concerns be at the table. They don't have to prevail, but somebody should be thinking about what the implications might be for democracy and human rights so

that they are at least part of the overall judgment in terms of how we behave toward a country.

I also wanted to follow up on this issue of why is there resentment against the United States, and I have written some about this and thought about it a lot. I think that there are two reasons. One is that there is, obviously, particularly in the Middle East, a clear manipulation of the media in those countries. They are deflecting criticism against their own regime quite deliberately at the United States as the cause of the problem. It is the U.S. economic power or military power that is somehow causing their own population to suffer, and I think, because of the lack of press freedom, they have been able to do that quite effectively.

And, second, I just think that if the U.S. doesn't speak out against repressive regimes in a public way, we become linked to them in some way or the other, and that helps to breed resentment against the United States. And so, therefore, I think more public denunciations of human rights violations can help counter some of the anti-Americanism.

Mr. TANCREDO. Thank you. Thank you both very much. I have some other questions, but I am going to go to Mr. Sherman here for his first round.

Mr. SHERMAN. Thank you, Mr. Chairman.

First, I would like unanimous consent, acting on behalf of my good friend, Bill Delahunt of Massachusetts, to enter into the record the statement of the Director of Government Relations of Amnesty International. There are parts of this statement that I actually disagree with. Although I am a dues-paying member, they don't always do what I ask them to do, but I would like to put it in the record.

Mr. TANCREDO. Without objection.

[The information referred to was not received prior to printing.]

Mr. SHERMAN. I am for democracy. I am for human rights, but even when I am for something, I don't claim it cures tooth decay or makes chocolate taste better, and there is an effort by the human rights community to say human rights and democracy cures terrorism and that terrorism arises because people can't express themselves any other way. Keep in mind, a significant number of those who killed as many Americans as they could on September 11th were residing in Germany, were residing in Britain, that many of those who went to train in Afghanistan were residing in European societies, and their chief frustration wasn't that Germany isn't democratic but, rather, that they couldn't install Sharia in Germany and a Sharia of the type that they wanted.

A large number of terrorists have come from the Muslim community of India, striking either at India or at the United States. Timothy McVeigh had no particular reason to think that he didn't have enough democracy. His concern was he hated equal treatment for all Americans. And the Sarin gas on the subway in Tokyo was not spread by those who were denied democracy.

Are you just saying that democracy cures terrorism because you are for democracy? I mean, you are not here to say democracy cures tooth decay.

Mr. MALINOWSKI. Actually, I am not even here to say democracy cures terrorism, and thank you for giving me the opportunity to sound a bit less simplistic. If I did at first, I apologize.

Clearly, there is a group of people around the world who want to kill each and every one of us and would want to kill each and every one of us, you know, even if we succeeded in transforming the entire Middle East.

Mr. SHERMAN. I think they might want to kill us because we are trying. The Bin Laden platform is restore the 11th century in Afghanistan. One woman, one vote, is not part of that platform, and anyone who advocates that is marked for murder.

Mr. MALINOWSKI. Nevertheless, I did think it was interesting and at least worth noting, after September 11th, if you look at the nationality of those people who flew those planes, they did not come from those countries in the Arab world that have moved gradually toward greater liberalization from the Bahraains, from the Qatars, from Kuwait. They came largely from Saudi Arabia, from Egypt, from the countries that have been most oppressive in shutting down dissent.

Mr. SHERMAN. Well, the population of Qatar is not large, and I believe that we did encounter in the training camps nationals from Kuwait, nationals from Qatar. The fact that Bin Laden didn't choose them for Mission Number One doesn't mean they weren't ready to die for Bin Laden; he just didn't have them do it.

Mr. MALINOWSKI. Perhaps. I think there is some correlation, which doesn't explain the entire phenomenon but which is important.

Then the second question is, what do we do about it? And the question is, can you ultimately win, or come close to winning, a war on terrorism that originates in this part of the world so long as these countries continue to churn out these radical, shadowy movements, which I believe, based on our historical experience, do tend to thrive and do tend to emerge, are more likely to emerge, from societies in which civil society cannot emerge.

Mr. SHERMAN. If the Northwest Frontier Province were an independent country, wouldn't Bin Laden win the election?

Mr. MALINOWSKI. Bin Laden would probably win an election in quite a few Middle Eastern countries, but we are not just talking about elections, Mr. Sherman; we are talking about building societies in which people have the right to form societies of their own, to worship freely, to form political parties. Again, if you look at countries in the Middle East that have moved in that direction, and I am sure that you agree with me that it would be a good thing for more countries to move in that direction, we have had more success in dealing with this problem.

Mr. SHERMAN. Let me move on to another line of questioning, and that is, the Bush Administration has told us that the key to low-priced gasoline and an end to the conflict between the Arabs and Israelis is to get a democracy in the Middle East. With the exception of conquering Iraq, can you identify any substantial action that the Administration has taken, and I will put aside just one thing, and that is the radio broadcasting, which I think is good—other than the radio broadcasting and the invasion of Iraq, is there

anything else on the list of Administration actions that will substantially promote democracy in the Arab world?

Mr. MALINOWSKI. I think we should probably both take that. I would say they have moved from zero to 10. We ought to be moving from zero to 80 or 100, but we started with nothing.

Mr. SHERMAN. So other than the radio stations and the invasion of Iraq—

Mr. MALINOWSKI. Well, there is the Middle East Partnership Initiative, which is up to \$200 million, I think, now of grants and support for people in the region who are working on these things, exchanges, training programs, which are soft and not very threatening but still a very good thing. There is the broadcasting. We are beginning to see these issues raised in the bilateral diplomacy, which is something that the United States has done with countries throughout the world, except for the Middle East.

Mr. SHERMAN. I was told by the Clinton Administration that they were raising these issues in the Middle East as well, particularly the interests of the Coptic Christians in Egypt, but—

Mr. MALINOWSKI. I have to say, having been there, it was simply not a major issue—

Mr. SHERMAN. So you think that this Administration is doing more for the Cops, the Coptic Christians,—I want that to appear on the record correctly—it is not a police issue.

Mr. MALINOWSKI. I am willing to say, as someone who served in the last Administration, that it is more, but it is not nearly enough. I want to give credit where credit is due, but I think it is baby steps where we need much greater steps.

Mr. SHERMAN. I would just ask Ms. Windsor.

Ms. WINDSOR. Yes. Well, if I could just quickly address the terrorism issue, though you can't do it very quickly, I don't think that we can say that the lack of democracy causes terrorism, just like we can't say that poverty causes terrorism. Those kind of simple relationships really don't help to explain it.

I would add to this, and we do quite a bit of thinking about this within Freedom House, that extremist ideologies, either religious or not, seem to actually come up with remarkably the same patterns, and there are some very interesting arguments and analyses that I have seen that says that a lot of the arguments that are being put forward by the Muslim Brotherhood, in fact, originated amongst some of the terrorist groups, fascist and other, in Italy. So I think that maybe explains the masterminds of terrorism.

I think the issue is, at least for me and the connection to democracy, is that of the recruits. Why do we have so many people that are willing to go and blow themselves up? And that, I think, is, frankly, they don't seem to have an alternative. What role does democracy play in that?

Mr. SHERMAN. When you say an "alternative," an alternative to live a happy, nonpolitical life or a methodology of achieving their political aims without using bombs?

Ms. WINDSOR. Both.

Mr. SHERMAN. Because the Saudis, and there were 15 of them on those planes, they certainly could have lived middle-class or upper-class lives far beyond the average person on this planet. You have got four or five billion people, maybe six billion, you have got at

least five billion people on this planet who live worse lives than those Saudis could have lived, so the poverty ain't the answer there.

Ms. WINDSOR. Well, we could have an discussion on that, but I think that usually what motivates people to action is their source of relative well being relative to other people next to them, and I would actually argue that, again, I am not an expert on Saudi Arabia, that what you have seen is actually restriction in the wealth that has been available and distributed not necessarily among the royal family but perhaps the sort of outskirts of the royal family, and so they haven't had as much goodies to sort of give out.

Second, I would say that there is a sense in all of us when there is a lot of change in the world, and you have a globalization of information and life, what do you believe in, and people are looking for something to believe in, and here is a ready-made, simplistic sense of if you follow this, this is going to make a better life, and I think that that has been a tremendously powerful alternative, and I think that we can say that democracy, not alone, but certainly could make governments that are more accountable, more legitimate, and more responsive to the needs of their own population, and I think that would help to at least reduce the recruits of terrorism. I know that it perhaps is too soft, but I think it is an important complement to a strategy that is primarily related to militarily conquering terrorists.

On the second thing, in terms of what the Administration has done, I will credit the MEPI, and, again, I used to work for USAID, so I can tell you that there are very few resources going to actually promote civil-society groups, free media, et cetera, and I think the fact that more resources are being made available can make a difference if those resources are actually strategically utilized, and I think some of the initial grants that have been made are encouraging.

I am still skeptical as to whether the Administration is really ready to go the next step with the additional resources in terms of where it is going to put money, and I think that that money can only be effective if it is also accompanied by policy dialogue with the government. Again, I have seen a lot of democracy assistance that has been great projects, but if one part of the U.S. Government is telling that government that it doesn't really matter what they do in their judicial system; you have just go to get the bad guys in any way that you can, that is going to drown out whatever voices that our money can give to civil society and the media.

And I do think that, while it has not been enough, the comments of the President of the United States about human rights in Tunisia were remarkable, not enough but remarkable.

And then I would last say that, while I criticize the Administration on Egypt, the fact is that this Administration did weigh in quite forcefully in the Saad Eddin Ibrahim, and they were successful. They were actually willing to withhold some money to the Egyptian government. Granted, it was new money and not the additional money, but it got the Egyptian government's attention.

The last thing I would say is, actually, don't believe that governments don't really care about this because Freedom House criteria are now being used in determining Millennium Challenge Account

recipients. I have probably met with 20 government officials, including a number of from the Middle East, who come to find out exactly what we think is wrong with them and what they can do to make some gains. They don't have to come to us. We are not the U.S. Government, but they clearly want to try to state their case. Now, it remains to be seen whether it is just rhetoric and sort of political liberalization without real change, but I see it as an encouraging sign.

Mr. TANCREDO. I think that this discussion has been really quite interesting and rewarding in many ways, certainly elucidative of this situation. So, therefore, I would like to continue a little bit. I know that it is getting a little bit late, but some of your comments have certainly prompted some thoughts on my part.

Let us go to this issue of terrorism, the underpinnings of it, the genesis of it. If, in fact, this were a new phenomenon, we could then, I think, look at everything that is happening today around the world and try to draw some conclusion as to exactly what is causing it. Of course, it is not, especially Islamic terrorism. This is nothing really new at all. Now, we have had periods over many centuries, really, of large numbers of terrorist movements within Islam, I would say, and then some periods of decline in that.

When you look at that, don't you come away with the thought that when Islam is a dominant and successful sort of system, you know, governmental as well as religious system, it seems to subside? When the Caliphs were in charge, and everything was going well, we really didn't face this kind of thing. The West did not. But when it goes into decline, then there is this feeling of perhaps some sort of inferiority vis-a-vis the West, and you see the rise of the Brotherhood, the Muslim Brotherhood in the twenties in Egypt, and it is the same thing. It does seem to me that there is that kind of connection, if you look at it over a long period of time, that there is something that happens. It is an attack against modernity.

I remember something that we were told in a hearing probably several months ago. I think it was in either a book or on the Web site, Al-Jazeera, or even an al-Qaeda Web site, where someone who was a terrorist later committed suicide, was part of a suicide bombing, wrote a diary, and part of this diary was an explanation of why he was doing what he was doing and why he believed everyone who follows his faith had to. And he said that essentially the West, the existence of the West, the nature of the West, democracy, giving people greater freedom, it turns their head away from essentially the spiritual nature of man and would, therefore, destroy Islam. So it is exactly who we are and what we are that they despise.

I guess I would just ask you to respond, either one, to those thoughts.

Ms. WINDSOR. Well, I just think it is worth remembering that the majority of the world's Muslims actually live in democracies of one sort or the other, ranging from Hizb-ut Tahrir. I have seen similar descriptions, and certainly I would say that is why we see terrorism as a major threat to freedom because it is pretty clear from Web sites of al-Qaeda, Hizb-ut Tahrir in Central Asia and others that they really are antidemocracy and human rights because they really don't believe in the rule of law; they believe in God's law.

But, of course, to me, it is all a ruse for saying who is interpreting God's law, and there is a multitude of interpretations of Islam throughout the Muslim world,—

Mr. TANCREDO. Of course.

Ms. WINDSOR [continuing]. And there are usually a few men, and I would say men, that seek to be the interpreter of what it means, and they are using that and manipulating people's religious beliefs, genuine religious beliefs, to try to get themselves into an absolute system of rules. And you look at the case of Iran and what the Iranian people are beginning to feel, and even those Iranians that are most religious agree that this is the wrong system for Iran. You just simply cannot have an Islamic system that actually takes care of its own population.

So I would agree that the Islamists are antidemocracy, but that doesn't mean that we shouldn't think about how we can use democratic tools and methods to complement other methods to try to counter their influence, and I think we really haven't tried it yet.

I agree that we should all have doubt, and I don't think this Administration or any other one is just going to use democracy as its only tool against terrorism, but I think we really should give it a try.

Mr. MALINOWSKI. I think one interesting thing that we shouldn't lose sight of is that we are dealing, in terms of the hardcore, committed haters in the region, with a minority. If you look at the public opinion polls that, for example, the Pew Foundation has done of people throughout the Middle East, from Morocco to Jordan to Kuwait to Egypt, throughout the region, the vast majority of respondents in every country say that they desperately want to live in a society where people have the right to choose their leaders in free elections, where newspapers have the right to publish what they want, where people can speak freely, where civilians control the military. All of these basic institutions of democracy are very eagerly desired by majorities of people in the region.

One of the problems, though, that the same polls reveal is that these same people, when they are asked the question, "Do you like American ideas about democracy?" they say no. So they do. When you ask them about American ideas about democracy, they love them, but then when you ask the question about the United States, they say, "Oh, no. Of course, not."

So we have this problem where people don't associate the United States with the values that the United States preaches, and that is what we have to overcome. And one reason for that is very legitimate, that in the past, we simply haven't been preaching those values in those countries. We have been associated, as Ms. Windsor has said, with the governments that are repressing people, that are denying people their democratic liberties, and that is something that we have to overcome in order to overcome this credibility gap that we have in the region. And I think that is a hugely important challenge before this Administration as it pursues this initiative.

Mr. TANCREDO. Well, this has been really very interesting, and I sincerely appreciate your testimony.

The record will remain open for 5 days for Members to submit statements and questions to witnesses, and thank you again very much, and we are adjourned.

[Whereupon, at 4:55 p.m., the hearing was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF INDIANA

Mr. Chairman, thank you for holding this hearing this afternoon. Respect for Human Rights at its core boils down to a respect for human life. And I know Mr. Chairman that you, I, and many others in the Congress have great respect, and place a high value, on human life.

Respect for human rights throughout the world has been at the core of U.S. foreign policy for many years.

The yearly release of the State Department's Country Reports on Human Rights Practices is an occasion for Congress and the Administration to assess the state of human freedom around the world and the challenges faced by those seeking to improve it.

The report also offers us an opportunity to publicize violations and advocate on behalf of victims. Because of the United States' unique position in the international community, we have an obligation and responsibility to speak out on behalf of international human rights standards.

However, one area where we have perhaps not spoken out aggressively enough is the systematic violations of human rights taking place in Jammu and Kashmir, the disputed territory between India and Pakistan.

India is often referred to as the world's largest democracy. But the people of Kashmir have not been a part of that democracy for the last 57 years. They are an occupied people, and the Indian Government's massive human rights violations in Kashmir are well-documented, deplorable and should be strongly condemned by this Congress and this Administration.

Many of the most respected human rights organizations in the world—including Amnesty International, Human Rights Watch, Asia Watch and Freedom House—have issued reports over the years detailing the abuse of Kashmiri civilians by Indian military forces and paramilitary groups aligned with them.

The details of these reports are both gruesome and saddening. Gang-rapes by Indian soldiers of Kashmiri women—rapes perpetrated against both young girls and older women—often in front of their children. Summary executions, arbitrary arrests, disappearances, and torture are the tactics routinely employed by Indian soldiers. Men, women and even children have been beaten senseless, given electric shocks or had their limbs crushed by heavy rollers by paid agents of the State.

According to the State Department's own 2003 Human Rights Report, Indian authorities often used torture during interrogations. In other instances, authorities tortured detainees simply to extort money and sometimes as summary punishment.

In short, India has institutionalized the use of terror in its campaign to suppress the people of Kashmir, placing India, which captured the world's moral imagination with Gandhi's nonviolent struggle for freedom, in the unflattering company of countries like, North Korea, Cuba, Libya, and Iraq under the dictatorship of Saddam Hussein; countries that have never cringed from using deadly force to keep their unhappy subjects in line.

Kashmir has been the key to tensions between India and Pakistan since their independence from the British in 1947. Each country claims Kashmir as a part of its territory and the two countries have gone to war over the region several times. Most recently, the two countries stood on the brink of a nuclear exchange over the region in 2001. India still deploys approximately 600,000 to 700,000 soldiers in the region. That represents approximately one-half of India's standing army, and one soldier for every 4 Kashmiris.

Apart from our Nation's historic respect for Human Rights, The specter of nuclear war over Kashmir should spur this Nation to speak out and stop the conflict.

I am encouraged that senior officials from Pakistan and India began peace talks in Islamabad on February 16–18. This initial round of talks have produced what officials call a "road map for peace," setting a six-month schedule for discussions on a range of issues, including the longstanding dispute over Kashmir.

However, the enthusiasm for peace should not overwhelm the need to confront in the light of day, the brutal legacy of 57 years of flagrant human rights violations in the region. Respect for human rights must be at the center of any effort to resolve the Kashmir conflict or the cycle of repression and violence will only escalate.

As Chairman of the Government Reform Committee's Subcommittee on Human Rights and Wellness I fully intend to hold a hearing in the near future to examine in more detail the human rights situation in Kashmir. But I appreciate having the opportunity today to bring this issue to the forefront.

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

Question:

Please explain whether or not there has been a comprehensive, detailed study regarding the impact of U.S. sanctions on those working in the sex trade as compiled by the U.S. Embassy in Rangoon?

Response:

Women regrettably continue to enter the sex trade or fall victim to trafficking in Burma and across the country's borders because of the junta's tyranny and its blatant mismanagement and manipulation of the once rich Burmese economy. Over the last several decades, the economic policies of the Burmese government have reduced the economy to a shambles. Furthermore, over 40 U.S. companies voluntarily cut ties to Burma before the sanctions legislation due to their serious concerns about the human rights situation and the economic conditions in the country. When Burma is a democracy and the people are allowed to begin developing the economy instead of being oppressed by the government, then women's economic opportunities will expand and the human rights conditions under which they live will improve.

Due to the restrictions on freedom of movement and information in Burma, there has not been a comprehensive, detailed study done by the U.S. Government regarding the impact of U.S. sanctions on the sex trade.

Burma was designated as a Tier 3 country before our sanctions went into effect. As to the extent of the trafficking problem in Burma, we refer you to our Trafficking in Persons Report.

Question:

What concern has the US Government expressed to the Government of India in relation to: the issues of discrimination against the Dalits, the trend of religious repression, particularly with state governments enacting laws which restrict religious activity including conversion, and the remaining issues from the 2002 attacks against the Muslims in Gujarat?

Response:

We are concerned about the Gujarat riots and their aftermath, anti-conversion laws, and discrimination against Dalits. These issues are reported in the International Religious Freedom Report and the Human Rights Report for 2002 and 2003. Human rights, including religious freedom, are top priorities of the U.S. Government. We urge India to protect all of its citizens, regardless of religion or social class, in keeping with basic democratic principles.

In the months following the Gujarat riots, Department of State officials condemned the killings and violence. U.S. consulate officials in Mumbai visited Gujarat regularly to meet with Government of Gujarat officials, investigate refugee camps and monitor elections. Our Consul General in Mumbai traveled to Gujarat on two separate occasions (most recently this January) to discuss communal issues with Gujarat Governor Banderi and Chief Minister Narendra Modi. A representative from the Office of International Religious Freedom met with senior Government of Gujarat officials, including the Chief of Police, to discuss ongoing needs for protection of the Muslim community, as well as police staffing, training, and accountability, and the misuse of the Prevention of Terrorism Act (POTA) by police in hold-

ing Muslim youths without charge. Embassy officers in New Delhi met with the Chairman of the Government of India's National Human Rights Commission to discuss the Best Bakery case in Gujarat. We continue to monitor the trials and to maintain contact with religious leaders, human rights activists, journalists, families of victims, and others, in addition to Government of India officials.

In the last year and a half, two states have introduced anti-conversion laws: Tamil Nadu and Gujarat. U.S. consulate officials in Chennai and Mumbai discussed with Tamil Nadu and Gujarat officials their respective anti-conversion legislations. A representative from the Office of International Religious Freedom traveled to both states and relayed to government officials that the proposed anti-conversion bills were in violation of India's international commitments, including the International Covenant on Civil and Political Rights. In addition, the religious freedom officer talked with Government of Gujarat officials and the Gujarat Chief of Police about unlawful and intimidating polls taken of Christians by police in the months leading up to the passage of the Gujarat anti-conversion legislation.

Dalits have been discussed many times in the context of anti-conversion bills, USAID programs, affirmative action, and minority rights. The practice of untouchability, which affects scheduled and lower castes, including Dalits, and scheduled tribes, was officially declared unlawful by the Constitution of 1950 and the 1955 Civil Rights Act. Despite the promise of this legal reform, India's social structure has changed little and the practice has remained widespread. Although these scheduled castes, including Dalits, and scheduled tribes, who account for 24% of the population, are entitled to affirmative action and hiring quotas in employment, benefits from special development funds, and special training programs, they still face educational and job discrimination, as well as severe social ostracism. Many Dalits continue to be relegated to separate villages or neighborhoods and to low paying and undesirable occupations such as scavenging, street sweeping, and removing human waste and dead animals. They often are prohibited from using the same wells, from attending the same temples as caste Hindus, and face segregation in housing, in land ownership, on roads, and on buses. Dalits tend to be malnourished and illiterate; moreover, they tend to lack access to health care. The U.S. Government is encouraging the Indian economy, and economic conditions in India have improved over the last decade; whether the poorest and most marginalized will benefit in turn remains to be seen.

RESPONSES FROM THE HONORABLE LORNE W. CRANER TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Question:

Refugees International detailed in their April 2003 report on rape that "the Burmese army uses rape on a widespread basis against women from many of Burma's ethnic nationalities . . . they are part of a pattern of brutal abuse designed to control, terrorize and harm ethnic nationality populations through their women."

Your department conducted a study that verified the allegations made in this report and another by the Shan Women's Action Network.

Has there been any indication that the use of rape by the regime against the ethnic minorities and democracy movement is decreasing? Has the regime done anything such as issuing an explicit order to cease the raping of women by their military and surrogates?

Response:

NGOs continue to report that the Burmese military uses rape against ethnic Shan, Karen, Mon, Karenni, Chin, and Tavoyan women in an extensive pattern of abuse, including in areas where ceasefire agreements have been signed between the SPDC and ethnic groups. We have no information that the Burmese Government has issued an explicit order to cease the practice, despite continued international pressure on the Government to allow an independent assessment of the allegations and to take appropriate actions to prevent further rapes and other sexual abuses by the military.

Question:

I'm also concerned about Thailand's increasing support for Burma's military regime, and how this might affect the human rights situation inside the country. Is it true that Thailand is blocking humanitarian organizations from sending aid into the Karen state in Burma where there is a war going on and hundreds of thousands of people have been forced to flee from their homes?

Response:

We are deeply concerned about the thousands of internally displaced persons in Karen state. Thailand continues to allow international organizations to provide humanitarian assistance to Burmese fleeing repression in Burma. Some projects operating along the Thailand-Burma border, including health and educational programs, provide spillover benefits to those still in Burma. These activities continue.

RESPONSES FROM THE HONORABLE LORNE W. CRANER TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE BETTY MCCOLLUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Question:

Shari'a law continues to play a predominant role in society, government and jurisprudence in numerous Islamic nations. Under Shari'a law, flogging, amputation of limbs and execution by stoning are all just punishments for persons found in violation of religious law. It is clear that the status of human rights, especially for women, under Shari'a law can be easily compromised where rape can be interpreted as adultery and an unwed mother can be sentenced to death. Yet, Shari'a law remains an overwhelming influence in daily life for millions of women around the world. With the United States promoting human rights around the world—especially for women—it is important that we engage the Islamic world in a respectful manner, but clearly not accepting the violations of human rights committed under Shari'a law.

Mr. Secretary, while the U.S. Government clearly respects religion, how does it reconcile violations of human rights—especially against women—committed in the name of Shari'a law and fundamentalist Islamic beliefs?

Response:

President Bush has said, “We have no intention of imposing our culture. But America will always stand firm for the non-negotiable demands of human dignity: the rule of law; limits on the power of the state; respect for women; private property; free speech; equal justice, and religious tolerance.”

Secretary Powell has said, “The worldwide advancement of women’s issues is not only in keeping with the deeply held values of the American people; it is strongly in our national interest as well. . . . Women’s issues are human rights issues. . . . We as a world community cannot even begin to tackle the array of problems and challenges confronting us without the full and equal participation of women in all aspects of life.”

We have numerous programs that benefit women around the globe. For example, on March 8, Secretary Powell announced a \$10 million Iraqi Women’s Democracy Initiative to train Iraqi women in the skills and practices of democratic public life. The overarching goal is to strengthen women’s advocacy skills in Iraq by providing mentoring and directing resources where they are most needed so Iraqi women can direct their own future.

Dr. Paula Dobriansky, Under Secretary of State for Global Affairs, has focused particular attention on Afghanistan as Co-Chair of the U.S.-Afghan Women’s Council. In my Bureau, we administer the Human Rights and Democracy Fund, using it to fund regional projects in the Near East that train non-governmental organizations on political participation, political party development, and women’s issues.

The United States supports and urges all States to protect the human rights of ALL individuals, including those States that have incorporated Shari’a into their legal systems. It is our view that basic human rights, including religious freedom and women’s rights, are universal. It is our firm belief that Islam, democracy and human rights are not incompatible. We reject any interpretation of Islam and Shari’a that is used to justify the violation of the human rights of men or women. Application of Shari’a is not uniform across the Arab or Muslim world. Interpretations of Shari’a vary, and penalties for certain crimes—such as adultery—can be severe.

Our new report, *Supporting Human Rights and Democracy: The U.S. Record 2003–2004*, details many initiatives we are developing to address human rights concerns. That volume, along with the annual *Country Reports on Human Rights Practices*, the *Report on International Religious Freedom*, and the *Report on Trafficking in Persons* (all of which can be found on the Internet at www.state.gov) provides a comprehensive picture of the U.S. Government’s concerns and actions in the advancement of human rights around the world, including issues of religious freedom and women’s rights.

Question:

How do our policies promote human rights for women in countries like Nigeria and Saudi Arabia?

Response:

Secretary Powell has said that, "The worldwide advancement of women's issues is not only in keeping with the deeply held values of the American people; it is strongly in our national interest as well. In today's world, any American Secretary of State, male or female, must pay attention to the issues affecting the rights and well being of women—over half the world's population. Women's issues affect not only women; they have profound implications for all humankind. Women's issues are human rights issues. . . . We, as a world community, cannot even begin to tackle the array of problems and challenges confronting us without the full and equal participation of women in all aspects of life."

Under Secretary Dobriansky has said, "Ensuring women's rights benefits individuals and their families, strengthens democracy, bolsters prosperity, enhances human rights and advances religious tolerance. It is at the core of building a civil, law-abiding society, which is an indispensable prerequisite for true democracy. The advancement of issues of concern to women has been a long-standing American goal. This Administration has intensified that pursuit."

Specifically with regard to Nigeria, we have funded a Democracy and Human Rights Fund project to support the eradication of female genital mutilation. We have had a vigorous International Visitor Program that has focused on empowering women, anti-trafficking and Islam in America. The US Agency for International Development has had programs for a wide range of civil society organizations to train women's groups to address the numerous communal and religious conflicts that continue to occur. We have funded a program to harmonize regional anti-trafficking legislation and law enforcement responses to trafficking in persons. We had an ESF program supporting two rehabilitation centers that are critical links in the victim-rehabilitation pipeline. The Bureau of Population, Refugees and Migration has funded an HIV/AIDs component to the rehabilitation program for trafficking victims. The Department of Labor provides funding for the ILO's Program to Eliminate the Worst Forms of Child Labor.

We have been very concerned about the recent Nigerian cases of Sfiya Hussaini and Amina Lawal, both originally sentenced to death by stoning, under Sharia Law, for adultery. We followed these cases very closely as they moved through the Nigerian court system, and welcomed the March 2002 and September 2003 court rulings that acquitted Hussaini and Lawal and reaffirmed the role of evidentiary procedure and due process in administering Shari'a law in Nigeria. We also welcomed statement by President Obasanjo and other high-ranking Nigerian officials that no stoning sentences will be implemented, but we remain disturbed that discriminatory laws remain in place in Nigeria and elsewhere. We will continue to discuss the application of Shari'a with the Nigerian government on issues of religious freedom and human rights. Internationally recognized human rights standards must be respected.

Regarding Saudi Arabia, I visited Saudi Arabia in July of 2003 to raise concerns about human rights and political reform, including the status of women.

The Middle East Partnership Initiative (MEPI) is the Administration's primary mechanism to support our diplomacy in a forward strategy for freedom in the Middle East. Representatives from the government and private sector have participated in several MEPI regional programs, on subjects including judicial reform, women, and the law.

The Saudis participated in a program sponsored by my Bureau that provided a regional training academy for NGOs on political participation, political party development, women and the media in Yemen. We have had a public affairs outreach program to Saudi women leaders, including many journalists.

To address the problem of trafficking in persons and worker rights, the Saudi Government has implemented programs at the Embassy's urging to inform incoming workers of their rights and recourse should they be subjected to abuse when they receive visas to travel to Saudi Arabia and upon arrival. We have discussed long-term means of improving the legal rights of foreign laborers under Saudi law. We are encouraging NGOs and private involvement and increasing public affairs efforts to highlight the dangers and vulnerabilities of trafficking in persons.

We note with interest that the next meeting of the unprecedented National Dialogue begun by Crown Prince Abdullah in 2003 has women's role in society as its principal theme.

RESPONSES FROM THE HONORABLE LORNE W. CRANER TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Question:

According to your "US Department of State Country Report on Human Right Practices, 2003", can you describe some examples of the human rights violations/abuses in India?

Response:

Our annual human rights report documents our concern and gives examples of the abuses that take place all too frequently. The situation consists of abuses against innocent civilians perpetrated by foreign and Kashmiri terrorist groups and of abuses committed by the Indian security forces. While the two are interrelated, the actions of one side cannot justify abuses by the other. It is our policy to hold all parties accountable for their own abuses. Two wrongs do not make a right.

Addition details can be found in our human rights reporting on the Department of State website at www.state.gov.

Question:

Specifically in the regions of Jammu and Kashmir, can you describe current examples of human rights violations/abuses perpetrated/tolerated by the Indian Government and/or its security forces (BSF)?

Response:

Members of the Indian security forces continued to be responsible for extra judicial killings, custodial deaths, excessive use of force, torture, rape, arbitrary arrests and other serious abuses of human rights despite the fact that the Indian Constitution strictly protects human rights.

According to published accounts and other sources, persons detained by security forces were later alleged to have been killed in armed encounters, and their bodies, often bearing multiple bullet wounds and marks of torture, were returned to relatives or otherwise were discovered shortly afterwards.

Question:

Why aren't Indian security forces reprimanded or prosecuted for the human rights violations/abuses in Jammu and Kashmir? Who is accountable?

Response:

The Jammu and Kashmir state government has taken some steps to hold accountable those in security forces found to be responsible for human rights abuses. In June 2003, the Government announced that 118 members of the security forces had been punished for having committed human rights violations, including 44 Border Security Force (BSF) members, 47 from the Central Reserve Police Force (CRPF), and 27 police officers. A Senior Superintendent of Police was suspended by the Jammu and Kashmir government for allegedly falsifying the DNA samples of five civilians killed in fake armed encounters in March 2000. A ministerial subcommittee headed by the Deputy Chief Minister recommended severe punishment for three police officers and two doctors for tampering with the evidence.

We are also encouraged by the prominent role that human rights issues are playing in the dialogue initiated by Deputy Prime Minister Advani with the Kashmiri separatist All-Parties Hurriyat Conference (APHC). The two sides have met twice—on January 22 and March 27—in the first dialogue the Government of India has initiated with the Hurriyat since the insurgency began in Jammu and Kashmir in 1989. The Deputy Prime Minister has responded to some concerns raised by leaders of the separatist All Parties Hurriyat Conference and other Kashmiri politicians and civic leaders on continuing human rights abuses in the state. For example, he issued instructions to security forces not to commit human rights violations of any kind. At a recent press conference, Deputy Prime Minister Advani noted that, "The security forces must have a human face, with ordinary civilians not falling victim to their bullets."

Question:

According to a December Amnesty International report, disappearances occur in and around the Kashmir Valley. How many have disappeared? And is the Indian government behind the disappearances?

Response:

In Kashmir, reporting on the number of disappeared varies and underscores the difficulty in determining whether persons who have disappeared did so while in se-

curity force custody or after capture by insurgent groups or for reasons unrelated to the armed conflict. In 2003, while the Jammu and Kashmir state government announced that 3,931 persons remained missing in the state since 1990, a non-governmental agency called the Association of Parents of Disappeared Persons, placed the number at more than 8,000.

The United States Government abhors violence and human rights abuses, wherever they take place. We deplore the human rights abuses committed by Kashmiri and foreign terrorists as well as militant groups and we deplore the human rights abuses perpetrated by Indian security forces. We have urged the Government of Pakistan to take steps to end support from its territory to both foreign and Kashmiri terrorists and militants. We have also urged the Government of India to take steps to end abuses by its security forces, including prosecuting those responsible.

Question:

Does the Indian Constitution and its laws protect individuals from human rights violations/abuses, such as torture?

Response:

As we have said, the situation consists of abuses against innocent civilians perpetrated by Kashmiri and foreign militant and terrorist groups and of abuses committed by the Indian security forces. While the two are interrelated, the actions of one side cannot justify abuses by the other. It is our policy to hold all parties accountable for their own abuses. Two wrongs do not make a right.

There are extra judicial killings, custodial deaths, excessive use of force, torture, rape, arbitrary arrest and other serious abuses of human rights, despite the fact that the Indian Constitution strictly protects human rights.

Question:

In Jammu and Kashmir, what is the Indian Government doing to prevent torture?

Response:

Again, the Jammu and Kashmir state government has taken some steps to hold accountable those in security forces found to be responsible for human rights abuses. In June 2003, the Government announced that 118 members of the security forces had been punished for having committed human rights violations, including 44 Border Security Force (BSF) members, 47 from the Central Reserve Police Force (CRPF), and 27 police officers. A Senior Superintendent of Police was suspended by the Jammu and Kashmir government for allegedly falsifying the DNA samples of five civilians killed in fake armed encounters in March 2000. A ministerial sub-committee headed by the Deputy Chief Minister recommended severe punishment for three police officers and two doctors for tampering with the evidence.

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Question:

What does the Armed Forces (Jammu and Kashmir) Special Powers Act (SPA) of 1990 provide and how is it being used to conduct human rights violations/abuses?

Response:

It is difficult to obtain reliable information about the condition of people being detained in Jammu and Kashmir because many are in detention pursuant to special security legislation. This legislation includes the Armed Forces (Jammu and Kashmir) Special Powers Act (SPA) of 1990, the Public Safety Act (PSA), and Armed Forces Special Powers Act (AFSPA) of 1958.

A number of persons “disappear” each year in Kashmir. Reporting on the number of disappeared varies and underscores the difficulty in determining whether persons who have disappeared did so while in security force custody or after capture by insurgent groups or for reasons unrelated to the armed conflict. In 2003, while the Jammu and Kashmir state government announced that 3,931 persons remained

missing in the state since 1990, a non-governmental agency called the Association of Parents of Disappeared Persons, placed the number at more than 8,000.

The United States Government abhors violence and human rights abuses, wherever they take place. We deplore the human rights abuses committed by Kashmiri and foreign terrorists as well as militant groups and we deplore the human rights abuses perpetrated by Indian security forces. We have urged the Government of Pakistan to take steps to end support from its territory to both foreign and Kashmiri terrorists and militants. We have also urged the Government of India to take steps to end abuses by its security forces, including prosecution of those responsible.

Question:

Specifically, what was the case of Syed Ali Shah Geelani?

Response:

Syed Ali Shah Geelani is a prominent Kashmiri separatist who has advocated for the accession of Jammu and Kashmir (J&K) to Pakistan, and has long been associated with the Jamaat-e-Islami, the political wing of the militant organization Hizbul Mujahideen.

Geelani was detained in June 2002 in Kashmir under the Prevention of Terrorism Act (POTA) under suspicion of serving as a channel for foreign financial support to terrorist organizations in J&K. At the time of his detention, police reported that they seized assets valued far in excess of his known sources of income. The POTA permits the detention of persons without charge and without judicial review for up to two years, during which detainees do not have access to family members or legal counsel.

Geelani was subsequently incarcerated in Ranchi, Jharkhand, where he complained that the treatment he received exacerbated a kidney ailment. He was released in February 2003 as part of Jammu and Kashmir Chief Minister Mufti Mohammad Sayeed's "healing touch" policy of political reconciliation in the state.

Thereupon, the Government of Jammu and Kashmir flew Geelani via a special state-owned aircraft to the private Tata Cancer Institute in Mumbai, where he was treated. He has been campaigning vigorously against Indian rule in Kashmir since his release from that facility.

The U.S. Government noted Geelani's release from prison and the unusual efforts the Indian authorities took to treat his medical condition. At the same time, the U.S. Government remains concerned about conditions in which detention of persons can occur without charge and without proper judicial review.

Question:

What is the Armed Forces Special Powers Act (AFSPA) of 1958, and how is it being used to further human rights violations/abuses?

Response:

The Armed Forces Special Powers Act (AFSPA) provides that unless approval is obtained from the central Government, no "prosecution, suit, or other legal proceeding shall be instituted against any person in respect of anything done or purported to be done in exercise of the powers of the act." This act gives security force personnel the authority to shoot-on-sight suspected lawbreakers, and to destroy structures suspected of harboring militants or arms.

Today's reality, unfortunately, is that numerous human rights abuses persist, as we have documented thoroughly in our annual Country Reports. Nonetheless, we are confident that continued dialogue between India and Pakistan and between New Delhi and Kashmiris has the potential to improve human rights in Jammu and Kashmir.

In the meantime, the U.S. Government would welcome greater transparency by the Indian Government to allow independent monitoring of alleged human rights abuses by the security forces in Jammu and Kashmir.

Question:

Because of the Special Powers Act and the Armed Forces Special Powers Act, are Indian security forces required to follow the India Constitution and its regulations, such as habeas corpus?

Response:

Following the outbreak of the armed insurgency in Jammu and Kashmir in 1989, the judicial system came under extreme pressure from both militants and security forces. Courts and their activities are hampered by threats from militants against judges, witnesses and their family members. The judiciary also tolerates the Indian government's anti-insurgency actions and the security forces frequently refuse to

obey court orders. In Jammu and Kashmir, courts are reluctant to hear cases involving terrorist crimes and failed to act expeditiously on habeas corpus cases, if they acted at all.

Question:

According to your report, India is a "significant source, transit point, and destination of trafficked persons." Why are humans being trafficked into India and who is behind it?

Response:

In India, widespread internal trafficking of women, men and children for sexual exploitation, domestic servitude, bonded labor and indentured servitude occurs. It is also a destination point for Nepali and Bangladeshi women, girls and boys for forced prostitution and labor.

Non-governmental organizations working on the issue of trafficking note that three major groups often facilitate trafficking in India: family members, members of the community or acquaintances, and organized crime syndicates. Family members, particularly parents or relatives, may knowingly procure women or children from their family for trafficking (particularly for sex work). More often, families are taken advantage of by unscrupulous acquaintances, friends, relatives or neighbors offering marriage or work. While some families do not know that their young women or children will be exploited for labor or sex, others are so poor that they may not "want" to know what happens to the victim, even though they may be aware that the work or marriage offer may be false.

Within the community, friends, schoolteachers, local politicians, corrupt officials (police, customs, immigration, border patrollers) and village chiefs have been involved in trafficking, as have temple priests in procuring girls for devdasi (temple prostitution) trafficking. Some false "social welfare" NGOs have also played a significant role in taking advantage of poor families by convincing families to release children, ostensibly for education and care by the NGO, but in reality, for placement with foreign adoptive families without the consent or knowledge of the parents.

Organized crime syndicates use employment agents, people already in the sex trade (brothel owners, pimps, procurers, or customers), pedophiles, tourist and travel agencies and local contractors to recruit victims for sex or labor exploitation.

Question:

Due to this excessive trafficking in human beings, are children being exploited as sex slaves and prostitutes?

Response:

Children are also exploited as sex slaves and prostitutes. While there are no reliable statistics or comprehensive studies due to the nature of the activity, NGOs believe that approximately 60% of the prostitutes estimated to be under 18 were trafficked, lured or seduced into prostitution as opposed to having entered prostitution voluntarily. In brothels, young girls are often confined in small spaces to prevent their escape, and are frequently hidden in order to avoid them from being found during unexpected raids. Brothel keepers and traffickers frequently beat and torture victims in order to force them to have sex with their customers. Victims are not paid for the long period during which they are paying off their debt (the price the brothel keeper paid their traffickers) and new debts, including ones that are added on when a brothel is raided and the brothel keeper must make pay offs so that the girls are returned. These sex slaves and prostitutes are fed poorly and receive virtually no health care.

Question:

What is the Government of India doing to prevent the re-victimization of these prostitutes?

Response:

While much remains to be done, the Government of India has made some effort to prevent the re-victimization of prostitutes through various protection and prevention programs as well as by prosecuting traffickers. To shelter victims who have escaped their conditions, protective homes with facilities for custodial care and protection, education, and vocational training have been set up in different parts of India. An extensive network of short-stay homes, run by NGOs, also exists and was assisted by the government, as well as Juvenile Homes established under the Juvenile Justice Act for protection and rehabilitation of the victims. The Central Social Welfare Board (CSWB) provides financial assistance to NGOs to run development and care centers for the children of victims of prostitution. In some red light areas, the

government approved projects for starting centers under the Integrated Child Development Services Scheme (ICDS). Since the incidence of prostitution is also related to the low status of women in society, the government is implementing various income-generating activities to economically empower women. State governments have been implementing a number of projects for the rescue and rehabilitation of women and children through their own agencies and in collaboration with NGOs.

Question:

During my tenure as Chairman of this Committee, I investigated international child abduction to the Kingdom of Saudi Arabia. In Saudi Arabia, American women held against their will are unable to leave the country without the consent of their closest male relative, usually the person who abducted her in the first place. How will the U.S. Department of State work with the Saudi government to ensure that the rights of all American citizens wanting to leave the country are upheld?

Response:

Assistant Secretary Maura Harty in the Bureau of Consular Affairs has responsibility for this issue. I would refer you to her bureau for more detailed answers to any specific questions you may have.

The Department of State is holding the Government of Saudi Arabia to its September 2002 commitment that all adult American women would be free to travel out of Saudi Arabia, even without permission from their male guardians. In a written statement to the Subcommittee on Human Rights and Wellness on July 9, 2003, the Royal Embassy of Saudi Arabia stated, "The Kingdom now guarantees that all adults (men and women who are 18 years or older) have the freedom to choose in which country they wish to reside and maintain the right to travel to and from Saudi Arabia for purposes of visitation or relocation."

While senior Saudi government officials have reiterated their 2002 promise, the Government has not adopted corresponding procedures that would govern applications by women for exit permission without the consent of male guardians. We continue to press the Government of Saudi Arabia to formalize the process of issuing such exit permits to American citizen women, with the aim that applicants will receive the permits more easily, reliably, and promptly.

Two American women withdrew their requests for exit permission after delays in the Saudi government issuance of exit permits the women had requested. In one of those cases, the Saudi authorities assisted the young woman to find employment and living arrangements outside of her father's household and the woman decided to remain in Saudi Arabia. In the second case, the young woman married while Saudi authorities were considering her application for an exit permit, and she subsequently withdrew her request. As of March 31, 2004, there were three American women awaiting permission to leave Saudi Arabia; one has been waiting since December 2003. One of these women departed Saudi Arabia on April 3, after her father granted permission for her to depart.

Once again, for follow-up information, I refer you to Assistant Secretary Maura Harty in the Bureau of Consular Affairs.

Question:

The State Department's position is that extending Normal Trade Relations status to Laos will encourage that country to open up and hence lead to improvement in the country's Human Rights record. Following that logic, would the State Department agree that extending NTR to Cuba would change Fidel Castro and hence bring about improvements in Human Rights on that beleaguered island?

Response:

The Administration supports granting NTR status for Laos and bringing into force the bilateral trade agreement negotiated in 1997 and signed in 2003. Laos is currently one of only three countries in the world—the other two being Cuba and North Korea—that are subject to tariff rates generally far higher than those available under NTR. Extending NTR to Laos could help open Laos to the outside world, which could in turn lead to greater internal openness and transparency. We believe that granting NTR will create a more cooperative environment in which the U.S. can effectively pursue key human rights and democratization objectives in Laos.

We remain concerned about Laos' poor human rights record and continue to raise our concerns with the Lao Government. There have been some recent signs of progress related to religious freedom and minority rights, which have been documented in the State Department's annual reports on human rights and religious freedom.

We do not believe the situation in Cuba is analogous to that of Laos. Each country raises different foreign policy concerns, and sanctions regimes are designed to respond to country-specific concerns.

In the formulation of our overall foreign policy toward Cuba, the U.S. Government notes the broad consensus that has emerged in the Western Hemisphere regarding democracy and respect for human rights. The "Inter-American Democratic Charter," adopted on September 11, 2001 by the Organization of American States, embodies that consensus to promote democracy in the hemisphere. Today, virtually every country in the region has embraced a democratic system of government except one: Cuba.

President Bush's "Initiative for a New Cuba" is strikingly similar to the standards the region set forth in the Inter-American Democratic Charter. Our policy is strengthened by being in step with this consensus.

As President Bush has said, "without economic reform, trade with Cuba will merely enrich Fidel Castro and his cronies." The same argument applies to broader travel to Cuba by Americans beyond those presently authorized. The Cuban government controls the tourism industry and Cuba's Armed Forces Ministry run an increasing portion of Cuba's state-owned and joint-venture tourist resorts. Profits from the tourism industry provide the lifeblood for the regime and its repressive apparatus. Travel by European tourists has certainly not brought about democratic or economic reform in Cuba.

In addition, there are a total of 5,911 claims submitted to the U.S. Foreign Claims Settlement Commission by U.S. nationals against the Government of Cuba based upon losses resulting from the nationalization, expropriation, or intervention of property by the Government of Cuba that occurred between January 1, 1959 and October 16, 1964. Resolution of outstanding U.S. claims ranks high on the U.S. Government's agenda for the normalization of relations with a democratic government in Cuba.

For these reasons, the Administration does not support extending NTR to Cuba at this time.

