





EAST ASIA  
AND THE PACIFIC

*“For me the approach of Christmas Eve last week also marked the approach of freedom. It was the time when I finally emerged from the prisons of the Chinese Community Party, a joyous day made possible by the efforts and sacrifice of my wife, He Xintong, and my daughter, Xu Jin, by support from friends in the United States and many other countries around the world, and by the governments of the United States and other democracies.”*

**– Xu Wenli,  
founder of the Democracy Movement in China, December 31, 2002**



East Asia and the Pacific is a diverse region with governments ranging from bleak, totalitarian regimes to functioning democracies. Although an ever-growing number of people in the region embrace democratic values and market economics, a number of governments have not yet implemented the rule of law or transparency in governance, and continue to tightly control civil society and commit severe human rights abuses. The United States therefore works to encourage governments across East Asia and the Pacific in the development of pluralistic and representative democracies, to support the formation of transparent and responsive legal systems, and to facilitate the development of civil society institutions essential for sustaining these democratic transitions.

The U.S. Agency for International Development provides substantial support for democracy, governance and human rights programs in an even broader range of countries in the East Asia and Pacific region. The State Department's Human Rights and Democracy Fund (HRDF) currently supports a number of programs that seek to address the systemic challenges to democracy and rule of law in China, and supports programs in Indonesia, the Philippines, Cambodia, Malaysia, Thailand and South Korea (which focuses on human rights abuses in North Korea).

The development of open societies in which citizens can enjoy their human rights and fundamental freedoms is a critical U.S. foreign policy objective in Asia. Advancing religious freedom is a key component of our efforts in the region. Among other goals, the United States believes that fostering pluralism and tolerance will counter growing religious extremism in some parts of Asia. The United States also provides support for programs that promote respect for worker rights and adherence to international core labor standards.

The Administration urges countries in the region to negotiate peaceful settlements to internal conflicts and to prevent mistreatment of civilians and other abuses by security forces in violation of international humanitarian law. The United States focuses considerable effort on pushing for reform and accountability within the security forces of East Asian and Pacific nations. Building respect for rule of law is a key challenge in conflict-affected areas.

In addition to regular bilateral meetings with Asian interlocutors on human rights issues, the United States has conducted Human Rights Dialogues with China and Vietnam. However, no new rounds were scheduled in 2003 with either country, primarily due to insufficient progress on key human rights concerns by both countries. The United States also works through multilateral fora to promote human rights in East Asia and the Pacific, including supporting UN mechanisms such as Special Rapporteurs and sponsoring country-specific human rights resolutions at the UN General Assembly and UN Commission on Human Rights. The United States continues to be particularly concerned about the deplorable human rights records of the North Korean and Burmese Governments and uses a variety of diplomatic tools to press for positive change in these extremely repressive countries.

## CRIMINAL DEFENSE REFORM IN CHINA

Criminal defense attorneys in China face the risk of intimidation, harassment, detention and arrest. Many of the lawyers who have been targeted were guilty of nothing more than vigorously defending their client. In some cases, lawyers have been indicted and even convicted, and sentenced to prison on trumped-up charges. As a result, the percentage of lawyers specializing in criminal defense is declining. Five years ago criminal defense lawyers comprised three percent of all Chinese lawyers; now only one percent of China's lawyers are specializing in criminal defense. This is affecting defendants' access to justice. According to some estimates, the percentage of criminal defendants represented by legal counsel dropped from 40 percent in 1996 to 30 percent in 2001.

To support criminal defense attorneys in China, the State Department's Bureau of Democracy, Human Rights and Labor (DRL) is funding a project to strengthen the role of lawyers in the criminal defense process. This project addresses the structural obstacles lawyers face, including the laws and policies that are used to prevent them from adequately representing their clients. Under the grant, defense attorneys, government officials, judges and prosecutors have participated in workshops to develop strategies to strengthen their role, including policy recommendations that will be presented to the Chinese Government.

In addition to this project, DRL is also supporting other criminal defense projects, including a training program for defense attorneys, judges and prosecutors. This training will include oral advocacy skills, developing a theory of a case, the creation and presentation of logical arguments and ethics. The goal of the training is to introduce participants to elements of adversarial trial process.

These projects are part of a broader effort begun in 2002 to promote democracy, human rights and the rule of law in China by DRL's Human Rights and Democracy Fund. In Fiscal Year 2004, through a specific Congressional appropriation, \$10 million will be awarded as competitive grants to non-governmental organizations to implement projects in China.

## BURMA

Burma continues to be ruled by a highly authoritarian military junta that reinforces its firm grip on power with a pervasive security apparatus. During 2003, the Government's extremely poor human rights record worsened and it continued to commit numerous serious abuses. Citizens still do not have the right to change their government. Security forces continued to commit extrajudicial killings and rape, forcibly relocate persons, use forced labor, conscript child soldiers and have reestablished forced conscription of the civilian population into militia units. In a May 30, 2003 attack on Aung San Suu Kyi's convoy, government-affiliated agents killed as many as 70 pro-democracy activists. The military junta continues to be hostile to all forms of political opposition. After the May attack, the Government cracked down severely on the main opposition party, the National League for Democracy (NLD), and shuttered all 300 NLD offices in Burma. Arrests and disappearances of political activists continue, and members of the security forces tortured, beat and otherwise abused prisoners and detainees.

U.S. human rights and democracy goals in Burma include establishing a constitutional democracy, respect for human rights – including the restoration of civil and political rights, the release of all political prisoners and an end to abuses in ethnic regions – and combating trafficking in persons. The United States works with like-minded countries to maintain maximum international pressure on Burma. That pressure includes strong public statements of support for the democratic opposition in Burma from U.S. officials up to the highest levels. It also includes strong economic sanctions as well as public diplomacy and democracy programs that promote democratic values, human rights and good governance.

The United States is vocal in its advocacy and support for democrats in Burma, including Nobel Laureate Aung San Suu Kyi, leader of the NLD, who remains under house arrest in Rangoon.

President Bush has publicly condemned the deplorable human rights situation in Burma and supported Aung San Suu Kyi and the democratic opposition on numerous occasions, including immediately after the May 30 attack. Soon after the attack, Secretary of State Powell wrote an article in the *Wall Street Journal* that condemned the action and called for increased international pressure to be put on the junta to change. Assistant Secretary of State for Democracy, Human Rights and Labor Lorne Craner testified on human rights in Burma before the Congress in June and September 2003 and in March 2004, and Assistant Secretary of State for East Asian and Pacific Affairs James Kelly reiterated the U.S. message on Burma during his meetings with other nations in Bangkok in January 2004. Secretary of State Powell stated publicly in March 2004, "I have seen no improvement in the situation [since the sanctions were imposed]. Aung San Suu Kyi remains unable to participate in public political life in Burma, and we will not ignore that. We will not shrink back from the strong position we have taken."

U.S. officials also consistently raised concerns about Burma during bilateral meetings at all levels with other nations of the region. The United States urges these nations to take a more active role in solving the problems that such a repressive government causes for regional organizations like ASEAN.

The United States works multilaterally in close cooperation with other concerned nations to press for change in Burma. Such efforts include support for the missions of UN Special Envoy Razali Ismail and UN Special Rapporteur on Human Rights Paulo Sergio Pinheiro, as well as the efforts of the International Labor Organization, the International Committee of the Red Cross and other international organizations. The United States has co-sponsored annual resolutions at the UN General Assembly and the UN Commission on Human Rights that condemn and draw international attention to the continued systematic

human rights violations in Burma. The 2003 UNGA resolution, adopted by consensus, called for an independent investigation of the May 2003 attack on the democratic opposition.

The United States, the members of the European Union and other states have in place a variety of sanctions on the Burmese junta. These sanctions are designed to put pressure on the junta to improve its human rights record and promote democracy in Burma. On July 28, the President added new sanctions to the existing tough U.S. sanctions package by issuing an Executive Order and signing the Burmese Freedom and Democracy Act (BFDA). The BFDA has broad bipartisan support and was passed by both Houses of Congress by a wide margin.

U.S. sanctions now include a ban on all financial services to Burma, a ban on all imports from Burma, an arms embargo and a ban on all new U.S. investment in Burma. Sanctions also include the suspension of all bilateral aid, including counter-narcotics assistance to the Government, the withdrawal of Generalized System of Preferences privileges and the denial of Overseas Private Investment Corporation and Export-Import Bank programs. The United States also maintains visa restrictions on Burma's senior government officials, and opposition to all new lending or grant programs by international financial institutions. Since 1990, the United States has kept our diplomatic representation in Burma at the Chargé d'Affaires level.

A key aspect of U.S. advocacy for improved human rights is the persistent call for the immediate and unconditional release of all political prisoners in Burma. More than 1,000 people continue to languish in Burma's jails for the peaceful expression of their political views. Due to pressure from the United States and other members of the international community, the Burmese Government has released from prison individuals arrested in direct connection with the Government's May 30 attack on the NLD.

However, Aung San Suu Kyi, NLD Vice Chairman U Tin Oo and two of their senior NLD colleagues remain detained under house arrest.

The United States also seeks an end to the egregious human rights abuses perpetrated by the Burma Army against ethnic minority civilians in border regions. During travels throughout Burma and along the Thai-Burma border, U.S. officials have personally interviewed victims of political and other violence and facilitated access for other such U.S. and UN investigations into human rights abuses. Furthermore, the United States maintains frequent contacts with influential members of the political opposition regarding initiatives that will affect the struggle for democracy in Burma.

The United States promotes the rule of law and democracy by providing information exchange and civic education programs on human rights, democratic values and governance issues. In 2003, the United States dedicated more than \$200,000 to speaker programs, exchange programs, publications and other information outreach. In addition, the United States provided \$4 million in support of the Burmese opposition and ethnic minority groups in Fiscal Year 2003. The majority of these funds is programmed through the National Endowment for Democracy and focuses on democracy promotion and capacity-building activities for Burmese exile groups and the collection and dissemination of information on democracy and human rights. The United States also supports journalist training, media development and several scholarship programs to prepare Burmese youth for leadership roles once political transition occurs. All U.S. humanitarian or democracy-related assistance is channeled through non-governmental organizations (NGOs) and none of the funding benefits the Burmese Government either directly or indirectly.

The Burmese junta does not allow domestic human rights groups to function independently and is hostile to outside scrutiny of its human

rights record. Amnesty International completed its second visit to Burma in 2003. Several groups working along Burma's borders also receive U.S. support for documenting human rights abuses inside Burma. Some of these groups provided information on serious problems with religious freedom for minority religious groups in Burma, including Rohingya Muslims and Chin, Karen, Karenni and Naga Christians. Due to the particularly harsh persecution of minority religions, in 2003, the United States designated Burma a "Country of Particular Concern" under the International Religious Freedom Act of 1998.

The United States continued to encourage the junta in Burma to allow workers' rights and unions and to discontinue its use of forced labor. The United States supported the continuation of a liaison office of the ILO in Burma that made efforts to bring the Government into compliance with its international labor obligations. Burma was designated to be a Tier III country in the U.S. report on trafficking in persons in 2003. In order to address this serious problem, the United States approved \$104,000 in FY04 funding for an NGO-operated anti-trafficking in persons program to raise awareness among Burmese vulnerable to Burma-to-Thailand trafficking, and to support anti-trafficking efforts of local NGOs.

## CAMBODIA

The promotion of democracy and good governance, as well as the continued improvement of human rights, are two of the United States' main foreign policy objectives in Cambodia. In July 2003, Cambodia held its third National Assembly elections, but no party won the two-thirds majority required to form a government. The three parties that won National Assembly seats engaged in talks to form a new coalition government, but had not concluded their negotiations by the end of 2003. The former Government continued to operate in a caretaker status. Cambodia's human rights record remained poor. Although there were improvements in some areas, there were a number of allegations of political killings and a cli-

mate of impunity for violence continued. There were credible reports that some members of the security forces tortured, beat and otherwise abused persons in custody, often to extract confessions. Citizens often appeared without defense counsel and thereby effectively were denied the right to a fair trial. Prison conditions remained harsh, and the Government continued to use arbitrary arrest and prolonged pretrial detention. Although the number of trade unions grew and became more active, anti-union activity also continued. Bonded and forced child labor continued to be a problem in the informal sector of the economy. Domestic and cross-border trafficking in women and children, including for the purpose of prostitution, was a serious problem.

U.S. officials cooperated closely with civil society, international organizations, government officials and international and local human rights non-governmental organizations (NGOs) to monitor and advocate respect for human rights and the need for the Royal Government of Cambodia to address the persistent climate of impunity in Cambodia. U.S. officials highlighted publicly the need for improvements in human rights conditions. After the high-profile murders of Om Radsady, advisor to Prince Ranariddh, Chhur Chetharith, staff member of Ta Prohm radio and prominent labor organizer Chea Vichea, the United States strongly condemned the killings. In meetings with senior Cambodian officials, Ambassador Ray pressed for an effective and professional investigation of these crimes. The Ambassador also visited Chea Vichea's widow the day after the killing and the Deputy Chief of Mission was the only diplomat to attend Chea Vichea's funeral.

During the election period, the United States called for a credible election process, responsibility for actions by political parties during the sensitive post-polling period and the peaceful formation of a new coalition government in conformance with the Cambodian Constitution. Secretary of State Powell stressed the importance of the elections meeting international standards

during his June visit to the ASEAN Regional Forum in Phnom Penh. Assistant Secretary of State for East Asian and Pacific Affairs James Kelly also raised the importance of credible elections during his meetings with senior Cambodian officials in June. The United States condemned the attacks against the Thai Embassy, businesses and individuals in January, and called for the Cambodian Government to restore order and investigate the incident. The Ambassador and Deputy Chief of Mission met often with senior Cambodian government leaders to express concerns about these issues.

The United States used approximately \$11 million to fund several democracy promotion and human rights protection activities by non-governmental organizations (NGOs), including the East-West Management Institute, The Asia Foundation (TAF), the International Republican Institute (IRI) and the National Democratic Institute (NDI). For the first time, Cambodians heard political party candidates publicly present their platforms, debate one another and answer questions from their constituents. Program activities included the distribution of voter guides, which delineated party positions on issues identified by voters as being of primary concern, securing the signatures of representatives from all Cambodian political parties on an Election Code of Conduct and disseminating the contents of the Code of Conduct widely on radio and television. The United States also supported the creation of 22 Community Information Centers to expand citizen access to information. Diplomatic efforts to support the spread of democracy in Cambodia included repeated calls for a peaceful, free and fair election and U.S. official visits to the National Election Committee and Constitutional Council to encourage serious consideration of complaints filed by opposition parties. U.S. diplomatic efforts also included post-election encouragement of all three major political parties to form a new government peacefully.

The United States also supported the Cambodian Center for Human Rights (CCHR) that promoted civil and political rights at public forums and cre-

ated the Voice for Democracy radio program that became one of the most popular and broad-reaching sources of independent programming in Cambodia. In July, the Embassy interceded successfully with the Ministry of Interior after it ordered Beehive Radio to discontinue its rebroadcasting of Voice of America and Radio Free Asia programs. With U.S. support, the Youth Council of Cambodia organized youth forums to encourage political parties to pay greater attention to youth issues and launched get-out-the-vote campaigns, distributed electoral information and sponsored quiz show competitions on democracy.

IRI and NDI also trained more than 12,000 party agents, activists and leaders from Cambodian democratic opposition parties and conducted voter education activities, distributed Political Party Code of Conduct booklets, and broadcast public policy dialogues and roundtable discussions. The United States encouraged a more open election process by facilitating domestic and international monitoring of the National Assembly election, and supporting 20,000 domestic election observers, 15 provincial-based long-term observers, a score of short-term foreign observers, 55 embassy staff volunteer observers and five IRI and NDI pre-election assessment missions. Observers covered all registration and polling stations. These efforts helped to improve the election process over the past years, but problems remained and the elections still fell short of meeting international standards.

The United States continued to support local NGOs that investigated hundreds of alleged abuses of human rights and provided direct intervention and legal services to individuals. Local NGOs took on legal cases with high public visibility or the potential to influence government policy, which helped other partners develop the will and capacity to bring more cases of human rights abuses to court. More than 380 new cases were filed during the year including unlawful arrests, extrajudicial killings and threats and intimidation, including political threats. More land disputes, anti-trafficking and labor cases

were successfully argued in court. In six high-profile cases, human traffickers were convicted and sentenced to prison terms of 10 to 20 years each. Other traffickers were convicted in less well-known cases.

The Embassy encouraged the conviction of human traffickers in meetings throughout the year, including with high-level government officials. There were two cases of alleged American child exploiters during the year in which the Cambodian Government cooperated with the United States and expelled the suspects to the United States for prosecution under the PROTECT Act. This diplomatic initiative was a major priority of the Ambassador and resulted in strong cooperation from the Cambodian Government. The United States also supported the provision of effective and participatory training in counseling skills to NGO staff working with victims of human rights abuses, violence against women, human trafficking and HIV/AIDs. The United States addressed root-level social problems by developing a pool of skilled counselors who could engage victims in critical thinking.

The United States also continued to support the core activities of the Documentation Center of Cambodia, an organization that investigates and documents the crimes against humanity committed by the former Khmer Rouge regime. In addition to these core activities, and with support from the Bureau of Democracy, Human Rights and Labor's Human Rights and Democracy Fund, the Center initiated a new program this year to conduct forensic analysis of mass graves and collect physical evidence on the atrocities of the Khmer Rouge. This program concluded with a new exhibition at the Tuol Sleng Museum that received much positive press and public attention. The United States continued to support international efforts to establish a credible Khmer Rouge Tribunal that will operate in accordance with international standards of justice, fairness and due process.

The United States also supported participation by women in politics and the training of women in leadership skills. NDI sponsored "Women in Politics" conferences, while the local NGO Women For Prosperity held public forums on "Women in Politics," which featured female candidates and were later broadcast on local radio stations. The Girl Guides Association built the capacity of girls and young women for self-reliance, self-esteem and assistance to their own communities, including training focused on rights and responsibilities, democracy and the culture of peace. The "Mobilized to Develop Women" program used U.S. funds to provide advocacy and legal rights training to disadvantaged women, with emphasis on women's rights and rule of law.

The United States promoted democracy education and solidarity in the Islamic community. Through funding of the Cambodian Islamic Development Community (CIDC), the United States addressed radical Islam by strengthening networks and Islamic solidarity to promote peaceful dialogue toward moderate alternatives. The CIDC developed a training manual for a human rights and democracy training program that increased awareness of human rights within the Khmer Muslim community. With U.S. support, the Cambodian Islamic Youth Association raised awareness within the Khmer Islamic communities of the need for peaceful dialogue on topics such as democracy, human rights, peace education, HIV/AIDS and conflict resolution. Both projects were funded through the Democracy Commission Small Grants program, managed through the Embassy's Public Affairs Office.

The United States used more than \$8 million to fund International Labor Organization (ILO) programs and others to protect the rights of workers through monitoring working conditions in garment factories and combating the worst forms of child labor. The American Center for International Labor Solidarity, with U.S. support, trained union leaders in union building and provided legal aid to garment union leaders and

activists. The ILO supported creation of a Cambodian Labor Arbitration Council, whose mandate was to impartially arbitrate labor disputes. Tourism unions won international attention for their bargaining and arbitration victories, while U.S. support for new public school teacher unions allowed them to use their growing numbers to win several battles against corrupt school officials. The ILO also supported monitoring and reporting of working conditions and labor rights in Cambodia's approximately 200 garment factories, the creation of labor dispute resolution mechanisms and institutions and the eradication of hazardous child labor. The NGO World Education commenced a project that increased school enrollment and attendance of children at high risk of falling into the worst forms of child labor, such as child trafficking or commercial sexual exploitation.

The United States also supported the International Organization for Migration (IOM) and others with more than \$2 million for activities to combat trafficking in persons. Through IOM and the Ministry of Women's and Veteran's Affairs, the United States supported an information campaign to combat trafficking in women and children. The project included a provincial-level multimedia information campaign, village-based activities designed to foster community networks to combat trafficking and the development of a counter-trafficking database. The IOM project on long-term recovery and reintegration assistance to trafficked women and children provided medium- to long-term care, supported families in order to increase the rate of reintegration, explored and implemented alternative care options and provided psychological support to trafficking victims and NGO workers. Through TAF, local NGOs ran shelters with training and reintegration programs for former trafficking victims and victims of rape and domestic violence.

## CHINA

China's authoritarian government continues to suppress political, religious and social groups, as well as individuals, that are perceived to be a threat to regime power or national stability. The Government's human rights record remained poor, and the Government continued to commit numerous and serious abuses. Although legal reforms continued, there was backsliding on key human rights issues, including the execution of Tibetan Lobsang Dhondup, despite assurances that his case would receive a Supreme Court review, the forced repatriation of 18 Tibetans from Nepal under Chinese pressure and detention of individuals writing on sensitive subjects on the Internet, health activists, labor protesters, defense lawyers, journalists, house church members and others seeking to take advantage of the space created by reforms. Abuses included instances of torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, lengthy incommunicado detention and denial of due process.

The United States employs multiple strategies to promote human rights and strengthen the rule of law in China. U.S. officials routinely highlight publicly the need for improvements in human rights conditions and call for the release of prisoners of conscience. The Ambassador and other officers of the U.S. Mission in China also work with Chinese officials, non-governmental organizations (NGOs) and other organizations to identify areas of particular concern and encourage systemic reforms. The United States supports a wide range of activities designed to improve human rights conditions in China by strengthening the judicial system and furthering the rule of law, encouraging democratic political reform, promoting freedom of religion, protecting human rights, including worker rights and women's rights, improving transparency in governance and strengthening civil society.

The United States continues to place a high priority on raising human rights concerns in meetings

with Chinese officials and working to securing the release of Chinese prisoners of conscience. During the year, the Ambassador and other embassy officials repeatedly raised specific human rights cases in public remarks and meetings with Chinese officials. In December 2003, President Bush raised human rights concerns with Chinese Premier Wen Jiabao in Washington. During Foreign Minister Li Zhaoxing's visit to the United States in September 2003, Secretary of State Powell expressed our deep concern regarding the human rights situation in China. Secretary Powell also raised human rights when he met with Foreign Minister Li during the APEC ministerial meeting in October. During his trip to Beijing in late January 2004, Deputy Secretary of State Richard Armitage urged China to move forward on dialogue with envoys of the Dalai Lama and raised other human rights concerns. Assistant Secretary of State for Democracy, Human Rights and Labor Lorne Craner traveled to Beijing in October 2003 to express concern regarding the human rights situation and the lack of human rights cooperation. During the year, he regularly raised human rights in meetings with Chinese officials. Assistant Secretary of State for East Asia and the Pacific James Kelly also raised ongoing human rights concerns in high-level meetings in February and March 2004.

In 2003, political activists Xu Wenli and Fang Jue and Tibetan nun Ngawang Sandrol were released to the United States. In February 2004, Tibetan nun Phuntsog Nyidron was also released and allowed to return to her home in Lhasa, and in March 2004 political dissident Wang Youcai was released to the United States on medical parole. United States appeals also helped others gain early release from prison. A team of Chinese legal experts for the first time engaged U.S. legal experts in discussions on the cases of those still serving sentences for the now-repealed crime of counterrevolution. Follow-on talks were held in Beijing in February 2004.

The President and senior officials continue to call upon the Chinese Government to enter into dia-

logues with the Vatican and the Dalai Lama. Emissaries of the Dalai Lama visited Tibetan areas of China twice in the past two years, the first such visits in decades. Lodi Gyari, the Dalai Lama's special representative to the United States, and Kelsang Gyaltzen, the Dalai Lama's special envoy to Europe, made a trip to China in May 2003 to continue discussions with Chinese officials that began in September 2002.

The United States has engaged in an ongoing Human Rights Dialogue with China. During the December 2002 session, the Government agreed to invite, without conditions, the UN Special Rapporteurs for Torture and Religious Intolerance, the UN Working Group on Arbitrary Detention and the U.S. Commission on International Religious Freedom to visit China, but those visits have yet to take place. While U.S. officials continually engage Chinese authorities at all levels on human rights issues, the United States did not schedule a new round of dialogue in 2003, primarily because of China's failure to live up to commitments made during the 2002 session.

During the year, U.S. officials worked to strengthen the flow of information about human rights issues between the United States and like-minded governments. The United States attended the fourth "Bern Process" meeting of China's human rights dialogue partners to share information about human rights strategies and democracy, human rights and rule of law programming. The U.S. Mission in China also brought internationally recognized speakers to address Chinese audiences on topics including democracy, human rights, religious freedom, corporate social responsibility and rule of law.

The United States seeks to promote systemic improvements in China's human rights situation. Toward that goal the United States funds a multi-million dollar program to promote legal reform and encourage judicial independence, increase popular participation in government and foster the development of civil society in China. Under

this program, more than a dozen projects are currently being implemented, including projects that strengthen the provision of legal services and enable average citizens to seek protection under the law. For example, in September the United States supported a seminar attended by more than 150 Chinese judges, prosecutors and defense attorneys on problems of the criminal defense bar. Other projects promote democratic political reform by encouraging the holding of direct elections at the local level and increasing ways in which citizens can participate in government decision-making. The United States also supports a small grants program administered by the U.S. Embassy in Beijing. The Embassy awards small grants to members of China's NGO movement in support of democratic values. In 2003, the United States funded 13 projects with diverse purposes, including teaching U.S. law at a Chinese university and supporting environmental and health care advocacy NGOs. The Embassy also launched a series of programs in Beijing and Shanghai to draw attention to the environmental and social effects of specific business activities. This series included four digital videoconferences and support for an October conference on corporate social responsibility in coordination with the Beijing American Chamber of Commerce. In addition, a former U.S. federal prosecutor serves as Resident Legal Advisor at the Embassy and regularly organizes events promoting the rule of law, speaking frequently to Chinese audiences about legal reform, including issues relating to criminal procedure.

The United States has raised concern for the rights of minorities. The United States publicly and privately urged China not to use the war on terrorism as justification for cracking down on Uighurs expressing peaceful political dissent. U.S. officials have also pressed China not to forcibly repatriate North Koreans and to allow the UN High Commission for Refugees access to this vulnerable population, as required by the 1951 Convention on Refugees and the 1967 Protocol on the Status of Refugees, which China has signed.

The United States has devoted significant resources and time to its engagement in discussions with Chinese officials and the UN Population Fund to eliminate coercive elements of China's birth limitation program and to encourage the practice of fully informed, voluntary consent in family planning.

The United States also promotes compliance with international labor standards. The U.S. Mission in China works to monitor compliance with the U.S.-China Memorandum of Understanding and Statement of Cooperation on Prison Labor and to investigate allegations of forced child labor. The U.S. Labor Department supports technical assistance programs to advance labor rule of law and mine safety. The Partnership to Eliminate Sweatshops Program (PESP) is a State Department program designed specifically to address unacceptable working conditions in manufacturing facilities that produce for the U.S. market. The program is aimed at overseas factories and complements other U.S. efforts to bring countries into compliance with the 1998 International Labor Organization Declaration on the Fundamental Rights at Work and to assist developing countries to meet worker rights criteria set forth in U.S. trade legislation. The State Department is providing PESP funding to four non-governmental organizations to work in China. Social Accountability International (SAI) and its local partners are developing and testing an innovative model for worker-manager relations through which it will train up to 3,000 workers in three to five factories in the toy and apparel industry in China. At the project's completion, SAI hopes to have built local capacity to ensure compliance with labor standards as well as to have designed a model for worker-manager training that can be applied to additional factories in China. The China Working Group is working to promote labor rights awareness in the Chinese business community and Chinese business schools. The Toy Industry Association is working to increase local capacity to ensure compliance with labor standards in the toy industry in Guangdong Province. Finally, Business for

Social Responsibility is developing advanced training materials for factory managers, compliance officers, supply chain managers and others on labor, environmental and health and safety issues as well as implementation tools suitable for use in individual factories in China.

The U.S. Mission in China continues to encourage China to improve its efforts against trafficking in women and children. While the Ministry of Public Security has arrested more than 20,000 traffickers and rescued more than 42,000 victims over the past three years, it can do more to cooperate with foreign organizations.



## FIJI

Fiji is a constitutional republic with a multiracial and multicultural populace, and ethnicity remained a dominant factor in the country's politics, economy and society. Ethnic discrimination remained a serious problem, as did police abuse, restrictions on freedom of assembly and violence and discrimination against women. The current government was elected in a free and fair election in 2001; however, concerns remained about power sharing and the composition of the Cabinet.

The Embassy concentrated in 2003 and early 2004 on persuading the Government of the Republic of Fiji Islands to abide by the decision of the Supreme Court on the Constitutional multi-party cabinet case. Consistent with his promise to comply with the ruling regardless of the outcome, in August Prime Minister Qarase offered seats in his Cabinet to the opposition Fiji Labor Party, as required by power sharing provisions in the 1997 Constitution. Disagreements remain between the two main parties on how to implement the court decision – specifically over the number of portfolios to be held by the opposition (the Government is offering 14 while the opposition is demanding 17). However, the political dispute is taking place within the constitutional framework and under the rule of law.

The award of a \$50,000 Human Rights and Democracy Fund grant in 2003 to the Citizen's Constitutional Forum was an important part of the Embassy's overall efforts to promote rule of law through better understanding of democratic rights under the Constitution. The grant targets rural Fijians, a key but often overlooked constituency in Fiji's conflicts, for grassroots education.

The Embassy also urged the Government and the military to resolve differences that strained relations and raised concerns of more unrest during the year. This was particularly useful at a sensi-

tive juncture in April 2003. Three years after the coup and mutiny of 2000, Fiji has returned to constitutional democracy. In recognition of this and upon completion of an Article 98 agreement at year's end, the United States fully normalized its relationship by restoring full military bilateral assistance to Fiji.

Reports in recent years of incidents of police brutality, and more generally of susceptibility to corruption within the police force, led the Government to appoint a former senior officer in the Australian Federal Police as Police Commissioner. The U.S. strategy to address these issues includes investment in the professional development of the military, police and security forces of Fiji. To this end, the United States sent a number of Fijian military and police officers for training under Pacific Command's Title 10 engagement program and other programs. With the resumption of full bilateral military assistance, the United States will also resume International Military Education and Training programs for Fiji security forces to foster increased professionalization and a greater respect for human rights.

The U.S. Embassy has developed close contacts at every level with a broad spectrum of political leaders, trade union organizers, academics, military contacts, police, legal experts, religious figures and women's rights advocates. A boost in support from Washington provided the Embassy with a unique opportunity to step up its engagement with human rights, labor, women's and media freedom advocates on a number of important issues. It also enabled the Embassy to strengthen its reporting and understanding of the impact of key legislation, including the Family Law Act, the Industrial Relations Act (Labor issues) and the now-dormant Media Bill, which would have restricted media freedom in Fiji.

On the public diplomacy front, the release of the State Department's 2002 Country Report on Human Rights Practices was met with larger than expected local interest and publicity. Although

the report drew both praise and criticism, it provided a useful tool for eliciting feedback and establishing dialogue with different groups in Fiji. The Embassy also used the International Religious Freedom report to broaden its contact with a variety of religious leaders from the majority Methodist church to the minority Muslim community.

In March, the Embassy sent two participants from the Fiji-based organization Homes of Hope to participate in a two-week Trafficking in Persons course in Washington, D.C. Although the Embassy has not been able to document cases of forced labor and prostitution among illegal migrants, there are indications that it could become an emerging problem in Fiji.

## INDONESIA

The Republic of Indonesia, headed by President Megawati Soekarnoputri, made progress in 2003 in its transition from decades of repression and authoritarian rule to a more pluralistic and representative democracy. The overall human rights record, however, remained poor. Soldiers and police officers committed widespread violations, including extrajudicial killings and torture, notably in Aceh and Papua Provinces. A weak and corrupt judicial system frequently failed to hold violators accountable. The military took greater steps to punish human rights abusers within its ranks but – as with the civilian justice system – the punishment in many cases did not match the offense. The Government frequently failed to uphold adequately the fundamental rights of children, women, peaceful protestors, disabled persons, religious minorities and indigenous groups.

The United States undertook aggressive and varied efforts to promote human rights in Indonesia. The Ambassador and other embassy officials frequently highlighted publicly the need for protection of human rights and invested time, energy and resources into helping counter problems such as trafficking in persons, religious intolerance and



threats to press freedom. President Bush traveled to Indonesia in 2003, reiterating U.S. support of Indonesia's democratization and calling for conflict resolution in Aceh and access to Aceh by non-governmental organizations (NGOs), international aid workers and independent media.

Because many human rights violations in Indonesia involved the security forces, the United States focused human rights efforts on pushing for military reform and accountability, professionalizing the police and developing civil society institutions essential for sustaining the democratic transition. The United States closely monitored all trials involving active duty soldiers indicted for crimes against humanity, and spoke out when actions (or inaction) by prosecutors called into question the overall fairness of the judicial process, as was the case at the East Timor Ad Hoc Tribunal. The United States encouraged the military to improve from the inside out, through continued exposure to the Expanded International Military Education and Training program. This program, which also involved a number of civilians, highlighted ways to strengthen civilian oversight of the military and promote respect for human rights. Some courses sought to improve the military justice system, while others

boosted the investigative capacity of military police. U.S. officials frequently met Indonesian military officials and encouraged military reform.

The United States took steps to help professionalize the national police force, aiming not only at improving police conduct, but helping the police combat human rights abusers, including people traffickers and terrorists. A program on Civil Disorder Management proved particularly successful. In Surabaya, where excessive force by police had reached alarming proportions, the number of persons shot by police plummeted during the year. The chief of police credited the United States with calling his attention to the issue.

As part of outreach efforts to the Muslim community, U.S. officials made dozens of visits to Islamic boarding schools (pesantren) and day schools (madrasahs), openly exchanging viewpoints on pluralism, tolerance and respect for human rights. The State Department's Bureau of Democracy, Human Rights and Labor sent the leaders of approximately 40 pesantren to the United States for a three-week program on religious pluralism, civic education and educational development, and funded the visit of a noted

American scholar to the cities of Yogyakarta, Mataram and Makassar, where he held seminars on religious tolerance. The United States also provided funding to organizations working with pesantren, including a consortium promoting voter education. At the university level, a multi-year grant helped implement a civic education program throughout the Muhammadiyah university system. A separate grant helped the Institute for Islam and Social Studies in Yogyakarta conduct training on human rights and courses promoting tolerance. Promoting an environment where Indonesians can freely exercise their civil and political rights is critical to the U.S. foreign policy objective of fostering pluralism and tolerance as a means to countering extremism.

To strengthen rule of law in Indonesia, the United States supported legal reform activities. U.S. funding of two Indonesian NGOs helped provide technical assistance so that the Supreme Court could publish a six-volume blueprint for reform of the top court and the national court system it begins overseeing in April 2004. The United States also helped Indonesia Corruption Watch address judicial corruption by monitoring court sessions.

In advance of the 2004 nationwide legislative elections, which will be followed by the first-ever direct presidential election, the United States provided extensive and crucial election assistance, including technical support to national and regional electoral authorities, help with voter education programs and monitoring initiatives to protect ballot integrity. This assistance will bolster the election process in what will be one of the world's most complex elections: 585,000 polling stations for more than 147 million voters, who speak more than 250 languages and dialects.

In Aceh, the United States was the chief financial supporter of the Henri Dunant Center for Humanitarian Dialogue, which helped to broker the ceasefire agreement (COHA) between the Indonesian Government and the Free Aceh Movement during the first four months of 2003.

This support helped bring about a substantial reduction in human rights violations while the ceasefire remained in effect. After the COHA collapsed and the Government declared martial law, U.S. officials, including Deputy Assistant of State for Democracy, Human Rights and Labor Elizabeth Dugan, frequently urged the Government to protect noncombatants' rights and allow access to humanitarian groups and journalists. The United States supported civil society organizations that assisted human rights victims and advocated peaceful resolution of the conflict, and helped fund the International Catholic Migration Committee's treatment of torture victims. Although the U.S. Agency for International Development was blocked from administering humanitarian aid in Aceh after the declaration of martial law, the Mission continued to support local NGOs and media groups attempting to monitor the humanitarian situation in Aceh.

In Papua, where separatist sentiment ran high and human rights violations continued, the United States took steps to improve monitoring and investigation of human rights abuses. The United States continued to demand justice for the August 2002 killings of two U.S. citizens near the city of Timika, and received commitments from Indonesian authorities to work with the Federal Bureau of Investigation to resolve this case. The United States also conveyed concerns over severe rights abuses in the Central Highlands following an April raid on a government arsenal; the National Human Rights Commission subsequently opened an official investigation into the Highlands case. Thanks to advocacy work by U.S.-funded NGOs, the Commission also launched a probe into the 2001 Wasior incident, during which 12 civilians were killed. The United States also backed efforts to enshrine Adat (traditional) rights into law, to increase basic awareness of rights among Papua's most isolated communities and support the work of the Papua branch of the Committee for Missing Persons and Victims of Violence.

Press freedom came under strain, with thugs occasionally assaulting journalists and politicians and tycoons punitively pursuing criminal or civil legal actions against editors and reporters. The Ambassador demonstrated U.S. commitment to press freedom by meeting assaulted journalists and speaking out when courts failed to defend press freedom. By supporting the South East Asian Press Alliance, the United States monitored the extent of violence and intimidation against journalists in Indonesia. The United States also sponsored the translation and publication of a book on press professionalism, whose author conducted media workshops on free and ethical media. In support of freedom of speech, senior U.S. officials conveyed to the Government concern over the growing number of peaceful protesters jailed for “insulting the President” or “spreading hatred against the Government.”

To safeguard women’s rights, the United States worked with local partners, such as the Foundation for the Elimination of Violence against Women and the Foundation to Assist in the Protection of Women, to raise awareness of domestic violence, support a media campaign to inform women of their rights, empower women through pesantren programs, create a national database of potential women candidates for political parties and study how police treat female trafficking victims. The United States placed a number of women-related documentaries and news clips on local television. Dozens of women took part in International Visitor, Voluntary Visitor, Fulbright Summer Institute and other programs, many of which focused on human rights issues. U.S. support of the National Commission on Violence against Women resulted in the Indonesian Government’s decision to establish regional women’s crisis centers. The United States also funded the Women’s Journal Foundation, which produced a monthly magazine and a weekly radio show that reached 158 stations.

In Maluku and North Maluku, violence between Muslims and Christians subsided in 2003, while in Central Sulawesi, following a decline in violence throughout most of the year, an upsurge in violence was observed in October and November. All three provinces continued to need extensive reconciliation and reconstruction work. In Central Sulawesi, U.S. funding helped the NGO CARE with community development projects and built homes for those displaced by the conflict. In the same province and in Maluku, our funding helped the NGO Mercy Corps provide income generation projects to aid those rendered jobless by the conflict. The NGO International Medical Corps used U.S. funds to provide emergency and primary health care to Maluku residents on remote islands where sectarian violence had destroyed health facilities. U.S. officials regularly met religious leaders to urge mutual respect and cooperation, while at the same time calling for justice for those who perpetrated severe human rights abuses in the past.



IFES

The United States worked with the International Labor Organization and the Solidarity Center (ACILS) to raise awareness and combat the problem of child labor. The United States devoted substantial funding to protect children from sexual exploitation, trafficking and hazardous work on fishing platforms and in footwear factories. The United States supported the People's Crisis Center in Aceh to rescue children victimized by the conflict, particularly those with physical or mental trauma. Our funding provided for a "Safe House" where children could receive counseling and education.

Trafficking in persons remained a serious problem. Sub-grants to approximately 30 NGOs permitted them to carry out local anti-trafficking efforts with an emphasis on prevention and rehabilitation. In July, the U.S. Embassy, ACILS and the International Catholic Migration Commission (ICMC) organized Indonesia's first national anti-trafficking conference, with the Ministry of Women's Empowerment as co-sponsor. Earlier in the year, ACILS and ICMC provided technical assistance to the Ministry to develop and implement a national anti-trafficking action plan and draft an anti-trafficking bill.

## DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

The United States continues to be seriously concerned about North Korea's abysmal human rights record and the ongoing humanitarian crisis faced by the North Korean people. The Government's human rights record remained extremely poor, and it continued to commit numerous serious abuses. The United States is working to raise awareness of the severity of North Korea's human rights abuses and humanitarian issues before the international community and American audiences, as well as to raise these concerns directly with the North Korean regime. The United States provides funding to non-governmental organizations (NGOs) reporting on human rights conditions in North Korea and is also a primary contributor of

food aid. The United States is also working to end the forced repatriation of North Koreans from China, as these returnees may face serious abuses, including torture and sometimes execution.

During multilateral talks with the North Korean Government in April 2003, Assistant Secretary of State for East Asian and Pacific Affairs James Kelly made clear that an improvement in relations with the United States depends on progress by North Korea in a number of areas, including respecting human rights. During the year, President Bush, Secretary of State Powell and Assistant Secretary of State for Democracy, Human Rights and Labor Lorne Craner also focused international attention on the deplorable human rights conditions inside North Korea. The United States also regularly raises concerns about North Korea in multilateral fora and bilaterally with other governments. The United States regularly consults with other countries about the human rights situation in North Korea and ways to improve it. The United States has also supported Japanese efforts to resolve concerns about North Korea's admitted abduction of Japanese citizens in the 1970s and 1980s.

The United States continues to be a major provider of food aid to North Korea based on humanitarian considerations and provided 100,000 metric tons of food aid in response to the World Food Program's (WFP) appeal in 2003. U.S. food aid contributions are based on demonstrated need in North Korea, competing needs elsewhere in the world, and donors' ability to have access to all vulnerable groups and monitor distribution. The United States continues to be seriously concerned by North Korean restrictions that undermine the ability of the humanitarian community to assess the needs of all vulnerable groups in the country and to monitor the distribution of aid. The Government does not permit WFP officials and other aid workers to visit or distribute assistance in 43 of the 206 counties in the country, prohibits random monitoring visits and does not allow direct interviews with benefi-

ciaries. These restrictions undermine the confidence of many donors that the aid consistently reaches its intended recipients. In an effort to improve the conditions under which food aid is distributed in North Korea, U.S. officials have raised with North Korean officials the Government's serious abuses of humanitarian principles relating to monitoring and access – principles that are upheld by all other aid recipients – and have also urged other donors to raise these issues. While the WFP has reported some modest progress in these areas recently in North Korea, much more is needed and the United States will continue to press for improvements.

The United States continues to support the monitoring and reporting of human rights conditions in North Korea through National Endowment for Democracy (NED) grants to South Korean NGOs. In 2003, the Bureau of Democracy, Human Rights and Labor awarded a \$250,000 grant to NED to support NGOs based in South Korea to improve and expand monitoring and reporting on the human rights situation in North Korea. Given the extremely closed nature of the North Korean regimes, these activities are critical to shining the spotlight on the severe human rights abuses occurring in North Korea. Radio Free Asia also regularly broadcasts in the Korean language.

The involuntary return of North Koreans from China to North Korea is a matter of deep concern, as these returnees may face serious abuses, including torture and sometimes execution. The United States consistently urges China to adhere to its international obligations as a signatory to the 1967 Protocol on Refugees and allow the UN High Commission for Refugees (UNHCR) to assess the needs and status of this vulnerable population. U.S. officials have, on multiple occasions, expressed to the Chinese Government strong objections to the refoulement of North Koreans in China, drawing attention to China's international obligations and pressing the Government to refrain from returning any individual to North Korea against his or her will.



The United States has also discussed its concerns regarding North Koreans in China with the UNHCR and other governments. North Korea is also subject to sanctions for its neglect of the problem of trafficking in woman and girls.

Genuine religious freedom does not exist in North Korea, and there have been reports of religious believers being subjected to harassment, imprisonment and torture. In 2003, Secretary of State Powell again designated North Korea a “Country of Particular Concern” under the International Religious Freedom Act for its particularly severe violations of religious freedom.

During the year, the United States, China, Russia, Japan, South Korea and North Korea initiated “Six-Party Talks,” the goal of which is to achieve the complete, verifiable and irreversible dismantlement of North Korea's nuclear programs. During the Six-Party Talks, North Korea's

abysmal human rights record was among the range of concerns raised. The United States also successfully worked with other concerned nations to achieve passage of a resolution on the human rights situation in North Korea during the 59th session of the U.N. Commission on Human Rights. The resolution strongly condemned the North Korean Government for its human rights abuses, including the use of torture and forced labor, as well as restrictions on the rights to freedom of expression and assembly. The resolution called on the Government to fulfill its obligations under human rights instruments to which it is a party, invite UN special representatives to visit North Korea, and ensure that humanitarian organizations have free access to the country.

## LAOS

The Lao Government's human rights record remained poor in 2003 and it continued to commit serious abuses. Members of the security forces abused detainees, especially those suspected of insurgent or anti-government activity. Prisoners were sometimes abused and tortured, and prison conditions generally were extremely harsh and life threatening. Police used arbitrary arrest, detention and surveillance. Lengthy pretrial detention and incommunicado detention were problems. The people of Laos lacked basic freedoms, including freedom of speech and expression. The Government controlled the domestic media, although many Lao have access to international media, and Internet access is generally not restricted. The only political party – the Lao People's Revolutionary Party – holds a tight monopoly on all political, economic and social decision making. High-ranking officials, nearly without exception, are members of the Lao People's Revolutionary Party. Several political prisoners remain in jail serving long sentences, and the judiciary is under government influence. The Lao Government has taken some steps to address local-level persecution of religious minorities, but a climate of intolerance still exists in some areas. A long-running domestic insur-

gency problem has resurfaced, and the United States continues to press for a peaceful resolution.

The United States has made promoting respect for human rights a cornerstone of its policy in Laos. The United States monitors and reports on the human rights situation and frequently urges the Lao Government to adhere to international standards for the protection of human rights. Ambassador Douglas Hartwick summarized our policy in annual policy speeches in January 2003 and 2004. He emphasized that overall progress on human rights, including better treatment for political prisoners, greater religious tolerance and improving the treatment of ethnic minorities, were key to Laos' development. With some success in 2003, the United States concentrated major efforts on addressing all of these areas. While overall the situation remains poor, some improvements in religious freedom and the treatment of minorities have been seen.

Laos' prisons fall far short of international standards, and reports of mistreatment and abuse of prisoners are commonplace. The Embassy prodded the Lao Government to permit international monitors access to jails. U.S. officials met frequently with representatives from international organizations and officials from other concerned nations to discuss strategies to convince the Lao Government to open its prison system to international monitoring. The United States closely followed the cases of known political prisoners, raising their plight with high-level official contacts and urging their early release. The Embassy raised several cases of alleged disappearances and extrajudicial killings with senior Lao leaders.

Promoting good governance was another focus of the U.S. human rights strategy. The United States worked closely with non-governmental organizations (NGOs) active in this area, including the International Republican Institute, which has a track record for conducting successful good governance-related projects in Laos. The Embassy awarded four small democracy grants to

Lao-based organizations to conduct workshops and training dedicated to developing democratic institutions and free enterprise. Among recipients of these grants were the Young Lao Radio and TV Producers, the Youth Leadership Development and Community Service and the Youth Creative Writing/Storytelling and Drama groups.

The Embassy's Public Affairs Section (PAS) played an active role in promoting good governance. PAS conducted a training program for Lao journalists to learn how to do research on the Internet. PAS also held a one-week training course for TV producers, which covered all aspects of preparing TV news programs. The Embassy also made good use of its International Visitor program to promote human rights by sponsoring four Lao governors to visit the United States in 2003 to see local government and democracy in action. While in Washington, the governors met with Assistant Secretary of State for Democracy, Human Rights and Labor Lorne Craner who spoke with them about the importance of democracy and human rights and urged them to hold local officials accountable for abuses that occur in their provinces.

In line with our focus on promoting democracy, good governance and improved human rights, the United States continues to support granting Normal Trade Relations (NTR) status to Laos and putting into effect the bilateral trade agreement negotiated in 1997 and signed in September 2003. Extending NTR to Laos will provide an important opportunity to increase openness and transparency in Lao society that allows for the expansion of efforts to promote improved human rights and foster democratic reform.

Encouraging a peaceful resolution to a long-running insurgency issue in Laos was another U.S. human rights priority. The United States remains concerned about small groups of people living in dire conditions in remote areas of Laos. The Ambassador met with dozens of senior officials, including members of the Politburo and provin-

cial governors, to discuss this problem and to press the Lao Government for a humanitarian and peaceful resolution. The Ambassador also engaged other foreign embassies to press the Lao Government for a peaceful solution. By early 2004, the Embassy noted indications that the Government was quietly making a greater effort to promote an amnesty program for those groups willing to give up arms and resettle, although still without the assistance and oversight of the international community. In February 2004, the United States received reports that hundreds of individuals, some of whose families had remained in remote highland areas since the Indochina conflict, had emerged to accept resettlement. The United States is following this situation closely and has sought additional information from the Lao Government.

On February 26, 2004, senior U.S. officials from the Departments of State and Justice hosted a meeting with representatives from the Hmong and Lao community in the United States to discuss U.S. policy toward Laos. Deputy Assistant Secretary for East Asian and Pacific Affairs Matthew Daley, Deputy Assistant Secretary for Population, Refugees and Migration Kelly Ryan, Ambassador at Large for International Religious Freedom John Hanford and Deputy Assistant Secretary for Democracy, Human Rights and Labor Elizabeth Dugan clarified the importance of human rights to the bilateral relationship. These officials outlined clearly U.S. policy and sought support from the Lao community for U.S. efforts to promote human rights, democracy and religious freedom in Laos, resettle Hmong refugees from Wat Tham Krabok in Thailand and resolve the insurgency issue peacefully.

During 2003, the Ambassador and other embassy officers traveled to areas of unrest to gather information about the extent of Laos' insurgency problem. U.S. officials learned first-hand from former insurgents and their families about the Lao Government's little-known amnesty program for groups agreeing to come out of the forest and lay down their weapons in exchange for resettlement

assistance. During these travels, and from conversations with family members in the United States, the Embassy gathered information about specific cases of government mistreatment of ethnic Hmong, including former insurgents, and brought these cases to the attention of Lao government offices.

Following the arrest of two western journalists and their U.S. citizen translator in June 2003 after a local militia guard was killed, the Embassy made almost daily approaches to the Lao Government to seek a quick and just resolution of the case. In large part as a result of these interventions, the Lao Government quickly expelled the three foreigners after a trial that did not meet international standards of justice.

The United States maintained its ongoing dialogue with the Lao Government to promote religious tolerance. At the embassy's invitation, in February 2003 and again in February 2004, Ambassador Robert Seiple of the Institute for Global Engagement visited Laos. In 2003, Ambassador Seiple traveled to church communities in Savannakhet Province, a visit that eventually led to the resolution of a long-standing confrontation between local Christians and officials. In October, Ambassador at Large for International Religious Freedom John Hanford traveled to Laos and visited church communities in northern Vientiane Province. His conversations with provincial and district officials led to improvements in conditions for local Christian churches. The Embassy also used the visit of a delegation from the Jubilee Campaign, led by U.S. Representative Joseph Pitts, to press the Lao on improving religious tolerance.

By strengthening its working ties with the Lao Front for National Construction, the Lao government body overseeing religious issues, the Embassy was able to bring cases of religious persecution to the Government's attention almost as soon as they occurred. Beyond this official line of communication, the Ambassador directly contacted provincial governors to resolve egregious

religious freedom violations. This direct intervention at times proved critical. For example, the Ambassador's letters and phone calls to governors helped secure the release of religious detainees in Savannakhet and Attapeu Provinces in 2003.

Combating human trafficking was another key component of the U.S. human rights strategy. The United States provided more than \$250,000 in 2003 for anti-trafficking activities carried out by NGOs. These projects focused on public education and alternative vocational education for those most vulnerable to trafficking. Money for these projects, administered by the NGO Consortium and Village Focus, came from the East Asia and Pacific Affairs Bureau and the Trafficking in Persons Office in the State Department and from the U.S. Agency for International Development.

## MALAYSIA

Malaysia has a parliamentary system of government based on periodic multiparty elections. Opposition parties actively contest elections but face significant obstacles in competing with the ruling National Front coalition, which has held power for more than 45 years. The Malaysian Government acknowledges that it restricts certain political and civil rights in order to maintain social harmony and political stability. This policy has led to certain human rights abuses, including detention of persons without charge or trial, limits on the impartiality and independence of the judiciary and restrictions on freedom of the press, association, assembly and religion. The Constitution provides for an independent judiciary; however, government action, constitutional amendments, legislation and other factors undermined judicial independence and strengthened executive influence over the judiciary. Members of the Royal Malaysian Police committed human rights abuses.

As an advanced developing country, Malaysia does not receive direct bilateral economic and

developmental assistance, but the United States conducts a range of human rights-related programs and activities aimed at encouraging the development of civil society institutions responsive to human rights. Areas where the United States is pressing for reform include government control over the press, independence of the judiciary from executive pressure, police awareness of human rights and trafficking in persons.

In addition to working with government counterparts, the United States maintains active communications with political opposition parties, human rights NGOs and civil society representatives. In 2003, the United States sponsored a number of seminars and workshops intended to promote greater awareness of human rights issues. These included a workshop on fact-finding methods in human rights violations cases, a seminar on constitutional issues, race relations and human rights, a seminar on building violence-free communities and a “Project Citizen” program to engage high school students on analyzing and working through social issues in multi-ethnic, mixed gender groups. The Embassy also sent two prominent human rights lawyers to the United States to participate in a human rights program exploring the history and development of human rights and liberties in America as the basis of democratic institutions.

In addressing concerns about the independence of Malaysia’s judiciary, the State Department has provided funding to assist the Malaysian Attorney General and the Malaysian Bar Council with judicial reform. Current projects under this program include Alternative Dispute Resolution and Case Management in Courts. The United States also continues to raise with the Government its concerns regarding the politically motivated conviction and imprisonment of former Deputy Prime Minister Anwar Ibrahim. In 2003, embassy officials attended every court appearance by Anwar to demonstrate continued U.S. interest in his case and in Malaysia’s commitment to judicial independence. The United States also maintains regular contact with Datin Seri Wan

Azizah, Anwar’s wife and president of the opposition National Justice Party.

In support of press freedom, the United States sponsored visits to America for several key journalists, who returned with an increased awareness of the challenges and benefits of media free from government control. When human rights defender Irene Fernandez was convicted in October for publishing a 1995 memorandum condemning the Government for its inhumane treatment of migrant workers in detention centers, embassy officials attended the trial to demonstrate concern about this suppression of freedom of expression.

Focusing on the role of religions and the shared challenges faced in pluralistic, multi-religious societies, the United States sponsored a conference on religious diversity in America and Asia and funded a seminar examining an Islamic perspective on the challenges to women in the 21st century, in which both conservative and liberal Muslims presented papers on the impact of Shari’a law on justice for women. This seminar attracted more than 200 participants.

To underscore U.S. concern about the treatment of illegal migrants and asylum seekers, embassy officers met with Malaysian government officials, representatives of the Human Rights Commission, international organizations such as the UN High Commission for Refugees (UNHCR), and non-governmental organizations (NGOs) that work on migrant issues. In August, the Embassy officially protested the treatment of Acehese asylum seekers who were arrested outside UNHCR headquarters in Kuala Lumpur and the deportation of Acehese back to Indonesia, including those determined by UNHCR to be Persons of Concern. In response to expressions of concern from the United States and the international community, the Government delayed deportation of many of these asylum seekers to allow the UNHCR time to consider their applications.

The United States actively continues to engage the Government of Malaysia, political parties and NGOs to raise awareness and press for concrete steps to combat trafficking in persons. U.S. efforts focus on passage of specific anti-trafficking legislation, improving the enforcement of existing legislation, and procedures to protect and treat victims as trafficked persons rather than as illegal migrants. The United States has sent several Malaysian government officials and Bar Council members to the United States for programs focused on anti-trafficking activities. In 2003, members of the Attorney General's office attended a U.S.-sponsored senior criminal justice executive course in Bangkok on trafficking in persons and illegal migration. In early 2004, members of the Malaysian police will attend a U.S.-sponsored conference intended to strengthen law enforcement operations to combat the trafficking of people in Malaysia, Singapore and Indonesia. As a result of these activities, the Malaysian Government is increasingly sensitive to trafficking issues.

## PAPUA NEW GUINEA

Papua New Guinea has a federal parliamentary system. The Royal Papua New Guinea Constabulary maintains internal security, assisted from time to time by the Defense Force, including during elections. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently of government authority. Members of the constabulary committed a number of serious human rights abuses. Good governance and economic growth are essential elements to improvement of the human rights climate in Papua New Guinea. A pervasive lack of law and order, continuing poor economic growth causing low national incomes and living standards, severely deteriorated infrastructure and the lack of effective government services delivery in much of the country are all barriers to progress on human rights.

In the 1990s, the United States ended most of its programs in Papua New Guinea (including the U.S. Agency for International Development, the Peace Corps, then-USIS and the resident Defense Attaché), making the Embassy a small one with very limited resources with which to promote change. However, in our contacts with senior government officials, the United States advocates high standards for democratic processes and consistent respect for human rights.

In 2003 and early 2004, the United States provided training emphasizing respect for human rights to defense and other security personnel through the International Military Education and Training program. The Embassy has also utilized slots in Multi-Regional International Visitor programs to provide exposure to U.S. systems and values to future leaders, including a journalist who now heads up the Bougainville office of the leading daily newspaper. The State Department funded the construction of a shelter for abused women in Port Moresby (Haus Ruth, operated by the City Mission).

Our counterterrorism efforts in Papua New Guinea and the region also emphasize the human rights element in this worldwide effort. In addition, the United States supports the implementation of the 2004 expanded assistance effort in Papua New Guinea by Australia, which focuses on better law enforcement, strengthened court and trial operations and improved practices in the Finance, Internal Revenue (including Customs) and Justice Ministries. A return to a higher standard of law and order, reduced corruption and better governance will set the stage for gains in economic and social development, goals that dovetail very well with global U.S. interests and objectives.

## PHILIPPINES

The Philippines is a vibrant, freewheeling democracy with an elected president, an elected bicameral legislature, and a fractious but functioning

multiparty system. The Government generally respected the human rights of citizens; however, there were serious problems in some areas. Elements of the security forces were responsible for extrajudicial killings, disappearances, torture and arbitrary arrest and detention, and there were reports of physical abuse of suspects and detainees. Other problems included widespread corruption in the judicial system and police forces.

Embassy outreach efforts are numerous and broad-based. The Mission focuses on building respect for human rights in the security forces, promoting rule of law and transparent practices in government and the judiciary and strengthening civil society.

To encourage respect for human rights among members of the Philippine National Police (PNP) and other law enforcement agencies, the Embassy sent approximately 150 officers to the International Law Enforcement Academy for courses with human rights, ethics, rule of law and anti-corruption components. In addition, the Legal Attaché's Office coordinated with the Philippine Public Safety College to train senior executives from Philippine law enforcement agencies on ethics, human rights, jail management and American law enforcement standards. A separate U.S. Department of Justice program sent senior management officials from the PNP, National Bureau of Investigation, and Bureau of Immigration to the FBI's National Academy in Virginia for training on similar topics. The Embassy's International Criminal Investigative Training and Assistance Program provided the Embassy a temporary Police attaché to conduct a series of classes for Philippine police officers with rule of law and ethics components; the Mission's Anti-Terrorism Assistance Program, which also sends Philippine law enforcement officials to the United States for training, has a rule of law component as well. The Legal Attaché, a new Department of Justice Attaché and U.S. law enforcement officials representing other U.S. agencies bolster rule of law by assisting in

prosecutions and extraditions and emphasizing human rights in their outreach meetings with local contacts.

The Embassy also works to strengthen the Philippine Commission on Human Rights (CHR), an independent agency tasked to monitor and investigate alleged human rights abuses. A \$161,000 Bureau of Democracy, Human Rights and Labor program administered through The Asia Foundation provides CHR regional offices with computer software and other equipment to more efficiently track cases and relay information to Manila. The same software also was made available free of charge to Philippine non-governmental organizations (NGOs) that separately track human rights abuses such as disappearances and torture. Embassy officers continue to coordinate closely with the CHR, which provides human rights training for members of the Armed Forces of the Philippines (AFP) and the PNP.

Strengthening democracy is an essential Mission goal. Numerous programs at both the local and national level promote equity, transparency and popular participation – all key to democracy. For example, the U.S. Agency for International Development's (USAID) Economic and Technical Assistance Program supports the Philippine Government's effort to make corruption a high risk, low reward activity. Assistance to the Office of the Ombudsman, which has responsibility for prosecuting graft and corruption by high-level government officials, included support to a series of training seminars and help in the campaign to encourage people to report incidences of corruption. At the local level, USAID assisted more than three dozen municipalities to develop and implement good governance and anti-corruption programs.

The USAID-funded Transparent and Accountable Governance program, implemented by The Asia Foundation, works at the local and national levels to promote better governance, increase public participation in governance through conferences and other public forums and reduce opportunities

for corruption. A recently completed project enabled the Philippine Department of Education to significantly reduce corruption in the delivery of textbooks to students. Another example of the program's work includes assistance to a southern Philippines city to establish a one-stop shop where businesses can meet all the requirements for renewing permits. In addition to curbing corruption, the reforms helped to cut by a factor of seven the amount of time it takes to renew business permits, helping to attract more businesses to locate in the city.

To strengthen rule of law, USAID institutionalized alternative dispute resolution systems at various levels, increasing judicial transparency and improving case management in the courts. At the community level, USAID's Barangay Justice program enabled marginalized groups to gain access to the judicial system. As a result, community disputes are resolved more rapidly, greatly reducing caseloads in municipal courts.

Building respect for rule of law is a key challenge in conflict-affected areas where armed separatist groups have clashed with government troops and continue to solicit support from local communities. To strengthen the credibility of the national and local governments in these regions, the Embassy's Joint U.S. Military Assistance Group (JUSMAG) helped the Government deliver much needed public services to local communities in Mindanao and nearby Basilan and Jolo islands. For example, JUSMAG built solar dryers to assist local farmers increase their productivity and efficiency. JUSMAG also sent mobile medical units to provide free health care for more than 25,000 citizens throughout 2003. Other components of this program included the donation of medical equipment to local hospitals and the construction of wells to provide residents with access to safe drinking water.

The International Military Education and Training (IMET) program is an important component of U.S. efforts to professionalize the AFP. The IMET program strives to strengthen the AFP's

professionalism, commitment to human rights, discipline and technical expertise. IMET graduates populate top AFP ranks and actively promote close and professional U.S. and Philippine military-to-military relationships.

The Philippine Constitution provides for freedom of religion, and the Government generally respected this right in practice. Muslims comprise the largest religious minority in the Philippines, and historically they have been victims of prejudice by the predominant Christian majority. Embassy officials met with representatives of all major Philippine faiths to learn about their concerns on a variety of issues. For example, in April the Embassy hosted a meeting of political and opinion leaders from the Filipino Muslim community to discuss the past, present and future U.S. role in Mindanao, site of frequent armed conflict between government security forces and Muslim insurgents. The United States continues to actively support the Government's peace process with the insurgents. These talks have the potential to contribute to peace and a better climate for interfaith cooperation. In November, embassy officers traveled to Davao City to host a conference of Muslim ulama (religious scholars) and discuss the role of education in promoting religious understanding. The Embassy's Public Affairs Section sponsored numerous public conferences and gatherings throughout the year across the country, to promote interfaith dialogue among Filipinos.

In 2003, the Embassy sent both Muslim and Catholic leaders on International Visitor programs to the United States covering a wide range of topics to promote human rights and democracy, including grassroots activism, religion and the community, the role and responsibility of a free press, leadership development for Muslim women, accountability in government and business, community service and NGOs, and trafficking of women and children. The Philippine International Visitor Alumni Association, one of the world's largest with approximately 300 mem-

bers, recently established its own working group focusing on peace and Muslim-Christian relations.

To strengthen worker rights, the State Department funds a sweatshop initiative to help ensure that the garment and manufacturing industries meet core labor standards. A \$5 million program to eliminate the worst forms of child labor has helped economically disadvantaged families across the archipelago return their children to school. This program complements two others centered on children: a \$5 million education initiative funded by the U.S. Department of Labor (DOL), in coordination with World Vision and the Philippines Department of Education, and a DOL-International Labor Organization project to prevent the use of children in armed conflict.

Trafficking in persons is a serious problem in the Philippines. The Embassy has undertaken efforts to assist the Government and NGOs in the areas of prevention, protection and enforcement. A State Department program implemented in conjunction with the American Center for International Labor Solidarity helps raise awareness of trafficking, especially among those most likely to become victims – economically disadvantaged women and children. The State Department’s East Asia and Pacific Bureau funds halfway houses in the Manila and Davao ports to assist victims of trafficking. An NGO running the halfway houses attempts to reunite victims with their families if possible and reintegrate them into mainstream society.

Embassy efforts also focused on enhancing the capability of Philippine law enforcement officials in the fight against trafficking – an area in need of improvement. In 2003, the Department of Homeland Security (DHS) provided training to more than 1,200 individuals from the PNP, the National Bureau of Investigation and various airport and airline security teams to help them detect trafficking activities and patterns. DHS is developing an identification system at Manila’s airport that will help Philippine officials track and

identify criminals, including traffickers. Other projects slated for 2004 include funding for two local NGOs to raise grassroots awareness of trafficking through community seminars and the production of pamphlets and child-friendly readers.

## SOLOMON ISLANDS

The period following the commencement in 1998 of armed conflict between Malaitan and Guadalcanalese militants to mid-2003 was marked by a serious deterioration in the human rights situation in the Solomon Islands. In late July, the Regional Assistance Mission for Solomon Islands (RAMSI), a multinational police-centered force organized by Australia, arrived in the country at the invitation of the Government and began to assist the Government in restoring law and order and rebuilding the country’s institutions. The Constitution provides for an independent judiciary; however, prior to RAMSI’s arrival, the judiciary was hampered by police ineffectiveness, lack of resources and threats against judges and prosecutors. Numerous abuses were committed by the two militant groups, criminals, rogue police and rogue special constables. The crimes included murder, rape, unlawful detention and interrogation, assault, destruction and theft of property, extortion and others.

Efforts since 2000 by the Solomon Islands Government to halt the slide to civil chaos and lawlessness were largely unsuccessful. The effectiveness and integrity of the police broke down, and the operations and efficacy of many government bodies became minimal. During this period the Embassy supported and encouraged the Government to rally its energies and resources to turn the situation around. The United States worked with and supported efforts by nations in the region and the United Nations to develop a plan to restore law and order as well as the primacy of respect for human rights.

Regional concern about the deteriorating situation resulted in the offer and acceptance by the Solomon Islands Government of an interdiction and assistance mission aimed at the restoration of law and order and the restart of government services and control. Not only was a five-year manpower commitment made, but considerable resources and aid were also pledged, with the lead assistance providers being Australia and New Zealand.

RAMSI's arrival in July 2003 saw crime and violence reduced to a very low rate as effective policing was restored, starting in the capital and proceeding outward. Only a pace behind this step was a very successful weapons collection program, which saw a much greater number of weapons than were thought to be in circulation (more than 3,700) collected and destroyed.

Law and order have now been restored throughout the country and RAMSI and the police have apprehended and charged many persons allegedly responsible for human rights abuses and other criminal acts. By year's end more than 340 persons, including approximately 40 police officers, were arrested, with a total of more than 600 charges brought against them. RAMSI has re-established 16 police posts around the country, increased the capacity of the courts and rebuilt to international standards the prison in Honiara.

The U.S. Embassy in Solomon Islands was closed a decade ago, and only a consular agent is maintained there. Nevertheless, the United States has voiced its full support to the assistance mission and to the Solomon Islands Government. The United States is also currently focused on developing a program to complement the successes of RAMSI, resolve conflict and bring about national unity.

## THAILAND

Thailand is a democratically governed constitutional monarchy. In 2001, a coalition Government, led by Prime Minister Thaksin

Shinawatra's Thai Rak Thai Party, was formed following general elections. The U.S. effort to promote and improve human rights in Thailand focused on extrajudicial killings, trafficking in persons, the condition of Burmese refugees and the rights of other ethnic minority groups residing within Thailand's border. Thailand's human rights record worsened during 2003 with regard to extrajudicial killings and arbitrary arrests. The Royal Thai Government reported that out of a total of 2,598 homicide cases during a three-month war on drugs, there were 1,386 narcotic-related deaths. Most remain unsolved. The Government states that most of the killings were conducted by drug dealers against each other and denies allegations that a number of these killings were extrajudicial. However, the Government did not systematically investigate or prosecute these crimes. Trafficking in women and children and coerced prostitution and labor were serious problems.

U.S. officials at the highest levels underscored to Thai officials the need to investigate fully and credibly all extrajudicial killings related to the anti-narcotics campaign and the importance of investigating all unsolved murders and punishing those responsible. Secretary of State Powell raised U.S. concerns over this issue with Foreign Minister Surakiart Sathirathai during 2003. In August, Undersecretary of State for Political Affairs Marc Grossman also raised this issue and stressed the importance of credible investigations to Thai Ministry of Justice officials visiting Washington on an exchange tour. Since February 2003, the Ambassador and other senior-level embassy officials and the acting Assistant Secretary for International Narcotics and Law Enforcement Affairs have made demarches to Thai officials at the Ministries of Justice, Interior and Foreign Affairs and the Royal Thai Police.

The United States continues to press for credible investigations and prosecution of these reported abuses. By the end of 2003, investigations into about half of the non-drug related killings had

resulted in arrest or issuance of warrants for suspects, but only nine drug-related cases involving 23 defendants have resulted in arrests or warrants. Security force involvement was acknowledged in 55 deaths during the February to April period. Of these, 39 were forwarded to prosecutors for submission to the courts, and the other 16 remained under investigation.

In a strong example of bilateral partnership, the U.S. and Royal Thai Governments co-manage the Bangkok-based International Law Enforcement Academy (ILEA), a regional training center for police, military, immigration, customs and other government officials. The Thai Government provides the training facility. In Fiscal Year (FY) 2003, the United States provided operational funds of \$754,000 as well as on-site technical trainers. Since ILEA's inception in 1999, more than 3,000 law enforcement officials from Thailand and some other ASEAN member countries have been trained. All ILEA curriculum includes elements that address support for democratic institutions, the imperative of impartiality and integrity in criminal law enforcement, strict respect for the law and protection of individual rights and liberties of suspects and all other citizens. More than 100 Thai law enforcement officials received advanced training at U.S.-based institutions, most of which included sessions about U.S. and international standards for human rights as related to law enforcement.

U.S. officials, in conjunction with the UN High Commission for Refugees (UNHCR) and other international organizations, maintain close contacts with individual Burmese refugees, political activists and non-governmental organizations (NGOs) within Thailand. Embassy officials also work closely with Thai officials to monitor the conditions of Burmese refugees within Thailand's borders. Deputy Assistant Secretary of State for Democracy, Human Rights and Labor Elizabeth Dugan traveled to Thailand in 2003 to reinforce U.S. support for Burmese political activists and economic migrant labor rights. Deputy Assistant Secretary of State for Population, Refugees and

Migration Kelly Ryan also visited Thailand to discuss refugee issues in January 2004.

In FY 2003, the United States contributed more than \$8 million to NGOs to provide food, shelter and primary health care to more than 140,000 Burmese living in refugee camps and healthcare assistance to other Burmese in Thailand. The United States also provided \$7.9 million for UNHCR operations in East Asia that include the provision of assistance to Burmese individuals in Thailand recognized as refugees. Other U.S.-funded programs for Burmese in Thailand included basic education for children, capacity training for teachers, principals and administrators, and training for journalists, women's and pro-democracy groups. These programs are designed and managed to assist Burmese citizens to gain and retain the skills necessary for a functioning democratic civil society, to be used when the refugees feel safe enough to return to Burma. These capacity-building and democracy promotion programs totaled more than \$4 million. U.S. officials intervened with Thai government officials on numerous occasions in support of Burmese migrant workers' rights. The Ambassador and other U.S. officials traveled to the Thai-Burma border area to meet with government officials, NGOs and affected workers. The Embassy assisted several Congressional and Staff delegations in similar visits.

In 2003, the Embassy brought an American specialist in community radio to Thailand to train community radio operators and citizen action groups to operate community radio more effectively as a basic communication tool of grassroots democracy. An additional seven Thais were sent on U.S. International Visitor (IV) programs on topics related to the strengthening of democratic institutions, rule of law and human rights. Thai Muslims participated in special IV projects, including "Religious Tolerance in a Democratic Society" and "Community Development." In southern Thailand, Thaksin University successfully implemented a U.S. Fulbright grant for "Promotion of Religious Tolerance in Southern

Thailand: Knowledge and Role Enhancement of Secondary School Teachers of Religious Studies” and the Kenan Institute Asia also utilized a U.S.-funded grant to conduct conflict resolution training. The Embassy supported Muslim community initiatives through various grants to NGOs to increase awareness of women’s rights and civic development, and funded travel expenses to Thailand for Dr. Hedieh Mirahmadi, Director of Public Affairs of the Islamic Supreme Council of America, to address the roles and rights of Muslim women in America. A grant was also awarded to an NGO in southern province of Narathiwat to educate and inform provincial communities about the Thai Constitution and legal reform measures.

The United States provided \$625,000 in FY 2003 to support a new program to prevent abuses in sweatshops within Thailand. The Preventing Abuses in Sweat Shops in Thailand program provides support for the Thai Ministry of Labor’s new voluntary labor standard for manufacturers, educates and builds capacity for worker-employer occupational safety and health committees in the workplace, researches labor conditions and establishes legal action centers for Thai and migrant workers in exploitative working conditions. U.S. Deputy Undersecretary of Labor for International Labor Affairs Arnold Levine traveled to Thailand in support of U.S. labor strategy in November 2003.

The Embassy promoted anti-trafficking measures and preventive mechanisms through meetings with government officials and oversight of program funding to local NGOs and law enforcement officials. The United States funded \$2.1 million in FY 2003 programs to combat trafficking in persons and provide assistance to victims both in Thailand and regionally. Programs included assistance with better law enforcement and prosecution, legal assistance centers for victims as well as prevention initiatives, protection for victims and reintegration assistance for victims of trafficking willing to return to their country of origin.

U.S.-funded programs also included training to the Thai Police, Attorney General and NGO and government social workers on trafficking in persons laws, procedures and investigations. These programs established legal assistance centers to help victims prosecute traffickers in five Thai provinces. U.S. embassy officers participated in Bangkok’s multi-embassy Immigration Compliance and Enforcement team to provide fraud detection and interdiction assistance to airport officials. Each month more than 100 interdictions include traffickers and potential victims.

## VIETNAM

Vietnam is a single-party state, ruled and controlled by the Communist Party of Vietnam (CPV). The Government of Vietnam significantly restricted freedom of religion, speech, the press, assembly and association through a number of means during 2003. The Government’s intolerance of political dissent, including on the Internet, resulted in the arrests and sentencing of several democracy activists who criticized the Government. The Government also subjected religious communities to strict registration requirements and obstructed the activities of “unauthorized” religious groups, censored domestic media sources, blocked foreign radio stations and websites, and denied citizens the right to form independent organizations. Restrictions on religious freedom were particularly acute for ethnic-minority Protestant groups in the Central and Northwest Highlands and included church closings, attempts at forced renunciations of faith and religious leaders being detained or fleeing.

The United States has maintained close ties with political activists and religious groups in Vietnam in order to identify and highlight abuses. U.S. officials have pushed for progress on human rights and reform during bilateral meetings in Vietnam and the United States, including in discussions between Secretary of State Powell and Vietnamese Deputy Prime Minister Vu Khoan during his visit to the United States in December. Through various democracy and rule of law pro-

grams, the United States seeks to heighten awareness of democratic principles at the grassroots level and develop a transparent and responsive legal system in Vietnam. U.S. diplomatic efforts have influenced the Government to permit opening of new churches in the Central Highlands, greater government tolerance for the operation of “unauthorized” churches in several areas and a reduction of prison sentences for some religious and political activists. Our programmatic efforts have helped protect trafficked women, facilitate the ratification of an International Labor Organization (ILO) convention against child labor and improve the public availability of much of Vietnam’s legal code.

The United States engaged the Vietnamese Government diplomatically on human rights issues at all levels over the course of the year. U.S. officials traveled widely through the country to investigate allegations of abuses, and virtually every Mission officer and most senior U.S. visitors to Vietnam raised human rights in their meetings with Vietnamese officials at local, provincial and national levels. Through the Embassy in Hanoi and Consulate General in Ho Chi Minh City, U.S. officials explained international concerns and human rights standards to Vietnamese officials from the local level to the highest ranks of the Government and the CPV. In Washington, State Department officials repeatedly stressed human rights concerns in meetings with visiting Vietnamese officials. This constant diplomatic pressure has increased the Vietnamese Government’s attention to human rights and religious freedom problems, but it has yet to translate the increased recognition of problems into tangible steps to improve the human rights situation. Due to inadequate progress on human rights concerns, the United States declined to hold a bilateral human rights dialogue with Vietnam in 2003.

The United States supported increased legal transparency in Vietnam by funding a successful \$8 million, three-year program to help the Government develop and codify a better and



more transparent legal framework as part of the implementation of the U.S.-Vietnam Bilateral Trade Agreement. Among the 2003 activities of this program were 54 training and policy workshops with 3,330 participants and three study tours for senior legislative and judicial officials. The Official Gazette – the Vietnamese equivalent of the Federal Register – began daily publication in July, up from six issues per month previously, making the improvements in the Vietnamese legal code available to all in both Vietnamese and English. This year the United States also began a \$200,000 per year program focused specifically on working with government officials to modernize the Vietnamese Law on Associations which, when completed, will allow independent domestic non-governmental organizations (NGOs) to register legally.

The United States sought to advance awareness of human rights and democracy issues in the media by funding Vietnamese journalists to participate in an International Visitor program enti-

tled “Democracy and Legal Reform in the United States” and a regional program on “Refugees and Trafficking.” The Embassy also initiated and helped arrange a Voluntary Visitor program for the Vice Chairman of the Ethnic Minorities Commission as well as other Commission representatives and officials from provinces with significant ethnic minority populations to expose them to U.S. values and treatment of minorities. The Embassy’s Public Affairs Section also worked with a Vietnamese organization to fund a series of workshops in four cities on the legal rights and responsibilities of citizens, hold legal clinics and produce a series of pamphlets on such topics as citizens’ rights and basic issues in the Vietnamese legal code.

The United States continued its efforts to document restrictions on religious freedom in Vietnam and to raise our concerns at all levels in interactions with the Government. For example, after U.S. officials highlighted the case of an “unofficial” Protestant church threatened with demolition in Ho Chi Minh City, Vietnamese authorities backed off their threats and eventually allowed the church to continue operations. In October, Ambassador at Large for International Religious Freedom John Hanford visited Vietnam to set forth concrete steps – including the release of religious prisoners and allowing the opening of new churches – that the Government should take to meet international concerns. Subsequent to that visit, the Government issued a directive calling for the “continuation of normalizing of relations with the [Protestant Church] in the Central Highlands” and stating a Bible training center may be permitted to open soon. It also allowed an increase in the number of officially registered Protestant churches in the Central Highlands.

The United States continued to encourage the Vietnamese Government to ratify additional ILO conventions addressing worker rights and recognizing core worker rights. In June, the GVN ratified ILO Convention 138 on minimum working

age. The United States also stressed the need to continue to discuss issues surrounding freedom of association and collective bargaining. In November 2003, U.S. Deputy Undersecretary of Labor Arnold Levine and the Vietnamese Ministry of Labor, Invalids and Social Affairs held a labor dialogue in Hanoi. The discussion was the second since the signing of a memorandum of understanding in November 2000, and covered Vietnam’s wide-ranging efforts to improve labor conditions. The United States used more than \$3 million to fund several programs that address the protection of worker rights. With funds from the U.S. Labor Department, in 2003 the United States began a program to improve employment opportunities for people with disabilities as well as a project to build the capacity of the Government to combat the problem of child labor. In addition, a program on dispute prevention and resolution for representatives of more than 70 enterprises started its work and enjoyed great cooperation from the Vietnamese Government. Other U.S.-funded programs worked with the GVN to improve the country’s social insurance system and social accountability standards for Vietnamese enterprises.

To counter the problem of trafficking in persons, the United States provided more than \$500,000 in funds to international NGOs. These NGOs operated a shelter for victims of trafficking repatriated from Cambodian brothels, as well as a number of programs to assist returned victims of trafficking and protect women and children in high-risk areas by providing awareness training, vocational training and economic opportunity through micro-credit programs. U.S. officials at the working and policy levels continued to engage Vietnamese counterparts on trafficking in persons issues, and U.S. officers in Hanoi and Ho Chi Minh City played an important role in coordinating and focusing the international community’s response to the trafficking problem in Vietnam.