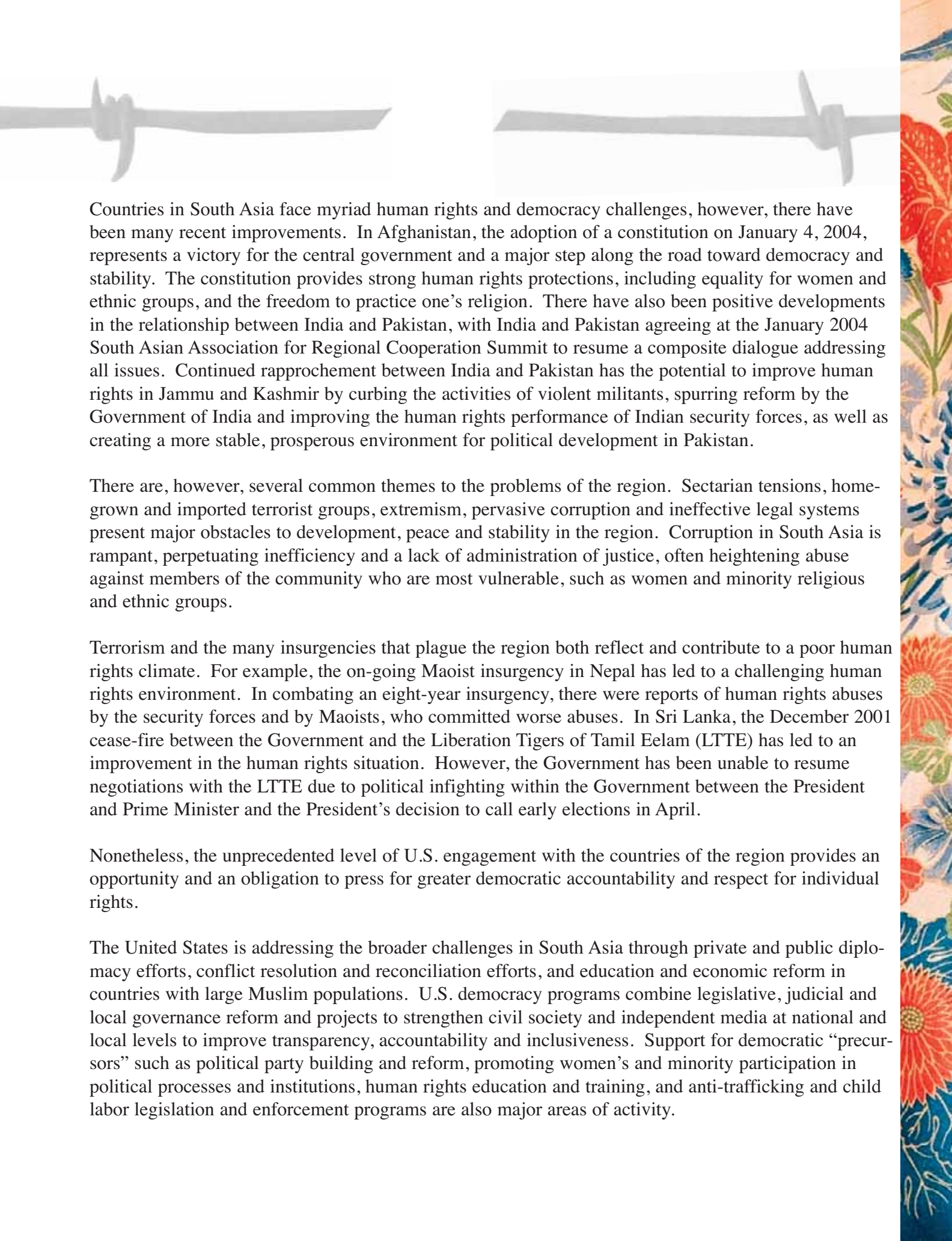




SOUTH ASIA

“The United States ... has helped tremendously in the past year to rebuild Afghanistan ... And I’m also here to ask you to do more for us in making the life of the Afghan people better, more stable, more peaceful. I’m here to thank you and the American people.”

– Afghanistan President Hamid Karzai, meeting with President Bush, February 27, 2003



Countries in South Asia face myriad human rights and democracy challenges, however, there have been many recent improvements. In Afghanistan, the adoption of a constitution on January 4, 2004, represents a victory for the central government and a major step along the road toward democracy and stability. The constitution provides strong human rights protections, including equality for women and ethnic groups, and the freedom to practice one's religion. There have also been positive developments in the relationship between India and Pakistan, with India and Pakistan agreeing at the January 2004 South Asian Association for Regional Cooperation Summit to resume a composite dialogue addressing all issues. Continued rapprochement between India and Pakistan has the potential to improve human rights in Jammu and Kashmir by curbing the activities of violent militants, spurring reform by the Government of India and improving the human rights performance of Indian security forces, as well as creating a more stable, prosperous environment for political development in Pakistan.

There are, however, several common themes to the problems of the region. Sectarian tensions, home-grown and imported terrorist groups, extremism, pervasive corruption and ineffective legal systems present major obstacles to development, peace and stability in the region. Corruption in South Asia is rampant, perpetuating inefficiency and a lack of administration of justice, often heightening abuse against members of the community who are most vulnerable, such as women and minority religious and ethnic groups.

Terrorism and the many insurgencies that plague the region both reflect and contribute to a poor human rights climate. For example, the on-going Maoist insurgency in Nepal has led to a challenging human rights environment. In combating an eight-year insurgency, there were reports of human rights abuses by the security forces and by Maoists, who committed worse abuses. In Sri Lanka, the December 2001 cease-fire between the Government and the Liberation Tigers of Tamil Eelam (LTTE) has led to an improvement in the human rights situation. However, the Government has been unable to resume negotiations with the LTTE due to political infighting within the Government between the President and Prime Minister and the President's decision to call early elections in April.

Nonetheless, the unprecedented level of U.S. engagement with the countries of the region provides an opportunity and an obligation to press for greater democratic accountability and respect for individual rights.

The United States is addressing the broader challenges in South Asia through private and public diplomacy efforts, conflict resolution and reconciliation efforts, and education and economic reform in countries with large Muslim populations. U.S. democracy programs combine legislative, judicial and local governance reform and projects to strengthen civil society and independent media at national and local levels to improve transparency, accountability and inclusiveness. Support for democratic "precursors" such as political party building and reform, promoting women's and minority participation in political processes and institutions, human rights education and training, and anti-trafficking and child labor legislation and enforcement programs are also major areas of activity.

SUPPORT FOR TORTURE VICTIMS IN NEPAL

Since the break of the cease-fire by Maoist insurgents in August 2003, the rate of violence and human rights abuses in Nepal has escalated, including the use of torture as punishment or to extract confessions. The U.S. Agency for International Development is supporting a \$2.5 million program to rehabilitate torture survivors and their families in Nepal, working to address the impunity that allows torture to continue. As part of the grant, a local non-governmental organization (NGO) trains medical and legal professionals in torture-related issues, supports legal actions by torture victims and documents human rights abuses. Stationary clinics provide comprehensive medical and psychological care, while mobile clinics reach torture survivors in remote areas. A shelter-based treatment center for female torture and trauma survivors has rehabilitated more than 100 women since it opened its doors in late 2002. Twelve community workers from district NGOs have received intensive counseling training, while ten district Psychosocial Support Units have been established to provide care and support to more than 400 trauma and torture victims. Since mid-2002, 179 medical professionals have been trained in managing torture cases, and more than 2,300 torture victims and their families have received comprehensive medical and psychological care as well as legal counseling. Mobile treatment clinics have conducted awareness programs for approximately 600 rural victims on legal rights and therapeutic recourses.

All clients receive free legal counseling, and get free legal representation if they wish to bring their cases before a court under Nepal's Torture Compensation Act, which provides compensation for victims of torture. Thirteen cases have been prosecuted to date, and 58 more are pending. The program trains lawyers on aspects of the Torture Compensation Act, trains medical professionals to examine, diagnose and treat torture survivors without re-traumatizing them, and trains doctors to document cases of torture to a standard acceptable as evidence in a court of law. Fact-finding missions comprising a doctor, a lawyer and a journalist investigate credible reports of human rights abuses and circulate reports among human rights organizations.

AFGHANISTAN

The Transitional Islamic State of Afghanistan (TISA) made significant progress in establishing institutions of democracy and governance in 2003, including the adoption and ratification of a sound Constitution that guarantees equal rights for women and minorities and reaffirms Afghanistan's commitments to international human rights conventions. While TISA's commitment to strengthening human rights and the rule of law continued, problems, exacerbated by inadequate resources and lack of institutional capacity, remained. There were instances where members of the factional security forces committed extrajudicial killings. The use of torture, prolonged pre-trial detention and poor prison conditions were problems. Security problems and a judicial system devastated by two decades of conflict also contributed to human rights violations. TISA has reaffirmed its ongoing commitment to reforming government institutions to ensure the protection and promotion of human rights as embodied in the new constitution.

Outside the capital, fighting between local militias maintained by rival commanders and the absence of robust legal and security institutions threatened

stability and development. Taliban remnants and rogue warlords threatened, robbed, attacked, and occasionally killed local villagers, political opponents, prisoners, police officers, international peacekeepers and aid workers. While security and employment challenges remain a concern for many refugees and internally displaced people outside of Afghanistan, nearly three million Afghan refugees have returned to Afghanistan since the fall of the Taliban as a sign of confidence in the ongoing stability process and hope for a better future in their native land. Freedom of speech and press was limited, and violence (including cases of rape and kidnapping) as well as societal discrimination against women, girls and minorities were concerns. Since child labor and the trafficking of persons were ongoing problems that undermined social stability, the Government did take some action against traffickers. The provisions in the new constitution mark an historic opportunity for TISA and future Afghan governments to address these and other social concerns with support from the international community.

The U.S. human rights and democracy strategy in Afghanistan includes assisting the TISA to rebuild and reform national security institutions, reform



USAID

the judicial system and implement the principles of the Constitution. The United States supports TISA as it evolves into a nation that respects human rights, possesses strong democratic institutions and an independent judiciary, and conducts free and fair national elections under a new Constitution. The Embassy focused on strengthening and expanding the reach of the central Government to provide the basis for the rule of law, through training and capacity building of the national police, judiciary and numerous government ministries. U.S. efforts also included initiatives to promote independent media, human rights, an active civil society, respect for the rights of women and minorities, and anti-trafficking efforts. To encourage a stable, democratic and economically successful Afghanistan, the United States continually held high-level meetings between the Secretary, Deputy Secretary and other top U.S. officials and key Afghan political leaders.

In November, the TISA released a draft Constitution that was rigorously debated at the Constitutional Loya Jirga (CLJ) in December and ratified in January 2004. The new Constitution calls for the Government's best efforts to hold presidential and parliamentary elections in June 2004. The Constitution guarantees freedom of expression, assembly and religion within the limits of the law, as well as equal rights for women and minorities.

To support the creation of a popular constitution that respects individual and human rights, the United States invested \$5 million through the UN Development Program's (UNDP) CLJ project, which included monitoring special category elections, conducting provincial registration meetings, rehabilitation of CLJ site facilities, a public information campaign and some logistical support. The United States provided additional funding in excess of \$5.5 million for substantive and operational support to the CLJ and to the preparation and process of the elections.

The United States established a comprehensive program for the training of all Afghan police, including some women, by December 2005. Each training course used in this program includes democratic policing, community-based policing and knowledge of and protection of human rights as well as women's rights. Recruitment of the police has been on a non-discriminatory basis, and a special program to encourage gender equity has been instituted. The United States has also committed to maintaining a civilian police model for the Afghan National Police, removing military and paramilitary forces from day-to-day policing. The United States believes the civilian police model encourages protection of human rights.

To foster and strengthen the rule of law, the United States offered technical assistance, financial support, equipment and advice to the Judicial Reform Commission for development and revitalization of the judicial system. The United States provided \$1.4 million for physical rehabilitation of judicial system infrastructure and will provide an additional \$2.2 million in Fiscal Year 2004. This included support for the renovation of court buildings, including the Afghan Supreme Court in Kabul. The United States also provided \$600,000, mostly through UNDP, for technical assistance and capacity building of the Afghan Independent Human Rights Commission (AIHRC). Embassy officials work with the AIHRC, non-governmental organizations (NGOs) and Afghan officials to identify areas of particular concern and encourage wider reforms within the Government. The AIHRC has been active in documenting and investigating violations of human rights and bringing them to the Government's attention.

The United States funded a \$1.2 million program in political party development and domestic election monitoring and also funded a countrywide program on civic education, particularly for women, to promote acceptance of and familiarity with democratic norms and civic responsibility in Afghanistan. The U.S. Agency for International

Development (USAID) is further adding \$9.7 million for additional domestic monitoring, civic education, political party work and assistance to Afghan electoral institutions.

U.S. funding of approximately \$46 million offers technical assistance to the national electoral body, including in the area of voter education, providing assistance to political parties and civic leaders, training these groups in democratic election monitoring and conducting a civic education program. The United States also supports operational, logistical and security planning for the voter registration and election efforts.

During the year, the Embassy funded projects to encourage independent print and radio media. Grants totaling more than \$2.2 million through USAID helped to establish independent community and commercial radio stations throughout the country that broadcast programs on a range of topics including the constitutional process, elections, democracy and human rights issues. These include women's radio stations in Herat and in Mazar-e-Sharif. Embassy officials investigated and protested egregious abuses of press freedom where journalists were harassed or threatened and approached the relevant government ministries regarding these cases. The Embassy also provided small grants to support two independent newspapers.

The Embassy worked with civil society organizations to promote religious tolerance. In May 2003, the Civil Development Foundation, a group of reformist, predominantly Shi'a Afghans, began publishing a monthly magazine called "Democracy" which has a circulation of 3,000. One of the goals of the magazine is to challenge "religious despotism" and to promote a moderate interpretation of Islam that is compatible with human rights. The publication of Hazara Shi'a reformist intellectual Dai Foladi's books "What is Democracy?" and "Faith and Freedom" was also supported with embassy financing.



Embassy officials facilitated high-level interaction and discussion among prominent U.S. women leaders, including Under Secretary of State for Global Affairs Paula Dobriansky, and Afghan women leaders. To promote the rights of women and improve their status in Afghan society, U.S. officials supported efforts during the CLJ to enshrine specific language in the draft Constitution guaranteeing equal rights for men and women.

To improve women's rights, the United States addressed the specific needs of women in all of its reconstruction programs and implemented more than 175 projects to increase women's political participation, role in civil society, economic opportunities and education. The United States supports the Ministry of Women's Affairs network of women's resource centers in each of Afghanistan's 32 provinces that provide a safe place for women to receive vocational training. The United States also funded a project to promote women's participation in the political process in central Afghanistan, offering workshops and discussion groups to rural women and

support to potential female CLJ and parliamentary candidates. USAID gave two separate \$100,000 grants to support literacy courses for women and girls as well as teacher training in four western Afghan provinces.

The United States continues to harness private sector support for Afghan women through the U.S.-Afghan Women's Council. Projects completed or under way include journalism training, teacher training, entrepreneurship, legal training and micro-credit programs. The United States has also committed \$5 million to the "Rural Expansion of Afghanistan's Community-based Healthcare Program" which supports literacy programs and the training of birth attendants.

Afghan police made multiple arrests of alleged traffickers and rescued trafficked children during the year. An inter-ministerial committee was also established to combat child trafficking, and began work on a national action plan. Police and other government officials participated in sensitization and training workshops on human trafficking. To combat trafficking in persons (TIP), the United States provided \$190,000 to the International Organization for Migration (IOM) to conduct a comprehensive assessment of the TIP situation in Afghanistan. Based on the results of this report, the United States provided an additional \$330,000 to IOM to build government capacity to combat trafficking, encourage inter-ministerial collaboration and forge cooperation among NGOs, international organizations and foreign governments within the region.

BANGLADESH

The head of Bangladesh's parliamentary democracy, Prime Minister Khaleda Zia, won her position in elections that were generally peaceful and free in most places, although sporadic violence still occurred. The Government's human rights record remained poor, as numerous human rights abuses continued to occur, including extrajudicial killings and torture by security forces. Prison conditions remained extremely harsh and life threatening and

contributed to some deaths. Police corruption continued to be a problem, and a climate of impunity was an obstacle to ending the abuses and killings. Violence was a pervasive element in the country's politics. Fair and expeditious trials were problematic due to lengthy pretrial detention, corruption and a large judicial case backlog. Freedom of speech, movement and assembly was restricted, and opposition political parties continued to boycott Parliament, claiming a lack of opportunity to engage substantively on legislative and national issues. Child labor and abuse of child workers remained widespread and were serious problems. Trafficking in women and children for the purpose of prostitution and forced labor were also concerns, as was violence against women and discrimination against indigenous people and religious minorities.

The U.S. human rights and democracy strategy in Bangladesh strengthens democratic institutions, transparency and accountability to citizens, and respect for the rule of law and human rights. To do this, the United States seeks to reform political parties, increase informed citizen political participation, strengthen local government, improve police and military professionalism, reduce court system backlogs, encourage better governance, reduce corruption, promote religious tolerance and address trafficking, as well as improve women, children and worker rights.



U.S. officials publicly highlight the need for improvements in human rights conditions by using the State Department's annual Country Report on Human Rights Practices as a key tool for moving the dialogue on human rights forward. The Country Report is widely publicized in Bangladesh and closely scrutinized by the Government, opposition, press and non-governmental organizations (NGOs) both in Bangladesh and abroad.

The Ambassador and other U.S. officials work publicly and privately to engage the Government, the opposition and diverse elements of civil society on the importance of democratic institutions, including the parliament, the rule of law and respect for human rights, and have condemned violence in the form of strikes and personal assaults as an instrument of political coercion. On Human Rights Day in December, the Deputy Chief of Mission hosted a human rights reception to signal the importance the United States places on human security. Attendees included local human rights activists, victims of human rights abuses, Bangladeshi officials and members of the diplomatic community. In conjunction with this event, the Ambassador wrote an op-ed piece printed in several newspapers on the importance of religious tolerance, freedom of speech and equal access to justice.

Because many of the human rights abuses centered on issues of governance and corruption, the Embassy focused its democracy promotion efforts in the sector of political reform and improving local governance. For example, the U.S. Agency for International Development (USAID) is funding projects totaling \$12 million to strengthen parliamentary committees, reform political parties, and assist elected local governments to play a more active role in society. The United States also continues to support local human rights groups through a four-year, \$7.4 million program that provides critical services such as monitoring police stations and providing shelter to abused women through sub-grants, as well as training and technical assistance to human

rights NGOs. Its initiatives to combat the endemic problem of corruption and train Bangladeshi journalists in investigative journalism continue to evolve.

In order to address judicial reform, the United States has helped to establish a program of alternative dispute resolution which holds promise of modestly contributing to clearing the court system of its million-case backlog and enhancing access to justice for all citizens. The Embassy also makes effective use of the International Visitor program to advance the goal of respect for rule of law and sponsor expert speakers on topics like press freedom.

Since the police have perpetrated many of the human rights abuses, the Embassy has begun to focus not only on enhancing their professional skills, but improving their commitment to human rights and the rule of law. The Regional Security Office and Office of Defense Cooperation are also heavily involved in promoting human rights through the programs they sponsor to improve the professionalism of Bangladesh's security and military forces. Anti-Terrorist Assistance, International Military Education and Training, and Counter-Terrorism money has been used for this purpose. We are also beginning to use the Department of Justice's International Criminal Investigative Training Assistance Program to help improve police professionalism. The Office of Defense Cooperation funds and encourages Bangladesh to continue and increase its support to UN peacekeeping operations, which teach the Bangladeshi military international standards as it is called upon to enforce UN human rights efforts in its peacekeeping missions.

The Islamic Foundation, a Government of Bangladesh agency, provides religious training to approximately 45,000 imams nationwide. USAID provided orientation to 200 imams from the Islamic Foundation about U.S. programs in human rights, women's rights, health care, HIV/AIDS, agriculture, economic growth, democracy and governance. These imams also

visited several U.S.-sponsored project sites in an effort to promote dialogue and work with the Government of Bangladesh to show them an aspect of U.S. foreign policy not typically featured in the local media.

Improving conditions for Bangladeshi workers has been a consistent aspect of the U.S. overall human rights strategy. Working with the Government, the American Center for International Labor Solidarity, the International Labor Organization, and local labor and industry groups, the United States has had many achievements, including the virtual elimination of child labor from the export-oriented ready-made garment industry through a \$1.5 million project. The U.S. Labor Department and USAID also fund programs to eliminate the worst forms of child labor, to support working women's education centers, empower rural women in the informal sector and provide opportunities for persons with disabilities. The International Program on the Elimination of Child Labor activities include a \$6 million project to eliminate the worst forms of child labor in five targeted industries – beedi production (the hand-rolled cigarette industry), match-making, tanneries, construction and child domestic workers. As of December 2003, 19,874 children had been removed from hazardous work, and approximately 30,000 children have been placed in either non-formal or formal education or pre-vocational training. Finally, Bangladesh has committed to allowing full freedom of association in the export processing zones, and Embassy Dhaka continues to press the Government to make good on this promise.

USAID leads a thematic working group on anti-trafficking with the Government, civil society and other donor representatives that has developed the conceptual framework for the sector and launched a media communications package used by the Government and NGOs working in the field. The results are clear: Public awareness and condemnation of trafficking are going up, as are arrests and convictions of traffickers. Through a series of anti-trafficking film festivals, the United States



is working to strengthen awareness of the issue regionally as well as in Dhaka. USAID also began an innovative program with an imams' association in Chittagong, under which imams in the border areas receive training in anti-trafficking. Approximately 500 of these imams train other imams and engage their communities in discussions of this crime. Several of the imams who received this training have written letters to newspapers as well as conducted meetings following Friday prayers to initiate community strategies to combat trafficking.

BHUTAN

Although Bhutan is ruled by a hereditary monarchy, in recent years, the Government adopted some measures to increase the power of the National Assembly. Civil liberties are severely limited as the Government restricts freedom of speech, press, assembly and association, and the formation of non-governmental organizations (NGOs). The Government also prohibits the formation of human rights organizations and political parties. Freedom of religion is restricted. Although there is no written constitution to pro-

tect fundamental political and human rights, the Government is currently soliciting comments from international legal experts on the second draft of a proposed constitution. In 2003, the National Assembly vigorously debated a broader variety of topics that included the national budget, the addition of new ministries and the government's policy on refugee return. In early 2003, local village leaders elected representatives to the National Assembly for those positions not appointed by the Government. The U.S. Embassy in New Delhi is responsible for issues involving Bhutan.

The U.S. human rights and democracy strategy for Bhutan has focused largely on the issue of Bhutanese refugees of ethnic Nepali descent who left Bhutan for Nepal in 1991-1992. U.S. efforts have been limited by the absence of diplomatic relations with Bhutan and an official mission in Thimphu. However, the Embassy significantly increased its interaction with the Government during 2003 by encouraging human rights improvements in Bhutan and the development of democratic institutions. Embassy officers engaged the Government and other interested parties, including donor countries, the United Nations and NGOs, regarding the plight of approximately 100,000 Bhutanese refugees in Nepal. Through active discussions with Bhutanese government officials, the Embassy has encouraged progress on this issue and suggested ways to resolve the situation, some of which have been implemented.

The Ambassador traveled to Bhutan in 2003 and addressed human rights concerns in meetings with the King, Prime Minister, Foreign Minister and other high-ranking officials. An embassy officer visited Thimphu in October 2003 and discussed human rights, constitutional and political reform and domestic concerns such as health, labor, unemployment and education with Bhutanese officials, offering suggestions where appropriate. In January 2004, a delegation from Washington traveled to Thimphu and discussed

the status of preparations for the repatriation of Bhutanese refugees to Bhutan. The Embassy maintained regular contact with the International Committee of the Red Cross, encouraging its further interaction with the Government. The Embassy continues interaction with NGOs and human rights activists concerned with Bhutan. In addition, the Embassy worked with the Bhutanese Royal Civil Service Commission to sponsor six Bhutanese government officials to participate in an International Visitor program in 2003 on good governance, conflict management and prevention, religious freedom and protection of human rights. The Embassy also sent one Bhutanese national to the United States via the Fulbright Scholarship Program.

INDIA

India has a vibrant democracy and a strong constitutional framework designed to prohibit abuses and punish them when they occur; however, there is often weak enforcement of laws and a lag in the administration of justice. The Government generally respected the human rights of its citizens; however, numerous serious problems remained, including extrajudicial killings, custodial deaths throughout the country and heavy-handed and occasional excessive use of force by security forces, as well as arbitrary arrest and disappearances while combating insurgencies in Jammu and Kashmir and several northeastern states. Other human rights issues included reported incidents of torture and rape by police and other government agents, poor prison conditions, detention throughout the country of those arrested under security-related laws such as the Prevention of Terrorism Act, prolonged detention while undergoing trial and witness intimidation, particularly in Gujarat. Societal violence and discrimination against women, trafficking of women and children for forced prostitution and labor, female feticide and female infanticide remained concerns. Widespread exploitation of workers, including indentured and bonded servants and child laborers continued, as did religiously motivated violence against Christians and Muslims.

U.S. human rights and democracy initiatives in India promote good governance and the rights of groups in society vulnerable to abuses such as religious minorities, refugees and workers, and focus on improving the rights of women and children who are victims of trafficking. U.S. engagement includes diplomatic interaction, sharing of information, public diplomacy and funding of projects to encourage respect for democracy and human rights.

To address concerns within the judicial system, the Embassy worked with a U.S.-based non-governmental organization (NGO) and the High Courts in Gujarat and New Delhi to impart legal training to practicing lawyers, judges and public prosecutors on Alternative Dispute Resolution (ADR). ADR has been operational since 2003 in Gujarat, enabling more expeditious resolution of cases involving human rights violations such as excessive force by local police and infringement of due process and other civil rights.

The United States supported a wide range of initiatives to encourage religious tolerance and freedom. The Embassy offered small grants to NGOs addressing grassroots democracy issues in order to alleviate communal tension. An NGO in Calcutta provided education and rehabilitation to 300 impoverished and marginalized Muslim youths from a squatter settlement in the city. Another NGO used a grant to present a three-part series of workshops in Jammu and Kashmir, strengthening the skills of locally elected representatives. Still another NGO used its grant for a multiple month project to increase awareness of human rights in select lower and middle class communities and slums of Lucknow. The Embassy also launched Urdu and Hindi editions of its SPAN magazine, exploring issues such as globalization, conflict resolution, human rights, academic freedom and inclusiveness toward women and minorities. The Embassy also strengthened the curriculum and leadership at a predominantly Muslim university through the International Visitor program. The program's five participants were given professional training and

met with faculty and administrators in American public and private universities. The "Seeds of Peace" program enabled 24 teenagers from Mumbai and Lahore, Pakistan to attend a three-week conflict resolution course in a neutral, supportive environment at a U.S.-based summer camp. During Ramadan, the Chargé d'Affaires and other embassy officers hosted several Iftaar dinners to promote better relations with the Muslim community. On Christmas Day, the Chargé addressed an interfaith celebration of the holiday sponsored by the Indian Islamic Center. The Chargé also gave a televised speech to 500 students at Lucknow University on the importance of tolerance and diversity and authored a separate editorial on the same subject that appeared in "Quami Awaz," a mass circulation Urdu daily.

The United States supports the UN High Commission for Refugees (UNHCR), whose mandate is to provide protection and assistance to refugees. India has the largest urban refugee population in the region, including some Burmese. In order to promote the rights of refugees, Consulate officials in Chennai interacted with government officials to encourage the proper treatment and repatriation of Sri Lankan refugees.

The United States provided funding to support expanded roles for women. The U.S. Agency for International Development (USAID) initiated a \$17.2 million, 5-year program to strengthen the protection of women's legal rights, including dowry, divorce and property rights. This program also helped establish 11 counseling/legal aid centers for women in police stations. In September 2003, USAID also launched its South Asia Regional Initiative on Equity for Women and Children to promote women and children's legal rights and provide counseling to victims of gender-based violence.

The Embassy assisted the U.S. Labor Department in launching a joint U.S.-India child labor project to be implemented through the International

Labor Organization, which also addresses the issue of trafficked child laborers. Each government is contributing \$20 million to bring children in ten sectors (including the production of brassware, glass bangles, stone and footwear), out of the workplace and into school. Also in the area of promoting worker rights, the Labor Department is funding two projects implemented by the International Labor Organization in 2001-2004: \$1,213,117 for HIV/AIDS workplace education and \$1,300,000 for women's employment, as well as a \$1,300,000 project on mine safety. In 2003, USAID concluded its child labor program funded through the UN Development Program. This program supported urban programs in Calcutta, Andhra Pradesh and Maharashtra that identified child laborers and placed them in educational programs to prepare them for entry into government schools.

During the year, the Embassy worked with Indian officials and international organizations on policy issues that address the problem of trafficking in persons (TIP). U.S.-funded workshops in New Delhi, Chennai and Calcutta brought together the business community with anti-trafficking NGOs to sensitize the corporate community to the trafficking problem and provide NGOs with an opportunity to utilize corporate resources. The Chargé addressed the Delhi workshop, stressing the importance of a corporate response to the problems of trafficking in children.

Consulate officials in Chennai and Calcutta sponsored anti-trafficking workshops and seminars for national and state level officials on the plight of trafficked women in Tamil Nadu, Andhra Pradesh and the Northeastern states. The Embassy also sponsored a week-long training session on "Children as Victims, Witnesses and Perpetrators," for 40 senior-level Indian police officers who included both Indian experts and U.S. law enforcement experts from the U.S. Department of Justice and the Embassy on trafficking, cyber pornography, prosecution and investigation. U.S. officials, including the Ambassador, engaged senior state government

officials to press for more government action to combat TIP. The Ambassador also authored an article entitled "Fighting Trafficking in Persons" that was published in India's largest Hindi language daily. In addition, U.S. officials traveled extensively throughout India to meet with state and central government officials, law enforcement officers, and NGO leaders to discuss U.S. anti-trafficking policy and develop anti-trafficking programs.

U.S. efforts to combat trafficking also included support of a five-year South Asia-wide \$3.3 million anti-trafficking program. Implemented by the UN Development Fund for Women (UNIFEM), the program focuses on prevention through media outreach, sharing of best practices and capacity building. The United States supported the National Human Rights Commission (NHRC) in conducting an 11-state study of trafficking trends, establishing monitoring officers in 26 of India's 29 states. The United States and UNIFEM organized a national workshop for the NHRC's 26 regional monitoring officers to increase awareness of and political engagement against trafficking in persons. The United States also provided grants to an Indian NGO to establish a nation-wide anti-trafficking network, encouraging cooperation between local NGOs and government agencies. The Embassy funded a local NGO that trained community leaders from Rajasthan, Uttar Pradesh, Haryana and Delhi in methods to identify trafficking, gather evidence and assist victims. In addition, the United States provided \$644,631 for NGO anti-trafficking projects to be administered through the UN Office on Drugs and Crime and USAID.

NEPAL

Weakened by an eight-year Maoist insurgency, Nepal faces significant challenges in institutionalizing and enforcing respect for human rights and in strengthening its fledgling democratic institutions. The Government's human rights record remained poor, as there were numerous human

rights abuses by members of the security forces, including abuse and disappearance of detainees, the use of torture as punishment or to extract confessions, and arbitrary and unwarranted lethal force. The Maoist insurgents also committed serious human rights abuses and continued their campaign against civilians as well as security forces, frequently committing torture, killings, bombings and forcibly conscripting children. Violence against women, trafficking in women and children for prostitution, and child labor were also human rights concerns.

After the Maoists unilaterally broke off the ceasefire on August 27, 2003, full-scale hostilities resumed, and the rate of violence and human rights abuses committed by both sides rapidly escalated. The insurgency has severely undermined the Government's capacity to deliver basic services, provide security and ensure the rule of



law, and demonstrate to its population the benefits of democracy, including free and fair elections. The Government's ability to respond appropriately and effectively to human rights violations is hampered by institutional weaknesses, creating an environment of impunity. The military made limited progress in investigating and prosecuting alleged violations, and considerable room for improvement exists.

The lack of representative government at both the national and local levels is a matter of serious concern, and the increasing polarization between the political parties and the Government has stalled progress toward strengthening democracy. Parliamentary elections, postponed from November 2002 because of the deteriorating security situation, remain on indefinite hold, while polls to replace local representatives, whose terms expired in July 2002, have yet to be scheduled. The Government has publicly indicated that it intends to hold elections in late 2004. At the same time, corruption, incessant political in-fighting, an ineffective bureaucracy and an unresponsive judicial system have weakened public confidence in Nepal's 13-year-old experiment with democracy.

The U.S. human rights and democracy strategy engages the Government, the security forces, political activists and civil society to assist in building institutional capacity to ensure that principles of democracy and human rights are translated into practice. Areas of engagement include the Law of Armed Conflict, rehabilitation of torture victims, electoral and political reform, civic education, conflict management and mitigation, the rule of law, women's political participation, and combating child labor and trafficking in persons.

The United States maintains regular dialogue with the Government, security forces, political leaders and members of civil society on the importance of preserving respect for the human rights of all parties to the conflict. Over the past year, the Embassy's repeated demarches on this

subject have met with somewhat greater responsiveness and transparency from senior members of the security forces, although much progress remains to be made. The July 2002 formation of a human rights cell in the Royal Nepal Army (RNA) was followed by the establishment of similar cells in the national police and paramilitary Armed Police Force. The Embassy and other U.S. officials, such as Assistant Secretary for South Asian Affairs Christina Rocca, have encouraged the Government and senior officials in the security forces to engage in dialogue with representatives of human rights groups, and have advocated greater transparency in military and police investigations of alleged abuses. An editorial by the Ambassador on the occasion of Human Rights Week (December 10-15), emphasizing the importance of upholding international human rights standards, was prominently featured in the local English-language press.

The United States, both publicly and privately, has continued to urge a reconciliation between the Government and protesting political parties as the best way to restore representative democracy. The United States presses both sides to resume dialogue with one another to identify an expeditious resolution to a protracted stalemate. To upgrade the capacity and professionalism of the political parties, the United States is implementing party-development activities. During the year, the United States obligated \$100,000 for civic education programs, including activities ranging from voter education to curriculum creation and book translations. In late 2003, following a three-year, \$600,000 voter education program, the United States completed an electoral reform and elections assessment as the first step in a program intended to strengthen government election planning capacity.

The United States funded senior officials from Nepal's judiciary and anti-corruption agency, and supported members of civil society, to attend regional conferences on corruption. The United States also funded the travel of two members of



the official delegation who signed the UN Convention against Corruption. In addition, invitational travel funding was provided for senior members of the judiciary to attend judicial reform conferences in the United States and meet with U.S. officials. The United States provided \$599,000 for non-governmental organization (NGO) efforts to strengthen community-based alternative dispute resolution in 11 conflict-affected districts. Since late 2002, more than 60 master trainers and 1,330 community level mediators have been trained to help resolve minor disputes.

During the year, the United States sponsored a military law exchange program focused on such human rights issues as the Law of Armed Conflict, military justice and discipline, and Rules of Engagement training for the RNA's Judge Advocate General, as well as two training programs focused on civil affairs. The United States signed an agreement with the Government

to begin a \$250,000 police professionalization program, aimed at improving police capacity to manage civil disorder. To strengthen independent non-partisan human rights groups, the United States is providing \$117,000 in technical assistance to the National Human Rights Commission to employ the MARTUS System, a software tool to record and store information on human rights cases. An additional \$90,000 in assistance to the National Human Rights Commission will be provided to help research and analyze draft anti-terrorism legislation and ensure the right to a fair trial.

The United States is funding a two-year, \$600,000 program to rehabilitate victims of torture and provide comprehensive medical and psychological care to torture survivors and their families. A local NGO trains medical and legal professionals in torture-related issues, supports legal actions by torture victims and documents human rights abuses. Since mid-2002, 179 medical professionals have been trained in managing torture cases, and more than 2,300 torture victims and their families have received comprehensive medical and psychological care as well as legal counseling. Twelve community workers from district NGOs have received intensive counseling training, while ten district Psychosocial Support Units have been established to provide care and support to more than 400 trauma and torture victims. More than 100 female torture victims have received comprehensive rehabilitation services. Mobile treatment clinics have conducted awareness programs for approximately 600 rural victims on legal rights and therapeutic recourses. In December 2003 the U.S. Department of Justice organized a workshop for 35 public prosecutors on ways to reduce workloads, increase coordination with law enforcement agencies and improve treatment of victims of crime.

In 2003, the United States provided assistance to approximately 100,000 Bhutanese refugees in Nepal through contributions to UN High Commission for Refugees (UNHCR) and the World Food Program. Embassy officers engaged the Government of Nepal and other interested

parties, including donor countries, the United Nations and NGOs, to promote durable solutions for the Bhutanese population. Although the Government processed more than 3,000 Tibetan asylum seekers for onward travel to India during 2003, occasional incidents of refoulement continued to occur. The United States strenuously protested the Government's May 2003 refoulement of 18 Tibetan asylum seekers. Following that incident, the Government articulated for the first time an official policy of non-refoulement. However, there was another report from the UNHCR that 15 Tibetans were deported in early 2004.

In order to promote women's development initiatives, the United States supported a number of women's empowerment programs through small grants, many of which trained women to become financially independent. In addition, the United States continues to provide approximately \$2 million to expand the political roles of women. Since late 2001, women's coalitions have engaged in advocacy campaigns on a wide variety of issues, including women's participation in locally elected positions, leadership training, reservation of 25 percent of local budgets for women's development and combating the dowry system.

In 2001, the United States began a \$5 million three-year "time-bound" program to eliminate the worst forms of child labor. The U.S. Labor Department provided \$1.6 million for a 2000-2003 project combating bonded labor under its "Promoting the Basic Rights of Workers" project. The Labor Department is also funding a four-year International HIV/AIDS Workplace Education project for \$440,000.

Since 2001, the United States has supported a \$1.6 million, four-year program to combat human trafficking. The program includes economic alternative programs for vulnerable groups, education programs and rights-based training for government anti-trafficking task force members, including parliamentarians, community leaders

and transport workers. The program also addresses ways in which to improve anti-trafficking laws, offers psychological counseling services for victims, provides for the development and dissemination of information and educational materials, strengthening of national and regional networks and cross-border activities, and support for relevant research. Achievements include a policy to protect the rights of migrant workers, increased convictions for traffickers, increased interception of potential victims at the community level and the successful rescue and repatriation of 152 Nepali girls and women from Indian brothels and circuses. The United States is also assisting the Daywalka Foundation to establish a law library focused on anti-trafficking resources.

PAKISTAN

Pakistan is a federal republic, although the military retains a major role. In October 1999, General Pervez Musharraf overthrew the elected government of Prime Minister Nawaz Sharif; the Supreme Court later sanctioned the coup and directed Musharraf to restore elected government

within three years. Musharraf assumed the presidency by decree in 2001 while continuing as Chief of Army Staff, and held a nationwide referendum in April 2002 that extended his presidency for five years. Four months after the referendum, President Musharraf announced a controversial package of constitutional amendments, the Legal Framework Order (LFO), which amended the suspended Constitution to allow the President to dismiss the Prime Minister and dissolve the Parliament, the creation of a National Security Council as a constitutional body and the insertion of a number of qualification requirements for candidates for Parliament. Several of the amendments had the effect of transferring substantial executive power from the prime minister to the previously symbolic presidency. Opposition politicians, lawyers, civil society groups and many in the international community expressed concern about the amendment package and its constitutional legitimacy.

Elections were held for local governments in 2001 and for the National Assembly in October 2002. Domestic and international observers criticized the elections as deeply flawed. In February



2003, Senate elections were held. After several months of negotiations, in December 2003, the Government and the MMA, Pakistan's main coalition of Islamic parties, voted in the national and provincial assemblies to incorporate a large part of the LFO into the 1973 Constitution as its 17th Amendment. The amendment affirmed Musharraf's presidency until 2007 and his right to serve concurrently as Chief of Army Staff until the end of 2004. The amendment allows the President to dissolve Parliament but requires him to obtain the consent of the Supreme Court within 30 days. Opposition parties contend that the amended Constitution legitimizes the powerful role of the military in politics, and leaves a great deal of power in the hands of the President.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Some members of the security forces committed serious human rights abuses. Prison conditions remained extremely poor, and police arbitrarily arrested and detained citizens. The overall credibility of the judiciary remained low. The press was able to publish relatively freely; however, journalists practiced self-censorship, especially on sensitive military issues. There were reports of central government intimidation against journalists, and

provincial and local governments occasionally arrested journalists and closed newspapers. The Government imposed some limits on freedom of association, religion and movement. Governmental and societal discrimination against religious minorities, particularly Christians and Ahmadis, remained a problem. Domestic violence against women, rape and abuse of children remained serious problems. Top levels of the Government publicly criticized the practice of "honor killings," but such killings continued, and traditional social and legal constraints continued to keep women in a subordinate position in society. Trafficking for the purposes of prostitution and bonded labor remained a serious problem. The Government and employers continued to restrict worker rights significantly. Debt slavery persisted, and bonded labor by both adults and children remained a problem. The use of child labor remained widespread.

The United States supports President Musharraf's vision of a moderate Islamic democracy, including the Government's ongoing efforts to improve human rights through public debate, legislative proposals and other initiatives. President Bush believes that democracy is essential to achieving President Musharraf's vision of a modern, tolerant and prosperous Pakistan, and publicly noted



that the United States was providing \$31 million for civil society initiatives in Pakistan, aimed at broadening political participation and expanding education opportunities, especially for women and girls. The United States continues to urge the Government to strengthen the judiciary and to prepare for free and fair multiparty elections in 2007 that meet international standards.

The United States also raises ongoing concerns about human rights abuses. Throughout the year, Assistant Secretary of State for South Asian Affairs Christina B. Rocca, U.S. Ambassador to Pakistan Nancy Powell and other senior U.S. officials raised human rights issues in general, as well as specific cases involving journalists, opposition politicians and religious freedom activists, directly with the Government of Pakistan. For example, the United States consistently urged that arrested opposition figure, Javed Hashmi, be treated in a fair and transparent manner, with due regard for fundamental rights, including those of speedy public trial, access to counsel and family visitation. The Ambassador and Deputy Chief of Mission repeatedly expressed concerns about this case in conversations with the Government. The U.S. Ambassador repeatedly underscored the importance of a return to democratic civilian rule and respect for human rights with President Musharraf and other senior government officials. The Ambassador also underscored the importance of these issues to the public, including in her speech to the Karachi Council on Foreign Relations in November 2003, when she said, “Pakistan’s commitment to the further advancement of democracy and human rights is central to its efforts to build a stable, positive future for its people.” In her speech, the Ambassador also voiced the need for strong Pakistani democratic institutions and practices, including a National Assembly that plays a vigorous and positive role in governance, an independent judiciary that promotes the rule of law and for the case of Javed Hashmi.

To promote democracy and human rights, the U.S. Embassy and Consulates worked with the

Government and local and international non-governmental organizations (NGOs) to strengthen existing institutions, train civil society and government leaders, promote the rule of law and raise awareness on key human rights and democracy issues.

In August 2003, the U.S. Agency for International Development (USAID) and the Government of Pakistan signed a three-year, \$38 million grant to support the package of “good governance” initiatives the Government of Pakistan announced in 2001. As of March 1, 2004, obligations included \$8 million in Fiscal Year (FY) 2003 and \$11 million in FY 2004. USAID’s program promotes better governance by strengthening national and provincial legislatures, district governments, civil society organizations and the media. USAID is also increasing the effectiveness of new NGOs and is providing small grants to encourage district governments, local communities, and the private sector to develop and manage small grants.

The USAID grant will encourage private-sector participation to improve social services. USAID’s program will also strengthen civil society’s voice in the process of making development decisions, help to build a more open, diverse and socially responsible broadcast media, and increase governmental accountability and transparency. The legislative strengthening program, which includes work with parliamentarians, legislative secretariats and relevant media, began in early 2004. The Bureau of Democracy, Human Rights and Labor also provided \$50,000 to support a judicial improvement project.

In 2003, USAID launched a \$1 million program to strengthen Pakistan’s broadcast media through training the media, particularly radio journalists, in how to be effective advocates. In addition, USAID is providing equipment and technical assistance to Peshawar University and the Uks Foundation. Along with a nationwide training program for radio journalists, Internews, USAID’s implementing partner, is assisting edi-

tors and managers with program content and developing other skills and communications strategies to create a stronger, more open environment for the media in Pakistan. Part of the USAID media program will fund the development of radio programs geared toward women's issues.

USAID is providing a small grant, in coordination with a similar grant from the Swiss Government, to Transparency International (TI)/Pakistan, which focuses on anti-corruption programs, to allow the organization to open an office in Pakistan. USAID and the Ambassador spoke at a TI Conference in Islamabad, stressing the importance of rule of law and transparency in governance as a means to encourage new foreign investment. USAID has developed a website for all of its programs that will provide transparency on U.S. partners and their activities.

The United States provided \$1 million to support an International Military and Education Training program for the Pakistani security forces. The program increases awareness of international norms of human rights and fosters greater respect for the principle of civilian control of the military and the rule of law. In compliance with the

Leahy amendment, the Defense Attaché's Office worked closely with the Ministry of Defense to vet military units for U.S. training and checked candidates with other embassy offices. The United States also promoted effective and professional law enforcement, goals key to promoting human rights in Pakistan, by providing \$561,000 to train 622 law enforcement professionals in 2003.

Furthering the U.S. policy of encouraging religious freedom, the Embassy pushed for aggressive investigations and prosecutions of those who perpetrated violence against religious minorities. The Embassy stayed in regular contact with representatives from the largest religious minorities to monitor their treatment and raised specific cases of concern involving religious rights activists with the Government of Pakistan, as well as monitored cases against members of religious minorities prosecuted under Pakistan's blasphemy laws. The Public Affairs Section of the Embassy also sent religious leaders to the United States to take part in International Visitor programs that highlighted religious diversity and tolerance.





In support of U.S. policy to combat trafficking worldwide, the United States is funding the first-ever baseline study to determine the scale and scope of the trafficking problem in Pakistan. The study will enable the United States as well as NGOs to better design future programs to reduce trafficking in persons in Pakistan. Embassy representatives attended and spoke at several trafficking conferences held in Pakistan. Senior embassy staff have raised concerns about the trafficking issue with Pakistani officials, in particular the head of the Federal Investigative Agency, charged with implementing Pakistan's anti-trafficking laws, on numerous occasions. The Ambassador has discussed the issue on several occasions with the Minister of Interior and other officials. Trafficking in persons is included as one of the topics in the U.S.-Pakistan Law Enforcement Working Group.

The United States continued to be the largest supporter of the International Labor Organization's International Program for the Elimination of Child Labor in Pakistan. Specifically, the United States sponsored a \$4 million project to combat child labor that targets working children and children at risk of falling into work by placing them

in non-formal education centers to learn basic literacy and numeric skills with the goal of mainstreaming them into the government school sector. In addition, to continue to support grassroots community and labor organizations, the Embassy sent a leader of the Bonded Labor Liberation Front on a multi-regional International Visitor program focused on "NGO Management."

SRI LANKA

Sri Lanka has a long history of democratic institutions and processes, but its elections have historically been fraught with violence, and government capacity at the district and local levels is weak. Political infighting within the Government between the President and Prime Minister, resulting in the President's decision to call early elections in April, was also an obstacle to attaining stability and democracy. While the overall human rights situation has improved significantly following the December 2001 commencement of the peace process between the Government and Liberation Tigers of Tamil Eelam (LTTE) organization, serious problems remained in some areas. These included torture of detainees by the military and police as well as the deaths and rapes of

prisoners. Despite government investigations in some cases of past abuse, impunity remained a problem. Discrimination and violence against religious minorities increased, and discrimination against persons with disabilities as well as ethnic discrimination against Tamils persisted. Violence and discrimination against women, child prostitution and trafficking in women and children were also serious concerns. The LTTE continued to commit serious human rights abuses including extrajudicial killings, disappearances, torture, arbitrary arrests, detentions, extortion and recruitment of child soldiers.

U.S. human rights and democracy initiatives in Sri Lanka focus on the ongoing peace process, which has had a direct and positive impact on the human rights situation in the country. The United States works through consistent and high-level use of public and private diplomacy tools, military-to-military human rights training and targeted humanitarian and development assistance.

As part of this initiative, Deputy Secretary of State Armitage co-chaired international donor conferences in 2002 and June 2003 in support of the peace process during which he repeatedly highlighted the importance of democratic societies and respect for human rights. The Deputy Secretary also chaired a meeting of Sri Lanka's major donors in February 2004, which called on the Government of Sri Lanka to hold free and fair elections and to resume formal negotiations with the LTTE as soon after the elections as possible. President Bush reaffirmed the U.S. commitment to the peace process and the strengthening of democratic institutions during his November 2003 meeting with Prime Minister Wickremesinghe. The Embassy consistently reiterated this message in meetings with Sri Lankan officials, citing the peace process as a key factor in promoting human rights and democracy.

The LTTE is a Foreign Terrorist Organization (FTO) controlling about 15 percent of Sri Lanka



and exerting influence in approximately another 15 percent of the country. U.S. officials have made repeated public statements expressing concern about the LTTE's unabated recruitment of children, assassination of political opponents and harassment of the minority Muslim population. Through dialogue with influential Tamil politicians and public diplomacy tools, the Ambassador communicated the U.S. position regarding the LTTE's October 2003 re-listing on the U.S. FTO list.

As part of a \$1.5 million U.S. Agency for International Development project, the U.S. strategy for Sri Lanka includes funding, technical assistance and training to empower local civil society groups, media organizations, political parties and peace stakeholders to participate in national dialogues of peace. The United States has worked to enhance the skill level of the Peace Secretariat staff, particularly in conflict analysis and negotiation processes.

The National Human Rights Commission, a government-appointed independent body, has been actively investigating abuses and has more than 2,500 cases of alleged abuses pending. To help strengthen the capacity of the National Human Rights Commission, the Bureau of Democracy, Human Rights and Labor funds a \$100,000 project to assist in monitoring and reporting on human rights violations, especially in developing tools such as the Human Rights Monitoring System software and methodologies for participatory human rights training and education.

The Government's arbitrary arrest of citizens under the Prevention of Terrorism Act (PTA) has been a serious human rights problem. Although the PTA is no longer used to detain new suspects, 65 Tamils remain in jail on PTA charges. The United States funds local organizations that work to insure that those who remain in detention under the PTA have access to legal services. In



addition, the United States emphasized to the Government the importance of actively investigating reports of government officials failing to comply with legal protections. The United States provided much-needed generators and computer equipment to 19 courts in the war-torn north and east. This equipment will help court officials better manage their large caseloads.

Human rights training is a key component of all U.S.-Sri Lankan military-to-military programs. The United States has sent senior Sri Lankan military officers to professional military education courses in the United States and funded Sri Lankan attendees at senior service schools.

Multiple attacks on Christian churches in Sri Lanka during 2003 led the United States to express deep concern about the violence in meetings between the Ambassador and Sri Lankan high-level government officials, including the President and Prime Minister, officials responsible for Buddhist, Tamil and Christian affairs, and top police officers. Assistant Secretary of State for South Asian Affairs Christina Rocca also discussed this issue in depth with a Sri Lankan presidential advisor in Washington in February 2004. As part of this effort, the United States urged that those responsible for the violence be arrested and prosecuted. In speaking with Sri Lankan government officials and religious leaders, the United

States also expressed concerns about draft legislation targeting so-called “unethical conversions,” noting that the campaign for such legislation was a contributing factor in the deterioration of the religious freedom situation in the country. The Embassy also used the International Visitor program to further promote human rights and religious freedom. During 2003, the Embassy nominated two Muslim leaders who participated in an “Islam in America” program.

To address worker rights issues, the United States funds a regional branch office in Sri Lanka of the AFL-CIO’s Solidarity Center, which is active in maintaining contacts with trade unions and in promoting worker rights.

The United States continued its dialogue with the Government regarding trafficking in persons. The Embassy received funding to support National Child Protection Authority (NCPA) efforts to increase police investigative capacity in cases of juvenile abuse. The Embassy is also funding NCPA’s efforts to engage the judiciary in ways to lessen the impact on children testifying in such cases. The United States provided assistance to a non-governmental organization for its work in combating trafficking in children and rehabilitating sexually exploited children. The United States also funded psychosocial support for children affected by the armed conflict.