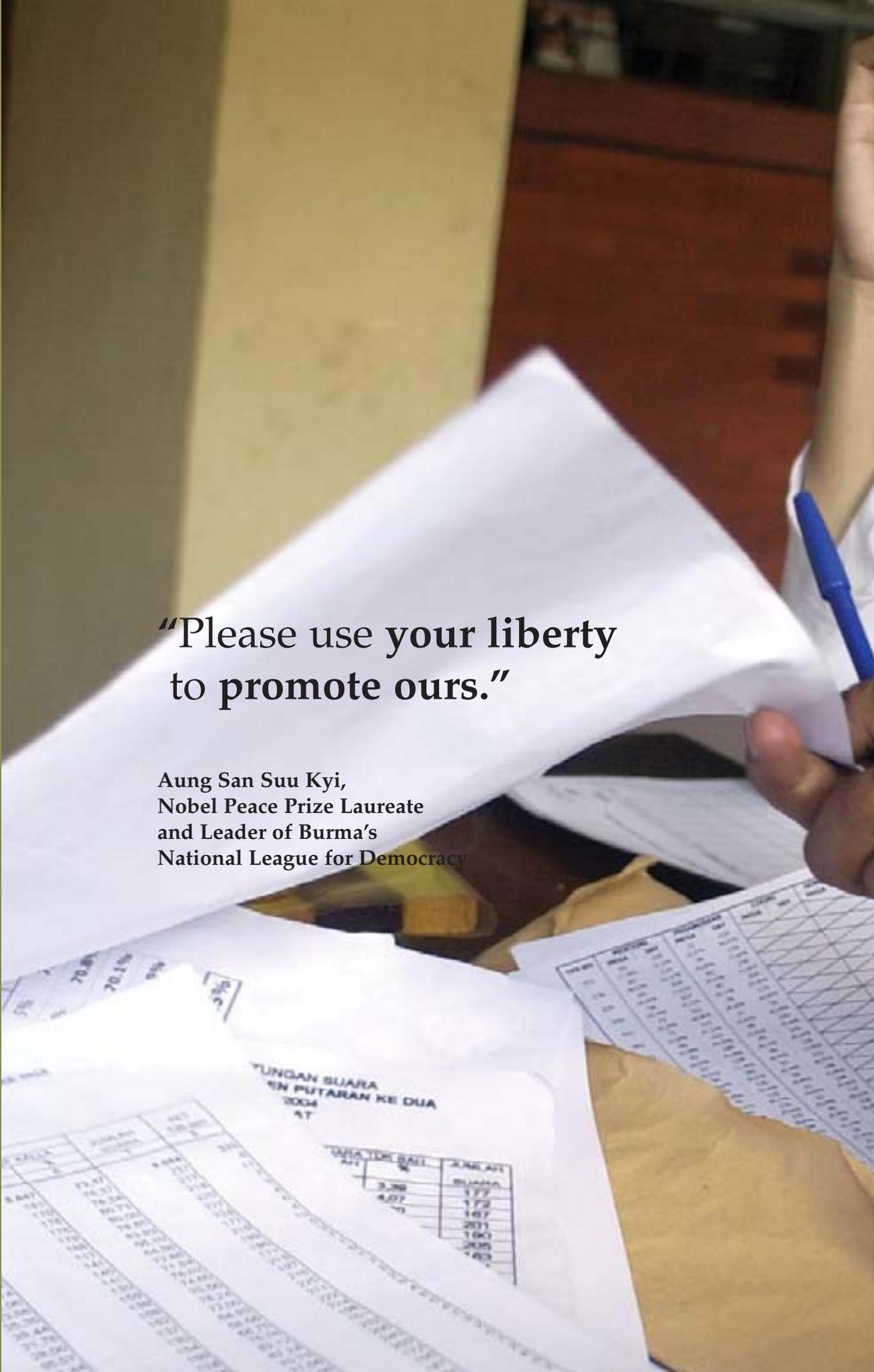


# East Asia and Pacific

**“Please use your liberty  
to promote ours.”**

**Aung San Suu Kyi,  
Nobel Peace Prize Laureate  
and Leader of Burma’s  
National League for Democracy**

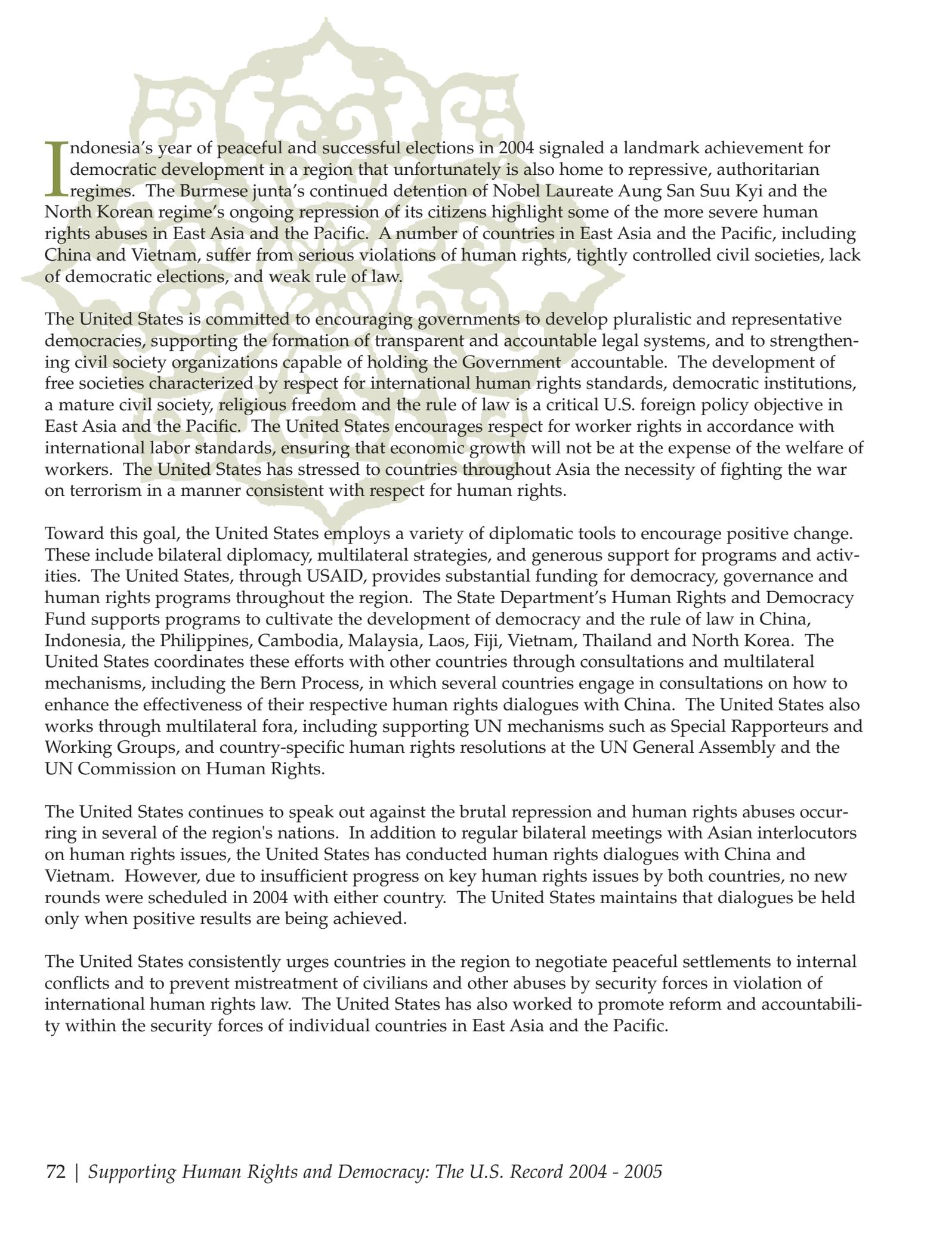




Jakarta, Indonesia

Election workers tabulate votes at a local counting center.

AP Photo



Indonesia's year of peaceful and successful elections in 2004 signaled a landmark achievement for democratic development in a region that unfortunately is also home to repressive, authoritarian regimes. The Burmese junta's continued detention of Nobel Laureate Aung San Suu Kyi and the North Korean regime's ongoing repression of its citizens highlight some of the more severe human rights abuses in East Asia and the Pacific. A number of countries in East Asia and the Pacific, including China and Vietnam, suffer from serious violations of human rights, tightly controlled civil societies, lack of democratic elections, and weak rule of law.

The United States is committed to encouraging governments to develop pluralistic and representative democracies, supporting the formation of transparent and accountable legal systems, and to strengthening civil society organizations capable of holding the Government accountable. The development of free societies characterized by respect for international human rights standards, democratic institutions, a mature civil society, religious freedom and the rule of law is a critical U.S. foreign policy objective in East Asia and the Pacific. The United States encourages respect for worker rights in accordance with international labor standards, ensuring that economic growth will not be at the expense of the welfare of workers. The United States has stressed to countries throughout Asia the necessity of fighting the war on terrorism in a manner consistent with respect for human rights.

Toward this goal, the United States employs a variety of diplomatic tools to encourage positive change. These include bilateral diplomacy, multilateral strategies, and generous support for programs and activities. The United States, through USAID, provides substantial funding for democracy, governance and human rights programs throughout the region. The State Department's Human Rights and Democracy Fund supports programs to cultivate the development of democracy and the rule of law in China, Indonesia, the Philippines, Cambodia, Malaysia, Laos, Fiji, Vietnam, Thailand and North Korea. The United States coordinates these efforts with other countries through consultations and multilateral mechanisms, including the Bern Process, in which several countries engage in consultations on how to enhance the effectiveness of their respective human rights dialogues with China. The United States also works through multilateral fora, including supporting UN mechanisms such as Special Rapporteurs and Working Groups, and country-specific human rights resolutions at the UN General Assembly and the UN Commission on Human Rights.

The United States continues to speak out against the brutal repression and human rights abuses occurring in several of the region's nations. 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, due to insufficient progress on key human rights issues by both countries, no new rounds were scheduled in 2004 with either country. The United States maintains that dialogues be held only when positive results are being achieved.

The United States consistently 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 human rights law. The United States has also worked to promote reform and accountability within the security forces of individual countries in East Asia and the Pacific.



# Supporting Independent Media

With the support of a two-year grant from the United States, the Media Development Loan Fund began a partnership with Indonesia's only independent nationwide radio news agency, Radio News Agency 68H, to produce and develop an indigenous news program "Asia Calling." The weekly 30 minute program, in English and Indonesian, now reaches an estimated 2 million listeners and is an innovative approach to the promotion of democracy and human rights in the world's third-largest democracy and home to the world's largest Muslim population.

At a time when many nations are struggling against extremism, "Asia Calling" offers indigenous voices of tolerance and openness on the most pressing current affairs impacting the people of Asia today. In addition to "Asia Calling's" general coverage of Indonesia's 2004 presidential elections, the program also featured reports on the impact of terrorism on the elections, as well as the inauguration of President Yudhoyono and the hopes for his administration. "Asia Calling" has featured important programming on religious tolerance. This program addressed repression of religious freedom in Vietnam, the Liberal Islam network in Indonesia and its impact on society, and violence in southern Thailand, and repression of Uighur Muslims in China. When the tsunami devastated the Aceh province, 68H Radio staff helped to rebuild local radio stations, and reported on the tsunami, covering the situation in Aceh and its political ramifications, the global relief effort, the impact on Burmese migrants in Thailand, and the Association of Southeast Asian Nations tsunami conference.

With local and regional correspondents, "Asia Calling" is now a trusted indigenous news source with an ever-growing audience. Soon to broadcast in other countries in Southeast Asia, it will help promote a common understanding of the challenges facing the region and encourage greater citizen participation in public life.



Photo: V. Golding

## Burma

Burma continues to be ruled by a brutal authoritarian military junta that reinforces its firm grip on power with a pervasive security apparatus. During 2004, the Government's extremely poor human rights record worsened and it continued to commit serious abuses. Citizens still do not have the right to change their government. Security forces continue to commit extrajudicial killings, rape and forcible relocation of persons, use forced labor, and conscript child soldiers. The military junta continues to be hostile to all forms of political opposition and dissent. It has effectively barred participation of the main opposition party, the National League for Democracy (NLD), in the sham National Convention, which reconvened in May and is designed to secure a new Constitution granting the military a predominant role in any future government. The NLD's top leaders, Aung San Suu Kyi and U Tin Oo, remain under house arrest. All of the party's nationwide offices, except its Rangoon headquarters, remain forcibly closed. Despite the release of a small number of political prisoners in 2004, harassment, arrests, and disappearances of political activists continued. Members of the security forces tortured, beat, and otherwise abused prisoners and detainees.

United States human rights and democracy goals include helping Burma establish a constitutional democracy, promoting respect for human rights – including the restoration of civil and political rights, the release of all political prisoners, an end to abuses in ethnic minority regions, and combating trafficking in persons. The United States works with other like-minded countries to maintain maximum international pressure on Burma. This includes robust bilateral and multilateral sanctions, public diplomacy and democracy programs.

The United States is a vocal advocate for democratic activists in Burma, including Nobel Laureate Aung San Suu Kyi. President Bush has publicly condemned the deplorable human rights situation in Burma and has spoken out on behalf of Aung San Suu Kyi and the democratic opposition on numerous occasions. In 2004, President Bush

addressed the UN General Assembly (UNGA) and demonstrated U.S. support for Burmese democracy by quoting Aung San Suu Kyi's remarks on democratic values: "We do not accept the notion that democracy is a Western value. To the contrary; democracy simply means good government rooted in responsibility, transparency, and accountability." 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." Following the December 2004 announcement that Aung San Suu Kyi's detention would be extended by another year, the White House released a statement condemning the junta's action and strongly supporting her and the Burmese people in their struggle for freedom.

The United States, members of the EU and other nations have imposed a variety of sanctions on the Burmese junta. These sanctions are designed to signal international disapproval, exert pressure on the junta to end its human rights abuses, and allow for genuine democracy in Burma. In July 2003, President Bush issued Executive Order 13310 and signed the Burmese Freedom and Democracy Act (BFDA), adding stringent economic sanctions to already existing U.S. sanctions. The BFDA was renewed in July 2004 by an overwhelming margin in both U.S. houses of Congress.

United States sanctions now include a ban on the export of all financial services to Burma by U.S. persons, 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 to the Government, including counter-narcotics assistance, 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 opposes all new lending or grant programs by international financial institutions. The Government of Burma refuses to honor the results of the 1990 democratic elections in which the NLD

won over eighty percent of seats. Since that time, the United States has maintained diplomatic representation at the Chargé d’Affaires level.

The United States works multilaterally to press for change in Burma. Such efforts include support for the efforts of UN Special Envoy Razali Ismail and UN Special Rapporteur on Human Rights Paulo Sergio Pinheiro, as well as the work of the International Labor Organization (ILO), the International Committee of the Red Cross, and other international organizations. The United States has co-sponsored annual resolutions at the UNGA and the UN Commission on Human Rights that condemn and draw international attention to the continued systematic human rights violations in Burma.

The 2004 UNGA resolution, adopted by consensus, called for a fully inclusive National Convention; restoration of democracy and respect of the results of the 1990 elections; the immediate and unconditional release of the NLD leadership; and an independent investigation of the May 2003 attack on Aung San Suu Kyi, and her NLD convoy and supporters. United States officials also consistently raised concerns about Burma during bilateral meetings at all levels with other nations in the region. The United States urges these nations to take a more active role in addressing the problems that such a repressive government causes for regional organizations like the Association of Southeast Asian Nations. The Government of Burma has not allowed UN Special Envoy Razali to visit Burma since March 2004.

The Government of Burma does not allow domestic human rights groups to function independently and dismisses outside scrutiny of its human rights record. Despite pressure exerted by the United States, EU and UN, the junta did not allow UN Special Rapporteur Pinheiro to visit Burma in 2004. The United States funds several groups working along Burma’s borders that document human rights abuses inside Burma, including rape and forced labor. The United States also supports journalist training, media development, and several scholarship programs to prepare Burmese youth for leadership roles once political transition occurs.

The United States promotes the rule of law and democracy by providing information exchange and civic education programs in Burma on human rights, democratic values, and governance issues. In 2004, the United States dedicated funds for speaker programs, exchange programs, publications, and other information outreach in Burma. In addition, the United States provided support to the Burmese opposition and ethnic minority groups in fiscal year 2004. The majority of these funds are programmed through the National Endowment for Democracy, focusing on democracy promotion and capacity-building activities for Burmese exile groups, as well as the collection and dissemination of information on democracy and the human rights situation both inside and along the borders of Burma. All U.S. humanitarian or democracy-related assistance is channeled through non-governmental organizations (NGOs) and none of the funding benefits the Government of Burma.

The United States also seeks an end to the egregious human rights abuses perpetrated by the Burmese army against ethnic minority civilians in border regions. During travel 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 U.S. and UN investigations into human rights abuses. Furthermore, the United States maintains frequent contact with influential members of the political opposition regarding initiatives that support the struggle for democracy in Burma.

A key aspect of U.S. advocacy is our 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. The Government released 76 political prisoners in 2004, though authorities arrested at least 85 pro-democracy supporters during the same period. Of the 85 pro-democracy supporters arrested in 2004, authorities released 42. The other 43 were charged, tried, and imprisoned.

There has been no change in the Government of Burma’s limited respect for religious freedom. The Government continues to monitor meetings and

activities of virtually all organizations, including religious ones; systematically restricts efforts by Buddhist clergy to promote human rights and political freedom; discourages or prohibits Muslims and Christians from constructing new places of worship, and in some ethnic minority areas, coercively promotes Buddhism over other religions. In 2004, the United States responded by redesignating Burma as a “Country of Particular Concern” (CPC) under the 1998 International Religious Freedom Act. This is the sixth consecutive year Burma has been defined as a CPC.

The United States also funds several groups along Burma’s borders that provide information on the serious problems faced by minority ethnic and religious groups in Burma, including Rohingya Muslims and Chin, Karen, Karenni, and Naga Christians.

The United States continued to press 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 standards. The United States also designated Burma as a Tier III country, the most severe category, in its 2004 report on trafficking in persons. To address this serious problem, the United States approved funding for an NGO-implemented anti-trafficking in persons program intended to raise awareness among vulnerable Burmese, 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. In July 2004, two of the three parties that won National Assembly seats, the Cambodian People’s Party (CPP) and the National United Front for an Independent Neutral Peaceful and Cooperative Cambodia (FUNCINPEC), formed a coalition gov-

ernment, while the third party, the Sam Rainsy Party (SRP), remained in opposition. Cambodia’s human rights record remained poor, and the Government continued to commit abuses. During the year there were a number of allegations of political killings, and a climate 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 in court without defense counsel and were effectively 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 unions became more active, anti-union activity continued and union activists were frequently the victims of violence. 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, remained a serious problem.

The United States supported 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), the National Democratic Institute (NDI), the Documentation Center of Cambodia (DC-CAM), the American Center for International Labor Solidarity (ACILS), Planning and Development Collaborative International and International Justice Mission (IJM). United States officials cooperated closely with civil society, international organizations, government officials and international and local 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. United States officials highlighted publicly the need for improvement in human rights conditions. During the post-election period, the United States implemented a sustained diplomatic effort with senior Cambodian officials to urge the peaceful formation of a new coalition government in conformance with the Cambodian Constitution. United States Government officials, including the Ambassador and senior embassy staff, engaged

the Prime Minister and senior officials on numerous occasions, stressing the critical role of peaceful transitions of power in developing democratic systems and urging the inclusion of the opposition SRP in the committees of the National Assembly.

The United States supported 43 forums on decentralization and local government in ten provinces and four cities and municipalities. Nearly 2,000 local officials, NGO staff and community representatives attended these forums. Using U.S. funds, NDI organized nine Constituency Dialogues attended by National Assembly members from the SRP and the FUNCINPEC parties in which 4,250 citizens from three provinces attended. Fifty-eight community volunteers were trained to organize additional dialogues and to follow up on issues raised during the meetings. All the public forums and dialogues received print, radio and TV media coverage, broadening the impact of their activities. Using U.S. funds, TAF developed and completed 51 Commune Citizen Rating Report surveys designed to gain the public's assessment of commune council performance. This data is used to provide councilors with feedback on the role citizens expect the Commune Council to play.

Cambodia's three major political parties sent a total of 864 representatives to attend U.S. supported training focused on party reform, party structure assessment, meeting management, event organization, communication and inter-party cooperation. This training resulted in the CPP reviewing its communication practices and international outreach strategy, the FUNCINPEC reducing the number of Deputy Secretary General positions from 23 to 5 and increasing the autonomy of the women's movement within the party, and the SRP launching an overhaul of party structure including the party constitution, fundraising, election of officers and candidates and policy development process.

By promoting democracy education and solidarity in the Muslim community through funding a Cambodian Muslim student's organization the United States addressed the threat of radical Islam by strengthening established networks to promote peaceful dialogue toward moderate alternatives. The student organization also conducted human

rights and democracy training in Phnom Penh and Kompong Cham Province to increase awareness of human rights within the Khmer Muslim community. With U.S. support, a local NGO broadcast a weekly Cham-language news and information program, the only program in the country to engage Cham Muslims in their own language. The U.S. also supported an Muslim NGO that began human rights training for the Muslim community in several provinces in the western part of the country.

In 2004, the United States launched the first series of secondary school English language micro scholarships for in-country English language study, aimed at Cambodian Muslim students in four target areas in Cambodia. Through small grants, the United States partnered with four NGOs to select ten suitable candidates in each of four provinces. The support network offered by a local NGO partner helped to ensure that students given this opportunity are enabled to succeed. The NGO partners also served as a monitoring body to ensure local schools provided services as contracted, increasing organizational capacity among the NGO partners while strengthening the English skills of the students selected. English language scholarships expand the educational and economic opportunities for Cambodia's most educationally marginalized population, which includes ethnic minorities and those living in the most remote rural areas. Learning English increases the chances that these students will graduate from secondary school and potentially move on to college, find gainful employment and open up new worlds of ideas about structures of civil society that are different from what already exists in Cambodia. In addition, most of these scholarships are given in locations where an American Corner is located, increasing the students' access to English materials on democratic principles and practices.

United States officials, including the Ambassador and Deputy Chief of Mission also engaged the judicial sector on numerous occasions to press for strengthening the rule of law and independence of the judiciary, with particular attention to deficiencies in the current method of disciplining judges. Ambassador Ray continued to press for a credible, professional investigation into the January 2004

killing of union leader Chea Vichea. The United States funded a major Corruption Assessment Report that was released in November, capturing both domestic and international headlines and bolstering calls for reform during the December Consultative Group donor meeting. During the Consultative Group, the Ambassador called on the Cambodian Government to take concrete action to promote good governance, include civil society in decision-making and fight corruption. United States officials from the Department of Justice and Department of Homeland Security, meeting with the Minister of Justice and Chief Justice of the Supreme Court in January 2005, also outlined areas for judicial reform and programs the United States views as best practices for combating corruption.

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. A Cambodian legal defense NGO continued to provide legal aid services for the poor and undertook the high profile representation of two men arrested for the January 2004 murder of labor leader Chea Vichea. The Community Legal Education Center, through the Public Interest Legal Advocacy Project, pioneered the use of class action cases on behalf of communities that are challenging illegal land concessions made by a forestry official in Ratanakiri Province and negotiated with Phnom Penh city officials on behalf of 350 families threatened with eviction without just compensation in a road widening project.

United States support enabled over 20 key human rights NGOs to monitor, investigate and report on human rights violations including unlawful arrests, extrajudicial killings, abuse of power by government officials, restrictions on speech and the right to assemble and intimidation of human rights workers. An advocacy campaign on the right of assembly, spearheaded by a Cambodian NGO, resulted in two peaceful demonstrations in late 2004. The United States, through IRI, support-

ed a Cambodian human rights NGO in conducting 24 public forums throughout the country that directly reached approximately 18,000 citizens and stimulated public discussion on local human rights issues and matters affecting local communities. This NGO also continued to broadcast its Voice of Democracy radio program, where human rights issues are raised and discussed, that has become one of the most popular and broad-reaching sources of independent programming in Cambodia. With U.S. support, a Cambodian youth group continued to organize youth forums to encourage political parties to pay greater attention to youth issues.

The United States also continued to support the core activities of DC-CAM in investigating and documenting the crimes against humanity committed by the former Khmer Rouge regime to help build a record that would be useful in bringing those responsible for the atrocities to justice. In addition to these core activities, U.S. support allowed the Center to produce its first film, a 30-minute documentary of a rape survivor from the Khmer Rouge period. Using U.S. funds, DC-CAM also opened a public information room allowing for public access to critical documents on the Khmer Rouge regime by nearly 1,000 visitors. The Center has also continued to do public outreach, engaging Cham Muslim leaders, Buddhist nuns and members of youth and student associations. The United States supports bringing to justice senior Khmer Rouge leaders responsible for the atrocities committed under the Khmer Rouge regime.

The United States continued support for the participation of women in politics and the training of women in leadership skills, including NDI sponsored "Women in Politics" conferences. A local NGO held public forums on "Women in Politics," which featured female candidates and were later broadcast on local radio stations. An NGO focusing on young women 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 United States also sponsored a two-day train-the-trainer workshop for nearly 50 Cambodian domestic violence experts and caseworkers to promote peaceful

solutions to social conflict. The workshop presented creative, hands-on techniques that helped Cambodian NGOs better define, recognize and analyze patterns of violent behavior. United States-funded TAF continued its support for FM 102, a radio station run by women with programming specifically for women, including financial support for The 80% Show: Towards Zero Point, a program designed to reduce violence against women, particularly rape.

On numerous occasions throughout the year, Embassy officers urged Cambodian authorities in both the Foreign Ministry and Ministry of Interior to meet Cambodia's obligations to permit the UN High Commissioner for Refugees (UNHCR) to have access to and provide protection for persons seeking asylum in Cambodia. Following an influx of Montagnard asylum seekers, ethnic minorities from Vietnam's Central Highland region, in the beginning of April the U.S. Ambassador joined the diplomatic community in calling on the Cambodian Government to allow the asylum seekers access to the resident office of the UNHCR. The Regional Refugee Coordinator met with Cambodian officials to explain U.S. refugee processing procedures. United States officials also traveled to meet with local officials in Ratanakiri and Mondolkiri Provinces to investigate reports that Cambodia had sealed its border with Vietnam and to urge respect for human rights.

Union activists were frequently the victims of violence. On January 22, the president of the Free Trade Union Workers of Cambodia (FTUWKC), Chea Vichea, was gunned down on a busy street in Phnom Penh. At year's end, two suspects remained in custody pending further investigation of the case. On May 7, Ros Savannareth, a factory-level union leader and steering committee member of the FTUWKC, was also killed. A soldier from a paratroop unit was arrested as a suspect in the killing, and appeared in court on July 25. He awaits trial while in detention. In addition, on June 23, Lay Sopheap, the president of a union affiliated with the FTUWKC was attacked and left for dead. No suspect has been arrested.

As part of multiyear projects, the United States funded International Labor Organization (ILO)

programs to protect the rights of workers through monitoring labor conditions in garment factories, creating a labor arbitration mechanism, bringing HIV/AIDS education to the workplace and combating the worst forms of child labor. The ACILS, with U.S. support, trained union leaders in union building and provided legal aid to garment union leaders and activists. The Cambodian Labor Arbitration Council, an ILO project funded by the United States, continues to carry out its mandate to arbitrate labor disputes impartially. The Labor Arbitration Council has been a model of legal credibility and transparency in an environment where the lack of rule of law remains the norm.

The Arbitration Council and other U.S. programs have also benefited the labor movement beyond the garment sector. Tourism unions have turned successfully to the same mechanisms and won important attention to their efforts. In other areas, U.S. support for public school teacher unions allowed this new sector of organized labor to use its growing numbers to win several battles against corrupt school officials. The ILO garment factory monitoring project, funded by the United States, monitors and reports on working conditions and labor rights in Cambodia's 200 garment factories. This project has helped Cambodia grow economically by attracting socially conscious garment companies to buy from Cambodia and has increased respect for and protection of labor rights and standards. The NGO World Education commenced a project that increased school enrollment and attendance of children who are at high risk of falling into the worst forms of child labor, such as child trafficking or commercial sexual exploitation. In addition, the United States supported a week long speaker program, including intensive training for labor arbitrators, in July 2004.

The United States highlighted the continuing need for convictions of human traffickers, including corrupt officials involved in or benefiting from trafficking. In partnership with local law enforcement, the IJM assisted in 18 prosecutions during the year, resulting in 8 convictions carrying sentences of up to 20 years. Other traffickers were convicted in less well-known cases. During the year, the United States and the Cambodian Government cooperated in the investigation of

five alleged American child exploiters; three of these individuals were deported from Cambodia to face prosecution in the United States under U.S. child protection laws. This initiative continued to be a major priority of the U.S. Government and received consistently strong cooperation from the Cambodian Government.

The Ambassador, Director of the Office to Monitor and Combat Trafficking in Persons, visited Cambodia in February to assess the Government's work in combating human trafficking and to express the need for judicial reform as key to Cambodia's anti-trafficking efforts. Cambodia was subsequently one of eight countries identified by the Presidential Anti-Trafficking Initiative for support to combat human trafficking. In November, the United States partnered with three other countries to sponsor a major national anti-trafficking conference in Cambodia which both the Prime Minister and Deputy Prime Minister/Co-Minister of Interior attended. Delegates from the conference, including police, government officials, NGOs, international organizations and diplomatic missions created a list of action points for combating human trafficking that was presented to the Cambodian Government for consideration in its national plan.

In December, the Department of State issued a strong condemnation of an attack on a Phnom Penh NGO shelter for trafficking in persons victims, calling on the Cambodian Government to take immediate steps to protect the women and girls present at the shelter during the attack and the NGOs working in the trafficking in persons sector. Secretary of State Powell urged the Prime Minister to conduct a full investigation into the events at the shelter and the release of eight suspected human traffickers. The Ambassador, Deputy Chief of Mission and senior Embassy staff also warned senior Cambodian officials that a lack of action in response to the incident would call into question the Government's commitment to combating trafficking.

The United States continued to provide support to NGO activities to combat trafficking in persons. Through one grant to the International Organization for Migration (IOM), the United

States supported an information campaign to combat trafficking in women and children. The project included a provincial and district-level multi-media information campaign that was expanded beyond the original program scope, which included village-based activities designed to foster community networks to combat trafficking and the development of a counter-trafficking database. A total of 60,000 persons were reached during this phase of the campaign. Another related IOM project provided psycho-social training and support to trafficking victim recovery and reintegration. The project provided care to trafficked women and children, including their families. The program also provided psychological support to trafficking victims and NGO workers.

Through TAF, the United States continued support for local NGOs to run shelters with training and reintegration programs for former trafficking victims and victims of rape and domestic violence. TAF provided sub-grants and technical assistance to 17 local NGO's focusing on protection, prevention and prosecution. A local NGO, with the support of the United States, launched a women's economic empowerment program targeted at women at risk for being trafficked.

## China

China's authoritarian Government continued to suppress political, religious and social groups, as well as individuals, that it 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. It refused to allow social, political or religious groups to organize or act independently of the Government and the Communist Party. Those who tried to act independently were often harassed, detained or abused by the authorities. In March, the Government amended its Constitution to include protection of human rights and throughout the year adopted legal reforms to strengthen oversight of government action. However, it is unclear how or to what extent the constitutional amendment and other legal reforms will be enforced. Other rights protected by China's Constitution are sometimes infringed and those whose rights are denied

often have little legal recourse. Human rights abuses continued, including torture and mistreatment of prisoners, abuse in custody that resulted in death, forced confessions, arbitrary arrest and detention, incommunicado detention and denial of due process.

The United States employs multiple strategies to promote human rights, democracy and the rule of law in China. This comprehensive strategy includes bilateral diplomatic efforts, multilateral action, and support through government and non-governmental channels. The United States seeks to strengthen the judicial system and further the rule of law, encourage democratic political reform, promote freedom of religion and the press, protect human rights, including worker rights and women's rights, improve transparency in governance and strengthen civil society. United States Government officials at all levels also work with Chinese officials, domestic and foreign non-governmental organizations (NGOs) and others to identify areas of particular concern and encourage systemic reforms.

The United States continues to place a high priority on urging China to bring its human rights practices into compliance with international standards, and on working to secure the release of Chinese prisoners of conscience. During the year,

President Bush, Secretary of State Powell, the Ambassador and other U.S. officials repeatedly raised specific human rights cases in public remarks and in private meetings with Chinese officials. President Bush raised human rights issues when he met with President Hu Jintao during the Asia-Pacific Economic Cooperation ministerial meeting in November. Vice President Cheney also raised human rights concerns with Chinese leaders and in a speech at Fudan University during his April visit to China. Secretary Powell raised human rights concerns during his visit to Beijing in October and during a meeting with Foreign Minister Li in Washington, D.C. in September. Then-Assistant Secretary of State for Democracy, Human Rights and Labor Lorne Craner discussed the need for progress on human rights issues with a visiting Chinese Government delegation in March 2004. Then-Deputy Assistant Secretary of State for Democracy, Human Rights and Labor Elizabeth Dugan traveled to Beijing in November 2004 to press China for improved human rights cooperation.

In 2004, Tibetan nun Phuntsog Nyidrol and political dissident Liu Jingsheng were released early from prison. In March 2004, China Democracy Party activist Wang Youcai was released to the United States on medical parole. United States appeals also helped others gain early release from



prison. In February, a team of Chinese and U.S. legal experts discussed parole and sentencing reduction for those still serving sentences for political crimes that have been eliminated from the 1997 Criminal Law.

A key objective of the United States is to promote systemic improvements in China's human rights situation. Toward that goal, the Department of State funds a multi-million dollar program to promote legal reform, encourage judicial independence, increase popular participation in government and foster the development of local level elections and 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, reform criminal law and enable average citizens to seek protection under the law. The United States also supports a small grants program administered by the U.S. Embassy in Beijing. Among the 11 grants in 2004 are criminal law reform projects and capacity building for state-linked and independent NGOs.

United States officials at all levels regularly engaged with Chinese officials and researchers to discuss legal reform. Undersecretary for Global Affairs Paula Dobriansky and other senior officials discussed human rights and rule of law with visiting Supreme People's Court President and Chief Justice Xiao Yang and other Chinese officials in October 2004. Influential government officials and researchers in law, criminal justice, environmental protection and media participate in the State Department's International Visitors Program.

The President and senior officials consistently called upon the Chinese Government to respect international standards for religious freedom for people of all faiths. Additionally, the United States urged the Chinese Government to enter into dialogue with the Vatican and the Dalai Lama. Emissaries of the Dalai Lama visited Tibetan areas of China three times in the past three years, the first such visits in decades. Lodi Gyari, the Dalai Lama's Special Envoy, and Kelsang Gyaltzen, the Dalai Lama's Envoy, made a trip to China in September 2004 to continue discussions with Chinese officials that began in September 2002. In addition, U.S. officials regularly raised religious freedom issues with Chinese leaders, including

calling for the release of religious prisoners, the reform of restrictive registration laws and more freedom for religious groups to practice their faith.

At the last round of the formal Human Rights Dialogue session in December 2002, the Government agreed to invite 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. In September 2004, the UN Working Group on Arbitrary Detention visited China. The other promised visits have yet to take place. The United States declined to schedule another round of the Dialogue until these and other remaining commitments are fulfilled.

During the year, U.S. officials worked to strengthen cooperation and the flow of information about human rights issues between the United States and like-minded governments. The United States participated in the "Bern Process" with other governments that hold human rights dialogues with China to share information about human rights strategies and democracy, human rights and rule of law programming. Under U.S. leadership, cooperation among like-minded missions in Beijing expanded. The U.S. Government sought to focus international attention on the human rights situation in China at the 60th session of the UN Commission on Human Rights. As in past years, the China resolution tabled by the United States did not come to a vote because of a successful "no-action motion" introduced by the People's Republic of China delegation. In March, following the announcement that the United States would sponsor a China resolution, the People's Republic of China announced that it was suspending the bilateral Human Rights Dialogue with the United States and placed conditions on legal cooperation with some U.S. organizations. In addition, China also suspended regular human rights working-level discussions until November 2004.

The U.S. Mission in China also brought internationally recognized speakers to China to address Chinese audiences on various topics, including democracy, human rights, religious freedom, corporate social responsibility and rule of law. Facilitated by the U.S. Mission in China, Members

of Congress, their staff and staff of the Congressional Executive Committee on China travel regularly to China to explore these issues and raise concerns with Chinese officials.

The United States has devoted significant resources and time to urging Chinese government officials to put an end to China's coercive birth limitation program. In 2002, the U.S. Government began discussions with the China regarding its birth planning law. There have been six rounds of such talks with the most recent round held in November when Assistant Secretary for Population, Refugees and Migration Arthur E. Dewey traveled to Beijing to press senior Chinese officials for reforms. In these discussions, the United States urged China to respect the Universal Declaration of Human Rights and the 1994 Cairo Declaration on Population and Development, which urge nations not to use coercion, in any form, in their population policies. The United States also urged China and the UN Population Fund (UNFPA) to restructure UNFPA's China program so that UNFPA does not support or participate in the management of China's coercive program. In December, Acting Assistant Secretary for Democracy, Human Rights and Labor Michael G. Kozak and Assistant Secretary Dewey testified before the House International Relations Committee on the case of civil activist Mao Hengfeng, who has challenged the Government's family planning practices.

The United States has raised concern for the rights of ethnic minorities. The United States publicly and privately urged China not to use the war on terror as justification for cracking down on Uighurs expressing peaceful political dissent. But minorities in Xinjiang, Tibetan areas and Inner Mongolia continue to suffer repression. United States 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. During his November trip to China, Assistant Secretary Dewey appealed to China to allow the United States to establish a system by which North Korean asylum seekers could apply for and

be considered for resettlement to third countries. The Government of China continues to insist that North Koreans are illegal economic migrants.

The United States also promotes compliance with international labor standards. The United States 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. Department of Labor supported programs of technical cooperation to advance labor rule of law and coalmine safety as well as exchange programs in the areas of occupational safety and health, mine safety and health, wage and hour administration, administration of private pension programs and collection of labor statistics. The Department of Labor has also funded a program, implemented by the International Labor Organization (ILO), to combat discrimination associated with HIV/AIDS in the workplace. With funding from the U.S. Department of State, the ILO is implementing a program to improve the ability of labor institutions to combat trafficking in persons for labor purposes.

Through the Partnership to Eliminate Sweatshops (PESP), the U.S. Government supports programs that address unacceptable working conditions in manufacturing facilities that produce goods for the U.S. market. PESP supports programs that advance the development of a more stable international political and economic climate and builds a surer foundation for U.S. corporate investment abroad by advocating corporate social responsibility and building local capacity. It engages the private sector to address worker rights violations and working conditions. PESP has provided funding to improve educational resources to create local capacity to safeguard labor standards and worker rights, to improve worker-manager relationships and to increase Chinese company compliance with Chinese labor law. PESP is funding a program to improve workplace conditions by strengthening the capacity of Chinese government regulators to ensure compliance based on national labor standards and self-regulation by the toy industry.

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 in recent years, it can do more to cooperate with foreign organizations.

## Hong Kong

Hong Kong is a Special Administrative Region (SAR) of the People's Republic of China and maintains a high degree of autonomy except in matters of defense and foreign affairs. It has well-established institutions that support the rule of law and a vigorous civil society. The Basic Law, the SAR's constitution, was approved by China in 1990. It provides for the protection of fundamental rights and civil liberties and calls for progress toward universal suffrage and further democratization after a 10-year period, starting with Hong Kong's July 1, 1997 reversion to Chinese sovereignty. The judiciary is independent and the Basic Law vests Hong Kong's highest court with the power of final adjudication. In April, the Standing Committee issued a controversial decision on the scope and pace of constitutional reform that delayed universal suffrage until after the 2007 Legco and 2008 Chief Executive elections. The 2004 elections were seen as generally free, open and widely contested, but there were allegations in the months leading up to the election of intimidation of voters and political commentators.

The Government generally respected the human rights of residents, and the law and judiciary provide effective means of dealing with instances of abuse. A number of human rights problems existed, including limitations on residents' ability to change their government and the power of the legislature to affect government policies. Violence and discrimination against women and ethnic minorities also continues to persist. Restrictions on workers' rights to organize and bargain collectively and trafficking in persons for the purposes of prostitution remain issues of concern as well. Despite the ban on the Falun Gong in mainland China, the Falun Gong remained legally registered and practitioners continued their activities in Hong Kong.

President Bush raised Hong Kong's democratic development in his meetings with senior Chinese officials, including President Hu and Premier Wen. Secretary Powell also discussed Hong Kong's democratic development with senior Chinese officials, as well as with Hong Kong officials during their visits to the United States. Following the September 2004 Legco elections, Deputy Assistant Secretary for East Asian and the Pacific Affairs Randall Schriver voiced the U.S. Government's interest in Hong Kong's democratic development at a hearing by the Congressional Executive Commission on China. The United States Consul General has actively affirmed U.S. support for greater democratization in Hong Kong privately with Hong Kong government officials, and through speeches and remarks to the press. His comments, as well as related opinion pieces placed by the Consulate General, have been featured prominently in local and international newspapers, reaching a wide cross-section of Hong Kong society. Democracy has figured prominently in Consulate General-sponsored speaker and International Visitors Programs this year. The Consulate General has also facilitated local debate and discussion of democracy-related subjects. The U.S. Government also supports activities to strengthen civil society in Hong Kong.

## Indonesia

Indonesia made substantial democratic progress during the year, taking further steps in its transition from three decades of repressive and authoritarian rule to a more pluralistic and representative democracy. The country held free, fair, and peaceful direct presidential elections and is the world's third largest democracy and home to the world's largest Muslim population. An estimated eighty percent of eligible voters participated, which means approximately 117 million people exercised their right to vote. Previously, the legislature had chosen the president. In accordance with amendments to the Constitution, the Government reduced the formal political role of members of the police and military, who lost their appointed seats in the parliament in October when the new legislature was sworn in. However, the overall human rights record remained poor. Although there were some improvements in a few areas, serious prob-

lems remained. Soldiers and police officers committed violations, including extra-judicial 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 and democracy in Indonesia. The Ambassador and other U.S. officials often publicly highlighted the need for protection of human rights, and put time, energy and resources into helping counter problems such as trafficking in persons (TIP), religious intolerance and threats to press freedom. Because many human rights violations involved the military and police, known collectively as the security forces, the United States focused its human rights efforts on pushing for military reform and accountability, professionalizing the police and developing civil society institutions essential for sustaining demo-

cratic transition. United States officials, particularly the full-time human rights officer at Embassy Jakarta, frequently worked with student groups, non-governmental organizations (NGOs), labor activists, representatives of religious and ethnic minorities, leaders of indigenous groups and others.

The United States provided extensive and crucial election assistance to support the remarkable democratic transition in Indonesia. This support bolstered the election process in a country with 543,000 polling stations and more than 145 million voters, who speak more than 250 languages and dialects. The United States provided assistance that included technical support to national and regional electoral authorities, voter education programs, and domestic monitoring initiatives to protect ballot integrity and international observers. The U.S. Embassy in Jakarta took an active role in monitoring the elections, fielding over 60 observers for each of the three rounds of voting.

In outreach efforts to the Muslim community, the United States sponsored speakers from dozens of Muslim boarding schools (pesantren), day schools (madrasahs) and Muslim institutions of higher learning, to exchange views on pluralism, toler-



**Surabaya, East Java, Indonesia**

**Election workers aid a blind resident at a Community Home as she votes in Indonesia's first presidential election.**

AP Photo

ance and respect for human rights. The Embassy sent a total of 80 pesantren leaders to the United States for a three-week program on religious pluralism, civic education and educational development. In addition, the Embassy sent 38 students and six teachers to the United States for four weeks on an Muslim Youth Leadership Program, and, through the Youth Exchange and Study (YES) program, over 60 Muslim students entered one-year programs at high schools throughout the United States. Journalists from approximately ten Muslim-focused media outlets traveled to the United States on reporting tours. At the university level, a multi-year grant helped implement a civic education program throughout the Muhammadiyah university system. A separate grant helped an Islamic studies institute in Yogyakarta conduct training on human rights and establish courses promoting tolerance. Grants were also provided to two U.S. universities for conflict resolution training and exchanges and to establish five mediation centers at Muslim institutions.

In support of long-term outreach, five American Corners opened in Muslim institutions of higher learning across Indonesia. The United States also funded The Asia Foundation to establish an international center to promote regional and international linkages among progressive Muslim intellectuals and activists and to promote an international level of discourse on progressive interpretations of Islam. The United States also provided funding to various Muslim organizations and pesantren to promote gender equality and women's rights by strengthening the understanding of these values among female community leaders and supporting democratization and gender awareness in the pesantren through the empowerment of male and female pesantren leaders. 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 to counter extremism.

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 U.S.-

funded South East Asian Press Alliance monitored the extent of violence and intimidation against journalists in Indonesia. 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." U.S. diplomats closely monitored and were present at several criminal prosecutions against the press, including the trial of noted journalist Bambang Harymurti who was charged under the criminal code for libel. The United States encouraged the growth and expansion of independent news radio throughout the Southeast Asia region by supporting an independent, indigenous, pro-democracy radio news program based out of Jakarta.

To strengthen respect for the rule of law, the United States provided professional training programs both in Indonesia and regionally, with the goal of increasing the capacity and professionalism of prosecutors, police and judges on issues ranging from ethics to money laundering. The United States continued to provide technical assistance to the Supreme Court Reform Team, which has been given the mandate to implement the recommendations set out in the series of judicial blueprints or reform plans that have been drawn up. The United States also provided the necessary expertise to the Constitutional Court to assist it in resolving electoral disputes. This assistance strengthened the capacity of Constitutional Court personnel to conduct the relevant legal research and in preparing the legal memoranda for the justices hearing the cases.

The United States assisted the Attorney General's Office in formulating guidelines on the role of prosecutors and a Code of Professional Standards. These standards will provide the basis for the future development of the prosecutorial profession in Indonesia, particularly on recruitment, oversight, training and the institutional development of the Attorney General's Office. The United States also helped the NGO Indonesia Corruption Watch address judicial corruption by monitoring court sessions.



**Jakarta, Indonesia**

**Election workers hold up a ballot.**

AP Photo

The United States continued efforts to help the national police make the transition to a civilian law enforcement agency, predicated on the principles of democracy and human rights. A training initiative entitled Transition to Democratic Policing (TDP) began with U.S. police training 30 Indonesian police instructors, allowing them to instruct others in TDP. With help from the U.S. trainers, the 30 Indonesian instructors taught 300 additional instructors how to integrate democracy and human rights into police work. The national police are now conducting their own TDP training nationwide in order to convey the principles of policing in a democracy to over 175,000 police officers. In Yogyakarta, central Java, the development of the Community-Oriented Policing Program continues to provide a positive impact, including broader support from the local government and the business community. The local government has agreed to expand the pilot project into other sub-districts, issued local regulations and allocated the budget appropriations necessary to support Community-Oriented Policing Programs in other areas.

The Embassy closely monitored all trials involving persons 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 Tribunal. The United States has stressed the importance of achieving credible accountability for the crimes against humanity committed in East Timor during and after the referendum there in 1999. In a December meeting with Indonesian Foreign Minister Wirajuda and East Timor Foreign Minister Ramos-Horta, Secretary of State Powell stressed the importance of accountability and reaffirmed U.S. support for a UN Commission of Experts to go out to both nations to evaluate the current accountability mechanisms and recommend next steps.

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 included a number of civilians, emphasized non-combat related professionalization programs, highlighted ways to strengthen civilian oversight of the military, improve the military justice system and promote respect for human rights. Some courses sought to improve the military justice system, while others boosted the investigative capacity of military police. United States officials frequently met Indonesian military officials and encouraged military reform.

In Aceh, armed conflict between the Free Aceh Movement (GAM) and the Indonesian security forces (TNI) has continued for years, severely deteriorating the human rights situation in the province and jeopardizing the fragile civil society. The state of military emergency (martial law), introduced in May 2003, continued until May 2004, when the Indonesian Government instituted a state of civil emergency. Fighting between the GAM and TNI continued unabated during the civil emergency, as did restrictions on civil liberties. The United States frequently urged the Government of Indonesia to protect noncombatants' rights and allow access to humanitarian groups and journalists. The United States also supported civil society organizations that assisted human rights victims, advocated peaceful resolution of the conflict, and helped fund the treatment of torture victims. More than a quarter of a million Acehenese are believed to have perished in the earthquake and tsunami that struck the province on December 26 2004. The United States immediately began to provide emergency relief to victims through U.S. implementing agencies in Aceh. The Embassy coordinated the U.S. response with military commands, achieving a rapid response by U.S. armed forces, including sending the USS Lincoln Battle Group to the tsunami disaster area. The USAID Office of Foreign Disaster Assistance also rushed appropriate emergency relief and additional resources to the region. United States assistance fulfilled dire humanitarian needs, while also supporting Indonesia's emerging democracy and stability at a critical juncture. In the face of such massive destruction and human suffering, GAM declared a ceasefire and the Government opened tsunami-affected areas in Aceh to international humanitarian workers and journalists.

In Papua, where the Indonesian military also has a history of repressive responses to separatist activity, 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. The Indonesian authorities cooperated with the U.S. Federal Bureau of Investigations in investigating the murders. The U. S. District Court for the District of Columbia

indicted Anthonius Wamang, an alleged renegade separatist rebel, in connection with the killings, but as of this report he remained at large. The United States continued to press the Indonesian authorities to arrest and try Wamang.

Maluku and North Maluku Provinces experienced minimal sectarian violence in 2004, except for a flare-up in April sparked by the anniversary celebration of a predominantly Christian separatist movement. Staff from U.S. Consulate Surabaya traveled to both provinces to meet with leaders and encourage continued efforts at reconciliation and effective conflict resolution. In 2004, Central Sulawesi continued to suffer sporadic outbreaks of violence, including still-unsolved shootings at local churches and the bombing of a bus near the city of Palu. All three provinces continued to need extensive reconciliation and reconstruction work. United States funding helped the NGO CARE move forward with community development projects and build homes for those displaced by the conflict. In Central Sulawesi Province and in Maluku, U.S. funding helped the NGO Mercy Corps aid those rendered jobless by the conflict by making available income-generation programs. 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. United States Government officials regularly met religious and civil leaders to urge mutual respect and cooperation, while at the same time calling for justice for those in the past who had perpetrated severe human rights abuses.

To safeguard women's rights, the United States helped raise awareness of domestic violence through the Foundation for the Elimination of Violence Against Women; supported a media campaign to inform women of their rights; sought to empower women through pesantren programs; supported creation of a national database of potential women candidates for political parties; and through the Foundation to Assist in the Protection of Women, studied how police treat female TIP victims. The United States placed a number of women-related documentaries and news clips on local television. Dozens of women took part in the International Visitors Program,

Voluntary Visitor, Fulbright Summer Institute and other programs, many of which focused on human rights issues. United States support of the National Commission on Violence Against Women resulted in the Government of Indonesia's decision to establish regional women's crisis centers. The United States-funded Women's Journal Foundation produced a monthly magazine and weekly radio show that reached 158 stations.

The United States worked with the International Labor Organization and the Solidarity Center to raise awareness of and combat the problem of child labor. The Department of Labor devoted significant funding to protect children from sexual exploitation, trafficking in persons, trafficking and production of narcotics, mining and 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. United States funding provided for a "safe house," where children could receive counseling and education.

Tens of thousands of Indonesians fell victim to trafficking in persons. Sub-grants to 48 NGOs and community groups resulted in local anti-trafficking actions focused on prevention, rehabilitation and advocacy. United States funding supported the creation of new shelters for victims. The United States trained hundreds of police officers and some prosecutors, resulting in more arrests and prosecutions and longer jail sentences for some traffickers.

United States-funded NGOs such as the Solidarity Center and the International Catholic Migration Commission, helped the Government develop standard operation procedures for handling victims, contributed to the passage of local laws in two provinces and provided technical assistance leading to the introduction in parliament of the anti-trafficking bill. United States-financed NGOs quickly investigated rumors of trafficking of victims from Aceh after the December tsunami.

## Democratic People's Republic of Korea

As President Bush noted when he signed into law the North Korean Human Rights Act of 2004, the Democratic People's Republic of Korea (North Korea) remains one of the most repressive countries in the world and stands in stark contrast to democratic governments elsewhere in Asia. North Korea, one of the world's most militarized societies, is a dictatorship under the absolute rule of Kim Jong Il, General Secretary of the Korean Workers' Party. An estimated 150,000-200,000 persons are believed to be held in detention camps in remote areas for political reasons, and defectors report that many prisoners have died from torture, starvation, disease, exposure or a combination of these causes. Reportedly, North Korean officials prohibited live births in prison and forced abortions were regularly performed, particularly in detention centers holding women repatriated from China. Defectors alleged the testing on human subjects of a variety of chemical and biological agents. The regime controls many aspects of citizens' lives, denying freedom of speech, religion, the press, assembly and association. The regime also severely restricts freedom of movement and worker rights. There are widespread reports of women and girls being trafficked across the Chinese border.

United States officials work to raise awareness of the severity of North Korea's human rights abuses and humanitarian issues with the international community and before American audiences. In addition, when possible, U.S. officials raise these concerns directly with the North Korean regime. During Six-Party Talks with North Korea in Beijing in February and June of 2004, Assistant Secretary of State for East Asian and Pacific Affairs James Kelly reiterated U.S. concerns about North Korea's human rights violations. Then-Assistant Secretary of State for Democracy, Human Rights and Labor, Lorne W. Craner raised awareness of the deplorable human rights conditions inside North Korea through speeches before U.S. audiences and through testimony before the Congressional Human Rights Caucus. The United States regularly raises concerns about North Korea

with other governments in both multilateral and bilateral fora. United States officials urge other countries to make concrete, verifiable and sustained improvements in North Korean human rights a central component of their bilateral relations with North Korea.

In response to serious concerns over North Korea's human rights record and the ongoing humanitarian crisis faced by the North Korean people, the U.S. Congress enacted the North Korean Human Rights Act of 2004. It authorizes significant funding for each of the fiscal years 2005 - 2008 for humanitarian assistance to North Koreans. The Act authorizes additional funds during the same timeframe for private non-profit programs aimed at promoting human rights, democracy, rule of law and a market economy in North Korea, and additional funding to increase the availability of non-government-controlled sources of information in North Korea. The Act also establishes the position of Special Envoy on Human Rights in North Korea to enhance U.S. diplomatic efforts in this area.

Because the isolation and secrecy of the regime render standard human rights monitoring very difficult, the United States continues to support National Endowment for Democracy (NED) grants to South Korean non-governmental organizations (NGOs). In 2004, the U.S. Department of State's Bureau of Democracy, Human Rights and Labor awarded a 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.

To address the ongoing humanitarian crisis that is part of the overall human rights situation in North Korea, in 2004 the U.S. pledged 50,000 metric tons of humanitarian food aid to North Korea through the World Food Program. United States decisions on food aid to North Korea are based on three criteria: demonstrated need, competing needs elsewhere and the extent to which humanitarian organizations can access all vulnerable groups and monitor distribution. The United States remains concerned that aid workers are unable to verify that aid consistently reaches its intended recipients

due to various restrictions on monitoring and access, including a requirement that the humanitarian organization request the North Korean Government's permission in advance to make monitoring visits. United States officials have presented these concerns directly to North Korean officials, while also working with the World Food Program and other donors.

The involuntary return of North Koreans from China to North Korea is a matter of deep concern to the United States. Many repatriated North Koreans face persecution and some of them may have been executed upon their return, as provided for in North Korean law. United States officials have, on multiple occasions, expressed to the Chinese Government strong objections to any such actions, 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 consistently urges China to fulfill its international obligations under the 1951 Convention on the Status of Refugees and as a signatory to the 1967 Protocol on Refugees, and to allow the UN High Commissioner for Refugees (UNHCR) to assess the needs and status of this vulnerable population. The United States has addressed the issue of North Koreans in China with the UNHCR and sought to coordinate our approach with allies who share our concerns.

The United States worked with other concerned governments to win passage of a resolution condemning the human rights record of North Korea during the 60th session of the UN Commission on Human Rights. The resolution specifically condemned the North Korean Government's use of torture and forced labor, as well as its severe restrictions on freedom of expression and assembly. The resolution called on the North Korean Government to fulfill its obligations under human rights instruments to which it is a party, to invite UN special representatives to visit North Korea and to ensure that humanitarian organizations have free access to the country.

In 2004, Secretary of State Powell again designated North Korea a "Country of Particular Concern"

under the International Religious Freedom Act for severe violations of religious freedom. North Korea is also subject to U.S. sanctions for its failure to address trafficking in women and girls.

## Laos

Laos remained a one-party authoritarian state, dominated by the Lao People's Revolutionary Party (LPRP), which permitted no opposition and offered no avenues for citizens to express their opinions. Through its system of mass social organizations like the Lao Women's Union, Youth Union and Lao Front for National Construction, the Party insinuated itself into the daily lives of Laos' citizens and ensured its control over the country would be unchallenged. The LPRP controlled all decisions related to the political, economic and social course of the nation. Almost without exception, senior members of the Government, provincial administrations and National Assembly members were Party members. The Lao Government's human rights record remained poor, 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 or tortured, and police used arbitrary arrest, detention and surveillance. Lengthy pretrial detention and incommunicado detention were problems. The Party and the Government continued to deny their citizens many basic human rights, such as freedom of speech and expression. The Government closely controlled the print and local televised media and prohibited any expressions of dissent with the political regime, threatening to arrest those who challenged its authority.

The Government also continued to deny the existence of an ongoing insurgency, comprised mostly of ethnic Hmong, the remnant of the "Secret Army" that fought against the Communist Pathet Lao during the Indochina War. As international interest in resolving this long-running conflict increased, the Government reluctantly began to engage in a dialogue on the subject. However, reports suggested that Lao security forces increased efforts to forcefully expel the last of

these groups, now made up mostly of women and children, from their forest refuges.

Although President Bush signed into law legislation extending Normalized Trade Relations to Laos in December 2004, the United States continues to be concerned about the Lao Government's human rights record. The Lao Government regarded any outside interest in its human rights situation as "interference" and was openly critical of U.S. human rights efforts. In this restrictive environment, the United States had only very limited access to the Lao Government.

Securing improvements in Laos' human rights picture has been a cornerstone of U.S. Government programs in Laos for a number of years. The United States has made human rights a salient feature of all meetings with senior Lao government officials. The Ambassador highlighted human rights as a special concern during her confirmation hearings before the Senate in April 2004, noting the particular importance of religious freedom, ethnic minority rights, and democratic reform. In all meetings with senior officials since her arrival in Vientiane, the Ambassador raised these human rights issues and urged the Lao leadership to do more on the human rights front. The Ambassador also formally demarched the Government to urge a transparent and full investigation of reports of atrocities by Lao soldiers against the ethnic Hmong population. In an unusual turn, the Lao press issued a public denial of these reports in response to the Ambassador's demarche.

In November 2004, then-Deputy Assistant Secretary for Democracy, Human Rights and Labor Elizabeth Dugan visited Vientiane and met with senior officials to reinforce again the importance of improving the Government's respect for its citizens' human rights, and particularly to press the Government on the continuing problems regarding Laos' poor prison conditions, the status of the Hmong and the need to respect the beliefs of religious minorities. Other high-level U.S. officials, including then-Assistant Secretary for International Narcotics and Law Enforcement Affairs Robert Charles, Assistant Secretary for Oceans, Environment and Science John Turner, and Principal Deputy Assistant Secretary for

Economic Affairs Shaun Donnelly, used their visits on other issues to raise specific human rights concerns during calls on senior government leaders.

Promoting good governance was an important component of the U.S. human rights strategy. Under the Department of Justice's Overseas Prosecutorial Development, Assistance and Training (OPDAT) program, a U.S. Deputy District Attorney assigned temporarily to the U.S. Embassy in Vientiane worked closely with Lao justice sector officials on vetting key pieces of legislation, including a bill on women's protection and an anti-money laundering bill. The OPDAT attorney also conducted two seminars for Lao officials, one on the country's new appeals court system and another on the new law on the enforcement of court decisions. In addition, the OPDAT program sponsored a study trip to the United States for a group of senior judges to learn about the U.S. justice system.

The United States worked closely with non-governmental organizations (NGOs) active in the area of good governance, especially The Asia Foundation and the International Republican Institute. Both NGOs successfully conducted good governance projects in Laos. In addition, the Embassy sent three people on International Visitors Programs focused on this topic: two Lao officials attended a program on "Women's Participation in U.S. Politics" and one attended a program on "Leadership Development for Women." The United States sponsored one NGO staff member to attend a leadership course at the East-West Center.

The United States also sponsored and organized a month-long course on comparative political systems held at the Institute of Foreign Affairs. This program provided information on international political systems, practices and norms, including the importance of the rule of law and development of a civil society. Thirty Lao diplomats and officials from a dozen ministries and offices attended.

United States diplomats also worked with journalists to improve their ability and willingness to expand media coverage beyond the usual government meetings. They organized two two-week

workshops for TV news producers, covering all aspects of preparing TV news programs, including presentation of multiple points of view on controversial subjects. The United States also reached wider and younger Lao audiences with information about good governance through the Embassy's website, donations of materials to more than a dozen libraries and educational institutions and distribution of State Department publications to more than 100 individuals daily.

United States diplomats traveled widely throughout the country to obtain first-hand information on conditions of some former insurgents. The Lao Government, however, continued to restrict access for diplomatic and international observers to other areas where many Hmong live, particularly in the military-controlled Saisomboun Special Zone. The Ambassador and other U.S. diplomats met with senior officials, including members of the Politburo and provincial governors, to discuss the problem of insurgents still living in the forest and to urge the Lao Government to resolve this conflict through peaceful means. The Ambassador also engaged other like-minded Embassies and international organizations to make separate approaches to the Lao Government to push for the peaceful settlement of the insurgency. These efforts produced some positive results, with the Government agreeing to allow some international assistance to reach recently-surrendered insurgents.

International public attention was drawn to the insurgency following the publication of an article in "Time" magazine in August 2004 alleging that Lao soldiers killed five Hmong from an insurgent group. The United States closely followed this developing story, consulting with other governments and international organizations interested in the issue to determine the best way to press the Lao Government for a transparent and impartial investigation of the incident. The Government did not permit an open investigation. Although the Government asserts that it conducted an internal investigation of the matter, it refused to share its investigation with members of the international community.

Although there are signs that the Lao Government has sought to improve conditions in some of its better-known jails, Lao prisons rank among the

worst in the region. Stories of mistreatment and even torture of prisoners are routine. Laos limited foreign access to its prison system, in spite of efforts by international organizations to establish prison monitoring programs. United States diplomats raised with Lao officials on many levels the need for the Government to allow international monitors into the prisons for first-hand observation in order to improve conditions. United States officials met frequently with members of international organizations and with other concerned embassies to discuss strategies for convincing the Lao Government to open its prison system to outside scrutiny. Along with other embassies in Vientiane, the Embassy closely followed the cases of known political prisoners, raising their plights with high-level officials and urging their quick release. This pressure from the diplomatic community in part led to the Lao Government freeing a number of political prisoners during the year, including two prisoners, jailed for 14 years for political dissent, whose cases had attracted international attention.

The United States engaged in an ongoing dialogue with the Lao Government to promote religious tolerance. In February 2004, former Ambassador Seiple of the Institute for Global Engagement (IGE) visited Laos and conducted a State Department-funded seminar on religious freedom for local officials. More than 50 officials from district and provincial administrations attended the one-day seminar, the first of its kind in Laos. Ambassador Seiple also traveled to church communities in southern Laos. With U.S. assistance, the IGE built a kindergarten school in a community in Savannakhet Province, helping put to rest a long-standing religious conflict there.

The United States cooperated extensively with the Lao Front for National Construction, the government body overseeing religious issues, to resolve cases of religious intolerance by local officials. Persecution of religious minorities, especially Christians and Baha'i, by local-level officials was less of a problem than in past years, but persisted in some localities. When cases of religious persecution arose in the provinces, U.S. diplomats used their working relations with provincial governors and officials to bring these cases to the attention of

authorities, often resulting in a quick resolution of problems. On several occasions, U.S. interventions resulted in the quick release of those detained for their religious faith by local authorities unfamiliar with central government policy promoting religious tolerance.

Combating human trafficking was another key component of the U.S. human rights strategy. In 2004, the United States Department of State and USAID provided funding to locally-based NGOs to conduct anti-trafficking projects, focused on public education and alternative vocational education for those most vulnerable to trafficking. The United States funded the participation by two Lao officials in regional conferences on trafficking in persons, and the OPDAT advisor vetted the draft Law on Women, which contained many anti-trafficking provisions. This bill, a key piece of legislation dealing with trafficking, later passed the National Assembly.

## 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 some human rights abuses, including detention of persons without trial, limits on the impartiality and independence of the judiciary and restrictions on freedom of the press, association, assembly and religion. The Government of Malaysia generally respected the human rights of its citizens; however, there were problems in some areas. The Constitution provides for an independent judiciary; however, government action, constitutional amendments, legislation and other factors have undermined judicial independence and strengthened executive influence over the judiciary.

Malaysia does not receive direct bilateral economic and developmental assistance, but the United States conducts a range of programs and activities

aimed at strengthening the development of civil society institutions. Areas where the United States is pressing for reform include relaxing government control over the press, encouraging greater independence of the judiciary and heightening law enforcement sensitivity to human rights and trafficking in persons (TIP).

In addition to working with government counterparts, the United States maintains active communications with political opposition parties, human rights non-governmental organizations (NGOs) and civil society representatives. In 2004, the United States sponsored a number of seminars and workshops intended to promote greater awareness of political and civil rights issues. These included a program to expand citizen involvement in public policy through civic education training in middle schools and to engage high school students in analyzing and working through social issues in multi-ethnic, mixed-gender groups. The program included a major regional civic education conference in Penang and a workshop on training elementary school teachers in teaching civic education. The Embassy also supported a workshop in Penang on alternative dispute resolution and a program for Malaysian parliamentarians to create an avenue for interaction and sharing of ideas in areas that are pertinent to the development of human rights in Malaysia.

In support of press freedom, the Embassy sponsored visits to the United States for several key journalists, who returned with an increased awareness of the challenges and benefits of a free media. During the year, the Embassy supported a grant to an independent media development center to enhance the capacity of independent Internet news providers to expand the content and improve the quality of regional Internet news.

To address concerns about the independence of Malaysia's judiciary, the State Department provided funding to send a senior jurist to the United States on a program on the rule of law and judicial reform. The Embassy also sponsored U.S. visits by two officers of the Malaysian Bar Council to study the U.S. judicial system. A prominent lawyer participated in a program in the United States relating to human rights advocacy. The United States also

continued to raise with the Government its concerns regarding the politically motivated conviction and imprisonment of former Deputy Prime Minister Anwar Ibrahim. In 2004, 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. In September, the country's highest court vacated Anwar's sodomy conviction and released him from prison.

To underscore U.S. concern about the treatment of illegal migrants and asylum seekers, Embassy officials regularly met with Malaysian government officials, representatives of the UN Human Rights Commission, international organizations such as the UN High Commission for Refugees (UNHCR) and the International Organization for Migration (IOM), and NGOs that work on migrant issues. In October, the Embassy sponsored a local human rights activist's visit to the United States for a program about immigration and refugee issues in the United States. In response to expressions of concern from the United States and the international community, the Government delayed deportation of many asylum seekers to allow the UNHCR time to consider their applications. In October, the Government agreed to allow Burmese Rohingya refugees to stay "temporarily" in Malaysia, obtain work legally and have access to healthcare and education. In December, the Government agreed to cooperate with the UNHCR to ensure safe access to the UNHCR, and so that refugees holding UNHCR documentation would not be detained or deported during sweeps against illegal migrant workers.

Focusing on the role of religion and the challenges faced in pluralistic societies, the Embassy sponsored a series of public dialogues during the year in different states of the country on the topic of science, religion and development. Target groups included in the dialogue ranged from influential intellectuals to social activists and professionals in the community from various religious traditions.

The United States continues to engage the Government of Malaysia, political parties and NGOs to raise awareness and press for concrete steps to combat TIP. United States efforts focused

on passage of specific anti-trafficking legislation, improving the enforcement of existing legislation, opening victim shelters and implementing procedures to protect and treat victims as trafficked persons rather than as illegal migrants.

The United States has sent several Malaysian government officials and human rights activists to the United States for programs focused on anti-trafficking activities. In 2004, members of the Malaysian Human Rights Commission attended a U.S.-sponsored regional conference on counter-trafficking in Tokyo. In February, members of the Malaysian police attended a U.S.-sponsored conference intended to strengthen law enforcement operations to combat TIP in Malaysia, Singapore and Indonesia. In October, the United States facilitated a workshop in Kuala Lumpur hosted by the Malaysian Human Rights Commission that drafted a national plan of action to counter trafficking. As a result of these activities, regional counter-trafficking operations have improved significantly and the Malaysian Government is increasingly focused on combating trafficking. In December, the Ministry for Women, Family and Community Development opened a shelter specifically intended for foreign women who were victims of trafficking. The Government also took significant steps to prevent the trafficking of children orphaned by the December tsunami.

## Papau New Guinea

Papua New Guinea is home to an estimated 5.5 million people, with more than 800 distinct indigenous languages and tribes. The country has a federal parliamentary system, which is based on universal adult suffrage. There were localized instances of voter intimidation and violence during the most recent general elections, which were held in June 2002. The Government of Papua New Guinea generally respected the human rights of its citizens, but there continue to be areas of concern.

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. For instance, members of the constabulary committed a number of serious human rights abuses, including use of excessive force. Good governance and economic growth are critical to improving respect for human rights in Papua New Guinea. However, a pervasive lack of law and order, continuing poor economic growth, low national incomes and standards of living, severely deteriorated infrastructure and ineffective delivery of government services are all barriers to progress on human rights.

In the 1990s, the United States ended most of its programs in Papua New Guinea (including USAID, the Peace Corps, then-United States Information Service and the resident Defense Attaché), making the Embassy a small one with very limited resources with which to promote change. However, the United States continues to advocate high standards for democratic processes and consistent respect for human rights.

In 2004, the United States supported the implementation of Australia's expanded assistance effort in Papua New Guinea, which focuses on better law enforcement, strengthened court and trial operations and improved practices in the Finance, Internal Revenue (including Customs) and Justice Ministries. The State Department funded several small grants that bolster non-governmental organization activity in Port Moresby and its surrounding villages. The most ambitious of these grants provides funding for the non-governmental organization Family Health International, which works to increase HIV/AIDS awareness in the National Capital District. Another project focuses on capacity building for a local women's group based in Pari village. Current grant projects have strong human rights components with a focus on empowering women and children and combating the stigma of living with HIV/AIDS.

The United States also provided training on respect for human rights to defense and other security personnel through the International Military Education and Training program, Title X military conferences, and regular small-scale exer-

cises. United States counterterrorism efforts in Papua New Guinea and the region also emphasize the human rights element in this worldwide effort, both through specific course material in training modules, and through small unit training with U.S. forces that emphasize the importance of relations with local populations. The Embassy again utilized slots in Multi-Regional International Visitors Programs to provide exposure to future leaders to U.S. systems and values. In 2004, the Embassy sent the Director for Commercial Enforcement and Intelligence of Papua New Guinea's Internal Revenue Commission to the United States for a month-long program on transnational crime and port security.

United States efforts in Papua New Guinea aim to assist in the country's return to a higher standard of law and order, reduced corruption and better governance, which will set the stage for critically needed economic and social development for its people.

## Philippines

The Republic of the Philippines is a vibrant democracy with an elected president, an elected bicameral legislature, and a fractious but functioning multiparty system. The Government generally respected the human rights of its citizens; however, there were serious problems in some areas. Some elements of the security forces were responsible for arbitrary, unlawful, and, in some cases, extrajudicial killings; disappearances; torture; and arbitrary arrest and detention. The physical abuse of suspects and detainees remained a problem, as did police, prosecutorial, and judicial corruption.

United States Government efforts to promote human rights and democracy in the Philippines 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.

Strengthening democracy is an essential Mission goal. Numerous programs at both the local and national level promote equity, transparency, and popular participation – all key factors in the

healthy functioning of democracy. A grant from USAID to the Consortium for Political Process Strengthening provided assistance in monitoring of the May 2004 elections, and a follow-on grant offers post-election technical assistance to enhance electoral modernization programs. USAID's Rule of Law Effectiveness 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 training in trial advocacy and investigation for Ombudsman prosecutors and field investigators and support for assessing selected government agencies for their vulnerability to corruption.

The USAID-funded Transparent and Accountable Governance (TAG) program, also 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. Among other activities at the national level during 2004, TAG supported implementation of the new procurement law by training NGO volunteers to observe procurements carried out by bids and awards committees. At the local level in Mindanao, TAG assisted seven city governments to implement a range of anti-corruption and good governance reforms, and six more cities will join the program in 2005. The United States, through TAG also assisted 56 municipalities in the Autonomous Region of Muslim Mindanao (ARMM) to reform and increase citizen participation in their budgeting and planning processes.

The United States seeks to encourage greater participation in government by empowering women to be effective local government leaders. To this end, the Bureau of East Asia and Pacific Affairs, in partnership with The Asia Foundation, is offering leadership training to 75 women counselors from selected cities throughout the Philippines. The project involves production of media documentaries to raise the public's awareness of the political roles played by women.

To encourage respect for human rights among members of the Philippine National Police (PNP) and other law enforcement agencies, the Embassy sent approximately 150 law enforcement officials 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 International Criminal Investigative Training and Assistance Program, funded by The Bureau of International Narcotics and Law Enforcement, provided the Embassy with a temporary police attaché to conduct a series of classes for Philippine police officers with rule of law and ethics components. The Department of State's Anti-Terrorism Assistance Program in the Philippines also sends Philippine law enforcement officials to the United States for training, and has a rule of law component. The Legal Attaché, a 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.

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 worked in some 500 barangays (precincts) in the ARMM during 2004, enabling 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 the 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 help local farmers increase productivity and efficiency. Other components of this program included the donation of medical equipment to local hospitals and construction of wells to provide residents with access to safe drinking water.

The Embassy works to strengthen the Philippine Commission on Human Rights (CHR), an independent agency tasked to monitor and investigate alleged human rights abuses. A U.S. Department of State Bureau of Democracy, Human Rights and Labor program administered through The Asia Foundation provided CHR regional offices with computer software and other equipment in order to track cases and relay information to Manila more efficiently. The same software was 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, and vets officers for promotion.

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 Defense Reform, a major new joint initiative begun in 2004, works to make the Armed Forces of the Philippines a more transparent, professional, and well-run institution.

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 societal prejudice by the Christian majority. Embassy officials routinely meet with representatives of all major Philippine faiths to learn about their concerns on a variety of issues. In 2004, the Ambassador for the third year in a row hosted an Iftaar dinner for senior Muslim leaders. The U.S. Government, working through the U.S. Institute for Peace, continues to offer assistance to the Philippine Government and Moro Islamic Liberation Front in their efforts to conclude a peace accord to end a long-standing insurgency in Mindanao. The United States provided a new grant in 2004 to promote the integration of the madrasah educational system into the national mainstream. Making use of programming tools such as the State Department's American Speaker program, the Embassy's Public Affairs Section organized numerous public conferences and gatherings throughout the year across the country to promote interfaith dialogue among Filipinos. The State Department funded a program that sent a group of 35 young people from Mindanao, a mix of Muslims and Christians, to the United States for a one-month program focused on conflict resolution and interfaith dialogue.

In 2004, the Embassy sent both Muslim and Christian leaders on International Visitors 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 Visitors Program Alumni Association — the largest and most active organization of this type in the world, with approximately 300 members—has its own working group focusing on peace and Muslim-Christian relations.

To strengthen worker rights, the U.S. Department of Labor has an ongoing project to develop an early warning system to prevent possible deterioration of labor standards compliance. Another Department of Labor project focuses on combating the worst forms of child labor.

Trafficking in persons (TIP) 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 grant in late 2004 will strengthen efforts by the International Justice Mission to provide assistance with TIP-related prosecutions to the Philippine Department of Justice. A grant to the Coalition Against Trafficking in Women provides preventive education for vulnerable communities. A grant to the National Office of Mass Media assists in the preparation and provision of anti-TIP public information. A grant to End Child Prostitution and Trafficking helps to increase awareness through better education and legislation and to assist child victims. 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 Bureau of East Asia and Pacific Affairs helps fund halfway houses in the Manila and Davao ports to assist victims of trafficking and to develop a handbook to assist prosecutors in the implementation of anti-TIP legislation. 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 2004, the Department of Homeland Security (DHS) provided training to individuals from the PNP, the National Bureau of Investigation, and various airport and airline security teams to help them detect trafficking activities and patterns. The United States, through DHS, is developing an identification system at Manila's airport that will help Philippine officials track and identify criminals, including traffickers.

## Solomon Islands

Over the past two years, the situation in the Solomon Islands has improved dramatically. After almost five years of armed conflict between Malaitan and Guadalcanalese militants and a parallel deterioration in the human rights situation, law and order have now been largely restored throughout the country. The Government generally respected the human rights of its citizens. However, during the year, there were a few violent incidents linked to ethnic conflict, and violence and discrimination against women continued to be a problem.

During the conflict, 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 UN to develop a plan to restore law and order and respect for human rights. In 2003, the Regional Assistance Mission for Solomon Islands (RAMSI), a multinational police-centered force organized by Australia, arrived in the Solomon Islands at the invitation of the Government and began to help restore law and order and rebuild the country's institutions. The United States, working with RAMSI and local police have successfully apprehended and charged many persons allegedly responsible for human rights abuses and other criminal acts committed during the 1998 to mid-2003 period of conflict.

Prior to RAMSI's arrival, the country's constitutionally independent 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 special constables. The crimes included murder, rape, unlawful detention and interrogation, assault, destruction and theft of property and extortion. However, RAMSI's arrival saw crime and violence reduced to a very low rate as effective policing was restored, starting in the capital and proceeding outward. Following this program, the U.S. Government sponsored a successful weapon collection program, which saw a much greater number of weapons collected and

destroyed than were thought to be in circulation (more than 3,700).

The United States Embassy in the Solomon Islands was closed a decade ago, and only a consular agent is maintained there now. Nevertheless, the United States has voiced its full support for the assistance mission to the Solomon Islands Government. In 2004, the United States provided training that emphasized respect for human rights to members of the police force through the International Military Education and Training program. The United States is also currently funding a program that aims to complement the successes of RAMSI by promoting conflict resolution and national unity. The program, conducted by a local non-governmental organization, fosters reconciliation between communities through traditional cultural channels, and parallels the modern judicial approach pursued by RAMSI of trying individuals in the courts.

## Thailand

Thailand is a democratically governed constitutional monarchy. In February 2005, Prime Minister Thaksin Shinawatra's Thai Rak Thai Party won an overwhelming victory in national parliamentary elections. The Government generally respected the human rights of its citizens; however, there were problems in some areas.

The United States effort to promote and improve human rights in Thailand focused on the increased violence in three Muslim-majority provinces in southernmost Thailand, extrajudicial killings, trafficking in persons, the condition of Burmese refugees and the rights of other ethnic minority groups residing within Thailand's border. The security forces' response to separatist violence in the extreme southern region of the country resulted in the deaths of more than 200 persons. Heightened tensions due to the violence and increased security measures led to occasional clashes with the police and to growing resentment among the local populace in the affected region of the country. In contrast to the previous year, there were few reported extrajudicial killings associated with the Government's anti-narcotic efforts.

However, no progress was reported in the investigations into the extrajudicial killings of approximately 1,300 suspected drug traffickers during the Government's 3-month "war on drugs" campaign from February through April 2003. The Government states that most of the 2003 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.

United States officials at the highest levels expressed concern for the extensive loss of life in Southern Thailand and encouraged the Royal Thai Government (RTG) to follow up official investigations into unwarranted security force actions at the Krue Se Mosque in April and at Tak Bai in October with appropriate legal action to punish responsible officials. Deputy Assistant Secretary for East Asian and Pacific Affairs Marie T. Huhtala expressed concern over the Tak Bai incident to the Thai Ambassador to the United States, and the U.S. Ambassador in Thailand raised similar concerns with senior Thai officials. The United States continued to press for a credible investigation into reported extrajudicial killings as a result of the 2003 "war on drugs." Although the Office of Narcotics Control Board chaired two committees investigating the killings, no officers have been prosecuted in connection with any of these killings.

The Embassy sent eleven Thais, eight of whom were Muslim, to the United States through the International Visitors Programs (IVP) to study the strengthening of democratic institutions, rule of law and human rights. One Thai was sent on a Voluntary Visitor program on the "Role of Community Radio." Twenty five IVP alumni, most of whom were Muslim, participated in an Embassy-sponsored conference on "Civil Liberties, Rights and Responsibilities" at Prince of Songkhla University (PSU) in Pattani Province in Southern Thailand. Imam Rahmat Phyome Phyakul, a Thai-American Muslim religious leader, spoke at the conference and also conducted outreach activities on this theme with 250 Muslim students at the

Yala Rajabhat University, 200 Muslim students at the Saiburi School in Narathiwat and 100 students (both Muslim and Buddhists) at PSU Hat Yai. A veteran of the U.S. civil rights movement, Mr. Elmer Ransom, also attended the IVP alumni conference to discuss non-violent means for creating change. The Embassy, under its Small Grants program, funded a "Youth Camp for Democracy." The project, coordinated by a local foundation, worked to enhance awareness of issues challenging Thai youth living in rural areas. Topics included human rights, civic responsibility, implementation of democratic practices and helping youth to develop a more nuanced understanding of civic responsibilities and social/political reform policies.

The United States helped to enhance legal, professional and technical capabilities of RTG institutions that investigate, prosecute or seek to prevent transnational organized crime. A Resident Legal Advisor from the U.S. Department of Justice traveled to Thailand to support implementation of assistance to the criminal justice sector. Numerous study tours, seminars and other training opportunities were organized for law enforcement, judicial, prosecutorial and other RTG officials. For example, the Embassy sent over a dozen officials from the Thai Central Institute of Forensic Science for two weeks of training in the United States designed to help them establish a missing persons center to deal with victims of violence. The U.S. Department of State's Bureau of Democracy, Human Rights, and Labor funded the visit of U.S. Supreme Court Justice Anthony Kennedy in January 2005 to hold seminars designed to promote judicial ethics. Several million dollars were allocated to assist the RTG with drug control, prevention and treatment activities. The Embassy continued to support drug prevention and demand reduction activities organized by a wide range of civil society and government organizations. Funding was provided to increase methamphetamine abuse treatment programs and to establish an addiction technology transfer center. The United States funded small grants aimed at drug prevention that were provided to a wide variety of schools, religious groups and other civil society-based organizations.

In a unique example of bilateral partnership, the United States and Thailand co-manage the Bangkok-based International Law Enforcement Academy (ILEA), a U.S.-funded regional training center for police, military, immigration, customs and other law enforcement officials. The Thai Government provides the training facility. In fiscal year 2004, the United States provided significant funds as well as most of the instructors. Since ILEA's inception in 1999, more than 3,600 law enforcement officials from Thailand and some other Association of Southeast Asian Nations member countries have been trained. All ILEA curricula include 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.

As part of the 2004 Cobra Gold joint military exercises, the United States offered some human rights courses for Thai military personnel, including a seminar on the law of armed conflict and rules of engagement. In order to improve this training, the U.S. Government plans to provide more extensive human rights courses in the United States for Thai military officers, using International Military Education and Training funds. These officers will also participate in seminars on how to train Thai enlisted personnel upon returning to Thailand.

The United States will provide a Thai legal society with a grant from the Human Rights and Democracy Fund to support their work in obtaining legal Thai citizenship for hill tribe villagers in Northern Thailand. The Human Rights and Democracy Fund project will assist this group in setting up a database of villagers to help track their cases with local authorities and provide outreach materials for native hill tribe peoples to enhance knowledge of citizenship rights. Under current Thai law more than 60,000 hill tribe individuals are estimated to be eligible for, but go without, Thai citizenship. In real terms this means these individuals have limited access to primary

and secondary education, no access to higher education, no health care, no work permits and no freedom of travel. The United States also funded programs for Burmese in Thailand that included basic education for children, capacity training for teachers, principals and administrators, and training for journalists, women's and pro-democracy groups. These programs help 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. Through The Asia Foundation, the United States assists Thai women in the poorer Northeast region of the country by providing training on women's legal rights when pursuing work or marriage opportunities abroad, and legal resources to exploited female migrant workers.

The United States, in conjunction with the UN High Commission for Refugees (UNHCR) and other international organizations, maintained 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 Population, Refugees and Migration Kelly Ryan visited Thailand to discuss refugee issues in April and December 2004. In fiscal year 2004, the United States contributed funds 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 funding for UNHCR operations in East Asia that include the provision of assistance to Burmese individuals in Thailand recognized as refugees. In 2004 the United States also began a program to resettle Burmese refugees residing in Thai urban areas. By the end of 2004 almost 1,200 persons from this group were leading new lives in the United States.

United States officials intervened with Thai Government officials on numerous occasions in support of Burmese migrant workers' rights. United States officials traveled to the Thai-Burma border area to meet with government officials, NGOs and affected workers. The Embassy assist-

ed several Congressional delegations in similar visits. United States Deputy Undersecretary of Labor for International Labor Affairs Arnold Levine traveled to Thailand in June 2004 to stress the importance of Thailand's adhering to international core labor standards and conditions of work, and of effectively enforcing its labor laws in the context of the bilateral Free Trade Agreement negotiations.

The Embassy in Bangkok 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 extensive programs to combat trafficking in persons and provide assistance to victims both in Thailand and regionally. These programs included assistance for the improvement of 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. United States-funded programs also included training of the Thai Police, Attorney General and NGO and government social workers on laws, procedures and investigations to combat trafficking in persons. These programs established legal assistance centers to help victims prosecute traffickers in five Thai provinces. 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 the team interdicts more than 100 persons, including traffickers and potential victims.

## Vietnam

Vietnam is a single-party state, ruled and controlled by the Communist Party of Vietnam. The Government's human rights record remained poor, and it continued to commit serious abuses. However, the release of five prominent political and religious dissidents prior to the 2005 Tet (New Year) holiday was a welcomed development. The Government of Vietnam significantly restricted freedom of religion, speech, the press, assembly and association through a number of means dur-

ing 2004. 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 censored domestic media sources, blocked foreign radio stations and websites and denied citizens the right to form independent organizations. The Government also subjected religious communities to strict registration requirements and obstructed the activities of some "unauthorized" religious groups. Restrictions on assembly for religious practice were particularly acute for ethnic-minority Protestant groups in the Central and Northwest Highlands, and violations of religious freedom in these regions included reports of forced renunciations of faith and the detention and beating of religious leaders.

The United States has maintained close ties with political activists and religious groups in Vietnam in order to identify and highlight abuses and to encourage efforts for reform. United States officials have pushed for progress on human rights and political and legal reform during bilateral meetings at all levels in Vietnam and the United States. Through democracy and rule of law programs, the United States seeks to heighten awareness of democratic principles at the grassroots level and develop a transparent and responsive legal system in Vietnam. United States diplomatic efforts have influenced the Government to release political and religious dissidents, to permit opening of new churches in the Central Highlands and to allow greater tolerance for the operation of "unauthorized" churches in several areas. United States programmatic efforts have helped protect trafficked women, supported efforts against child labor, improved employment access for the disabled and improved worker/management relations.

The United States engaged the Vietnamese Government diplomatically on human rights issues at all levels over the course of the year. United States officials traveled widely through the country to investigate allegations of abuse, 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. In November, then-

Deputy Assistant Secretary for Democracy, Human Rights and Labor Elizabeth Dugan met with senior officials in Hanoi and Ho Chi Minh City. She urged the Vietnamese Government to improve overall respect for its citizens' human rights and raised a number of specific concerns. 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 Party. 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 violations.

In September, Secretary of State Powell designated Vietnam a "Country of Particular Concern" for severe violations of religious freedom. Due to inadequate overall progress on human rights, the United States again declined to hold a formal session of its bilateral human rights dialogue with Vietnam in 2004. United States officials continued to make clear to the Government of Vietnam that the United States is seeking a substantive, results-based dialogue.

The United States supported increased legal transparency in Vietnam by funding a four-year program to help the Government develop and codify a stronger and more transparent legal and regulatory framework as part of the implementation of the U.S.-Vietnam Bilateral Trade Agreement. Among the 2004 activities of this program were 33 training and policy workshops, with 3,422 participants, and four study tours for senior legislative and judicial officials, as well as significant participation in the development of key pieces of legislation that move Vietnam closer to a private sector, market economy.

The United States sought to advance awareness of human rights and democracy issues in the media by funding four Vietnamese journalists to participate in an International Visitors Program entitled "U.S. Elections 2004," as well as another journalist and a judge on an International Visitors Program entitled "Law Enforcement and Community Development."

The United States continued its efforts to document violations of religious freedom in Vietnam and to raise concerns at all levels in interactions with the Government. For example, after 17 ethnic Hmong house church pastors were detained during a Bible study session in Ho Chi Minh City, Consulate General officers immediately contacted city officials and urged their release. The 17 pastors were released the next day, but were required to return to their home provinces in the Northwest Highlands. Mission diplomats continued to monitor their situation after their return. The Mission put a particular focus on urging provincial authorities in Vietnam's Central Highlands to offer more opportunities for legal worship by the region's burgeoning Protestant population. The number of officially recognized Protestant churches in the Central Highlands increased by over 50 percent in 2004, although overall numbers remained disappointingly low following the forced closure of hundreds of house churches in 2001 and 2002. In late 2004, government pressure on non-recognized house churches in some regions appeared to ease somewhat. In June, the Government promulgated a new Ordinance on Religion about which some religious leaders are cautiously optimistic, although implementing regulations had not yet been released as of the end of the reporting period.

The United States has continued to encourage the Vietnamese Government to ratify additional International Labor Organization conventions addressing worker rights and recognizing core worker rights. The Government is working toward ratification of Conventions 29 and 105 on forced labor. The United States also continues to stress the need to discuss issues surrounding freedom of association and collective bargaining. In August 2004, U.S. Deputy Undersecretary of Labor Arnold Levine and Vice Minister Nguyen Luong Trao of the Vietnamese Ministry of Labor, Invalids and Social Affairs (MOLISA) held a labor dialogue in Washington, D.C. The discussion was the third 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 funded several programs that address the protection of worker rights. With funds from the U.S. Labor Department, the United States has implemented, in cooperation with MOLISA, a number of multi-year programs to advance labor rights in Vietnam. These include a program to improve employment opportunities for people with disabilities, a project to build the capacity of the Government to combat the problem of child labor and a program on dispute prevention and resolution in 70 enterprises located in seven provinces. Another U.S.-funded program has worked with the Government of Vietnam to draft a new law on social insurance, which the Government anticipates will be approved by the National Assembly in 2005. Finally, the President's Emergency Plan for AIDS Relief has provided additional funding to an existing project addressing HIV/AIDS in the workplace, which works at the national and enterprise levels to establish policies to protect the rights of workers who have or are affected by HIV/AIDS.

To combat trafficking in persons, the United States sponsored international non-governmental organizations which 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. United States officials at all levels continued to raise trafficking in persons issues with their Vietnamese counterparts. Mission officers played an important role in coordinating and focusing the international community's response to the trafficking problem in Vietnam.

