



UNITED STATES MISSION TO INTERNATIONAL ORGANIZATIONS
GENEVA, SWITZERLAND

STATEMENT BY
THE HONORABLE
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61ST U.N. COMMISSION ON HUMAN RIGHTS

**Item 9 - Violations of Human Rights
in any Part of the World**

GENEVA, SWITZERLAND

March 24, 2005

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U.S. STATEMENT
Item 9, Violations of Human Rights in any Part of the World
Sen. Rudy Boschwitz, Head of U.S. Delegation
61st Session of the UN Commission on Human Rights
March 14 – April 22, 2005, Geneva

Mr. Chairman,

As President Bush's representative to this 61st session of the UN Commission on Human Rights, let me assure you that he views these proceedings as key to his Administration's efforts to promote human rights and democracy worldwide, part of what he calls his "forward strategy for freedom." The United States particularly values this segment of the Commission -- when we focus on the situation of human rights in specific countries around the world. We are convinced that reinforcing positive developments when they occur is an important part of the work of this body. And we are equally convinced that putting dictators and other human rights violators on notice that the international community is watching, and that there will be consequences for their misdeeds -- what some refer to as *naming and shaming* -- brings us closer to the day when all nations are part of the growing community of democracies; and tyranny and slavery exist only as sad chapters in human history. My fellow delegates, though some of you would prefer to dispense with Item 9, it is not sufficient for this body to condemn the abuses but shy away from naming the abusers. Speaking clearly about all those regimes that commit such abuses is necessary if this Commission is to retain its credibility.

Distinguished Delegates,

We find ourselves in an extraordinary era of progress for human rights and democracy. Around the world -- mostly notably in the broader Middle East and Eurasia -- freedom is on the march.

In the three years since the fall of the Taliban regime, the people of **Afghanistan** have struggled against terrorism and traditional ethnic, religious and tribal cleavages, to extend fundamental rights to women and minorities, open their society to unprecedented political competition and freedom of expression, and to craft a new constitution faithful to their values and way of life. In last October's presidential elections, 18 presidential candidates contended for the votes of 10 million registered voters, more than 40 percent of whom were women. Despite terrorist threats and pre-election attacks, more than 8 million Afghans chose their

own leader for the first time in their history. Meanwhile, conditions for Afghan women, barred by the Taliban from even attending school, continue to improve. Afghanistan's new constitution enshrines equal rights for women, President Karzai's new cabinet contains three women ministers, and the Government recently appointed the country's first female provincial governor.

On January 30, **Iraqis** took an important step toward democracy, when millions braved violence and threats to cast their votes in the most democratic and transparent election in their history. We commend the courage of the Independent Electoral Commission of Iraq, the thousands of Iraqi election staff, the thousands of candidates who ran in the national and provincial elections, Iraqi security forces, and voters who turned out in larger numbers than expected. Thousands of domestic observers also showed up at polling places throughout the country, providing the transparency vital to democratic elections. Iraqis now face the tasks of drafting a constitution that will provide the foundation for democracy and rule of law, and electing a permanent government under that constitution later this year.

Though not yet a state, the **Palestinian Authority** held successful presidential elections, democratically replacing deceased President Arafat. In nearby **Lebanon**, the people -- long intimidated and sidelined by an occupying power -- have recently used their internationally recognized right to assembly to demand the right to determine their own future, including to choose their own parliament in free and fair elections this May. In **Yemen**, a female minister for human rights continued her struggle on behalf of women, including important efforts against trafficking in persons. **Saudi Arabia** held limited municipal elections earlier this year -- though we note that women were excluded from voting or running for office -- and the National Dialogue continued to raise public awareness on sensitive issues such as women's rights and religious tolerance. In **Jordan**, the reform effort continued, with the King's announcement of a decentralization initiative. Meanwhile, in **North Africa**, **Egypt** has announced it will amend its constitution to allow a contested multi-party presidential election for the first time, and released from jail a major opposition contender for that race. **Morocco** changed its Family Law to increase the rights of women, and initiated a non-judicial Justice and Reconciliation Commission to address past abuses, and **Algeria** held its first contested presidential elections and passed penal code reform criminalizing torture and sexual harassment.

A thousand kilometers farther north, last December's peaceful, People-Power "Orange" Revolution in **Ukraine**, prevented a corrupt and semi-authoritarian regime from stealing an election, and like Georgia's 2003 "Rose" Revolution,

inspired democratic and freedom-loving people everywhere. In true democratic fashion, both the legislative and judicial branches of government joined civil society and the press in contributing to the non-violent resolution of the electoral conflict. The United States shares with the European Union and others a dedication to helping Ukraine consolidate its recent democratic gains and improve general respect for human rights.

Sadly, as we look around the globe, some states with long, democratic traditions or more recent democratic transitions, have taken perceptible movements back toward patterns of political authoritarianism, constraints on freedom of the press, restrictions on political competition, and executive influence over their judiciaries.

My government shares others' concerns that Ukraine's recent progress stands in contrast to current trends in its giant neighbor, **Russia**, where regression toward the concentration of power in the Kremlin poses questions for that country's democratic transition. We have been very clear with our Russian friends, that, while we are by no means trying to impose the American model on Russia – or on anyone else for that matter – we believe in general that institutional checks and balances, rule of law, elections that meet international democratic standards, and a vibrant civil society that respects religious and other freedoms, are vital to democratic development.

In the Western Hemisphere, we have seen a steady deterioration of democracy in **Venezuela**. The Government of Venezuela has increased its control over the judicial system and its interference in the administration of justice, packing the Supreme Court with loyalists and using the judiciary to harass political opponents. The press and NGOs were subjected to threats and intimidation by the government and its supporters. Under the guise of protecting "public order and national security," the legislature adopted a media law that seriously erodes freedom of the press, placing arbitrary restrictions on broadcast content. Human rights groups and international press organizations have widely criticized the law. The Venezuelan Government has brought criminal charges of "defamation" against individuals for making statements critical of government officials or the military.

Meanwhile, in **Nepal**, the King's recent dismissal of the Prime Minister and the Cabinet, declaration of a state of emergency, and subsequent suspension of basic human rights, set back that country's already cautious movement toward parliamentary democracy. The U.S. joins much of the international community in calling on the King to restore and protect civil and human rights, promptly release

those detained under the state of emergency and move quickly toward the restoration of civil liberties and multi-party democratic institutions under a constitutional monarchy.

Freedom and the ability to choose one's government still elude many people in many portions of the globe.

Cuba, the Western Hemisphere's only totalitarian regime, maintained its stance of rejection of all democratic processes and continued its harassment and intimidation of pro-democracy activists, dissidents, librarians and journalists. The majority of the 75 dissidents jailed in 2003 remain incarcerated. While 14 were released late last year, we note that these people were seriously ill and should never have been imprisoned in the first place. Moreover, the Cuban Government continues to hold at least 300 other political prisoners. Meanwhile, the government tightly controls the media, and forbids any open discussion of what a post-Castro government might entail. Cuba has repeatedly been censured by this Commission, and has brazenly ignored CHR resolutions requiring it to take action. It continues to refuse to allow the visit of the personal representative of the High Commissioner for Human Rights.

The Commission should send a powerful signal to the Government of **Belarus** to halt its assault on its own citizens' rights, and to take swift steps to uphold its international human rights commitments. Not only has the Government of Belarus not taken any meaningful steps to implement the recommendations contained in last year's resolution; in fact, the situation in Belarus has deteriorated as the Government has intensified its assault on human rights NGOs, political parties, independent media, independent trade unions and civil society, including minority religious groups, while interfering in the legislative and judicial processes. Last October's parliamentary elections and referendum to lift term limits on the presidency and allow Lukashenko to run again, fell significantly short of Organization for Security and Cooperation in Europe (OSCE) standards. Moreover, the Government of Belarus continues to refuse to cooperate with the Special Rapporteur the Commission appointed last year to assess the country's human rights situation.

In **Sudan**, the United States is working directly with both the Government of Sudan and the Sudan People's Liberation Movement to facilitate the implementation of the Comprehensive Peace Agreement. This agreement provides a sound basis for achieving stability and national unity throughout Sudan, including in Darfur. We urge all parties to implement the Agreement fully and

rapidly. We are committed to working closely with the international community to implement the accord, and are urging rapid action by the Security Council to establish a peacekeeping mission. Our policy is to provide assistance and to promote peace, security, accountability and reconciliation throughout Sudan. In Darfur, despite the Government's repeated commitments to refrain from further violence and to restrain the Jinjaweed militias, the atrocities continue. We take this opportunity to underscore our grave concern. In our view, a Security Council sanctions resolution is necessary to pressure all the parties to end the violence in Darfur and to conclude a political settlement peacefully. We have made it clear to Khartoum that we will not normalize relations or re-examine bilateral sanctions until the government makes significant progress on implementing the Comprehensive Peace Agreement and until the violence has ended in Darfur. The United States also believes that there must be an appropriate accountability mechanism to deter individuals from engaging in further abuses. The African Union is currently developing a proposal and we believe that this should receive serious consideration. In the meantime, we urge this Commission to make clear that all parties must respect the cease-fire and end the fighting. The Government must end its support for the Jinjaweed militia and put an end to the killing, displacement from homes, and atrocities in Darfur, which they have either sponsored or allowed to continue. At the same time, we condemn the violence committed by the Darfur rebels and demand that they cease. We also call upon the Commission to refrain from taking any actions that might conflict with or complicate Council deliberations.

We remain concerned about the **Chinese** Government's lack of commitment to improve its poor human rights record, despite the willingness of my and other countries to help. We have engaged with the Chinese in a broad discussion about political and religious freedoms, and our discussions on these issues will continue. While they have recently taken a few steps in the right direction, the overall situation of human rights in China remains poor. The past year witnessed the Government launch a campaign against writers, religious activists, and dissidents, many of whom were harassed, detained, or imprisoned, including those who sought to commemorate the 15th anniversary of the 1989 Tiananmen massacre. The Government continued and intensified efforts to control the press and to monitor the use of the Internet and wireless technology. Repression of Tibetan Buddhists, Muslim Uighurs, underground Protestants, Catholics loyal to the Vatican, and the Falun Gong, continues. Meanwhile, the Government denied the UN High Commission for Refugees permission to operate along its border with North Korea, and deported several thousand North Koreans, many of whom faced persecution and possible execution upon their return home. Women still suffer the

ultimate limitation on reproductive choice in parts of China – coerced abortion and sterilization -- in the name of population policy. We must not forget that China is home to one-fifth of the world's population. The international community must continue to urge, as will we, that China address systemic shortcomings that give rise to the country's myriad human rights abuses.

In neighboring **North Korea**, we remain deeply concerned about continued reports of torture and execution for political and religious reasons, severe punishment of some repatriated citizens, and extensive state use of starvation, prison camps, forced labor, pervasive surveillance and extreme repression. While recent talks with North Korea have focused on convincing it to abandon its nuclear ambitions, be assured that human rights remain an integral part of our comprehensive agenda with that country. Indeed, we will soon name a special envoy on human rights in North Korea, as mandated by the North Korean Human Rights Act, signed by President Bush in October (2004).

Burma's already poor human rights situation has deteriorated in the past year. Not only does opposition leader Aung San Suu Kyi remain under house arrest, but her detention was extended. Meanwhile, more than a thousand other political prisoners remain in jail. We continue to seek the immediate and unconditional release of all those detained unjustly for their political activities in Burma. Furthermore, we remain deeply troubled by the Burmese military's abuse of ethnic minority civilians, including rape, torture, forced relocations, and confiscation of property. We will continue to support independent investigations of these gross human rights violations.

Moving to the Middle East, in **Iran**, the regime's poor human rights record worsened last year and a resolution on the disturbing human rights situation in Iran was successfully passed at the UN General Assembly. Authorities in Iran continued their crackdown on free speech, including closing independent domestic media outlets, and harassing journalists and web-log authors. The February 2004 parliamentary elections, when hundreds of reform candidates were not allowed to run, made blatantly clear that regime hardliners continue to exert undue influence on the electoral and legislative processes, hindering the Iranian people's ability to assert their democratic will. We urge the Iranian Government to enable all candidates, including reformers, to run and campaign freely in the Presidential elections scheduled for June (2005). Meanwhile, the Government continues to engage in particularly severe violations of religious freedom, and Baha'is in particular are subject to discrimination, harassment, and arrest.

In **Syria**, the Government continues to use its vast unchecked powers to prevent any organized political opposition, and severely limits civil society activities and anti-government manifestations, particularly by ethnic minorities, such as Kurds. Citizens do not have the right to change their government, and the Government prevented all organized political opposition. While some unlicensed civil society forums were permitted to take place, the Government significantly limits freedoms of speech, the press, association and assembly.

My Government has long recognized **Egypt's** potential for advancing political reform in the region. Pursuant to President Bush's State of the Union Address, we call on Egypt to demonstrate leadership toward greater freedom and democracy. We are encouraged by President Mubarak's recent announcement that for the first time he will allow other candidates to compete against him in the next presidential elections, and we look forward to hearing more details. Meanwhile, we urge the government to lift the emergency law, promote pluralism and support the development of an active civil society, including an outspoken and independent press, as well as to ensure freedom from discrimination for Copts and other religious minorities.

In **Russia**, we remain deeply concerned about continuing violations of international human rights and humanitarian law in **Chechnya**, and condemn all terrorist acts. Chechen terrorist attacks on civilians, such as last September's inhuman assault on a school in Beslan, the ongoing disappearances of civilians detained by government forces in Chechnya, and the taking of civilians as hostages for ransom by various groups, underscore the extent to which all parties to the conflict continue to demonstrate insufficient respect for basic human rights.

In **Sub-Saharan Africa**, Robert Mugabe's political repression, media closures and harassment of both domestic and foreign reporters in **Zimbabwe**, continue to be an open invitation to international scrutiny, no matter how many times he tells the rest of the world to mind its own business. A key test is coming on March 31, when parliamentary elections are scheduled. Previous elections in 2000 and 2002 were tainted by fraud, intimidation and violence against the opposition. This campaign has been less violent than past elections, so far, but there remain serious problems with the election environment, which remains unfairly tilted in the ruling party's favor. We urge the Government of Zimbabwe to adhere to the spirit as well as the letter of the election guidelines unanimously adopted by the Southern African Development Community (SADC), of which Zimbabwe is a member, by allowing independent organizations and media to freely operate, by giving all parties equal access to official media, by inviting credible international and regional monitors to

observe the election, and by ensuring that all voters have equal access to polling places.

Mr. Chairman,

The U.S fully supports efforts by the Commission and others to help governments seeking to transition to greater freedom. We enthusiastically support the High Level Panel's recommendation to beef up the capacity of the Office of the High Commissioner to give advisory services and offer that help. We co-tabled a resolution at the Commission's last session to make the High Commissioner's office a focal point in the UN for promoting democracy and rule of law, and made a voluntary contribution to fund that function. Yet this Commission must speak up on behalf of the international community to identify those regimes unwilling to seek help and deserving moral opprobrium.

As I have just highlighted, freedom and the ability to choose one's government still elude many people in many portions of our globe. But let the message of these deliberations be one of hope and promise to the oppressed. As is the mandate of this Commission, let our work on Item 9 of the Commission's agenda be the embodiment of the United Nations' commitment to stand shoulder-to-shoulder with those who live in tyranny and hopelessness. As the primary institution for the protection of human rights in the UN system, our message to these true patriots of their nations must be that you are not ignored and you are not forgotten, and we will not excuse those who are responsible for your oppression.