
1990 HUMAN RIGHTS REPORT

[The following is a reprint of the introduction to the Department of State's annual Human Rights Report, entitled, *Country Reports on Human Rights Practices for 1990*. This 1707 page report was issued in February, 1991, and is available for purchase from the U.S. Government Printing Office, Report # 36-976.]

INTRODUCTION

This report is submitted to the Congress by the Department of State in compliance with Sections 116(d)(1) and 502B(b) of the Foreign Assistance Act of 1961, as amended.¹ The legislation requires human rights reports on all countries that receive aid from the United States and all countries that are members of the United Nations. In the belief that the information would be useful to the Congress and other readers, we have also included reports on the few countries which do not fall into either of these categories and which thus are not covered by the Congressional requirement.

Congress amended the Foreign Assistance Act with the foregoing sections of law so as to be able to consult these reports when considering assistance programs for specific foreign countries. One of the very important consequences—perhaps unintended—of these legislative provisions is that they have made human rights concerns an integral part of the State Department's daily reporting and daily decisionmaking. A human rights officer in an Embassy overseas who wants to write a good annual human rights report on the country in which he or she works must carefully monitor and observe human rights developments throughout the year on a daily basis. As a consequence he or she will report on such developments whenever something of human rights significance happens in the country of assignment. In the past 12 years, the State Department has become decidedly better informed on and sensitized to human rights violations as they occur around the globe.

A year ago in this space we posed the question whether the human rights gains of 1989 in Eastern Europe and other parts of the world would be lasting achievements, or whether there was danger of relapse. For most of the year 1990, the gains of 1989 were being largely consolidated, in spite of major problems encountered by the countries making difficult transitions from command to market economies and from totalitarian communism to democracy. Iraq's brutal invasion of Kuwait on August 2, 1990, initiated a reign of terror and human rights abuses that reminded the world of the dangers that repressive regimes can pose to regional security and international order.

¹Section 116(d)(1) of the Foreign Assistance Act provides as follows:

"The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by January 31 of each year, a full and complete report regarding—

(1) the status of internationally recognized human rights, within the meaning of subsection (a)—

(A) in countries that received assistance under this part, and

(B) in all other foreign countries which are members of the United Nations and which are not otherwise the subject of a human rights report under this Act."

Section 502(B)(b) of the Foreign Assistance Act provides as follows:

"The Secretary of State shall transmit to Congress, as part of the presentation materials for security assistance programs proposed for each fiscal year, a full and complete report, prepared with the assistance of the Assistant Secretary of State for Human Rights and Humanitarian Affairs, with respect to practices regarding the observance of and respect for internationally recognized human rights in each country proposed as a recipient of security assistance."

In Europe, multi-party elections had taken place in the countries which had been joined to the Soviet Union in the Warsaw Pact. Following such elections, the former German Democratic Republic had, by decision of a democratically elected government, joined the Federal Republic of Germany. Freely contested elections had also taken place in all of the constituent republics of Yugoslavia. Even in hardline Albania, there was evidence of increasing popular pressure for greater freedom.

Across Eastern Europe and the Soviet Union, the process of democratization was in some areas hampered by the totalitarian legacy and by interethnic antagonisms that had been suppressed for decades. The United States expressed concern about violence against social and ethnic groups in Romania. The repressive measures taken by the Serbian republic against ethnic Albanians were among the worst in Europe in 1990. Yet, there were also some positive developments in interethnic relations in the region. Under the impact of democratization and increasing concern for human rights, Bulgaria was able to improve significantly the treatment of its ethnic and religious minorities.

In the Soviet Union in 1990, vast numbers of citizens continued to exercise newly won political rights, including freedoms of expression, assembly, and religion. Hundreds of thousands were permitted to emigrate. However, reforms were unevenly implemented in the country as a whole, and many are not yet secured by law or buttressed by an independent judiciary. Toward the end of the year and in early 1991, the central government's moves to reassert authority over the republics, particularly the use of military force in Latvia and Lithuania, raised concern over the future of the recent reforms, with dangerous implications for the entire country.

While Europe was struggling to consolidate its democratic gains, new democratic ferment was most clearly in evidence in Africa. There was significant movement away from apartheid in South Africa, and in many other sub-Saharan African countries important steps were taken toward democratic rule. Following multi-party elections, Namibia joined the ranks of independent states in March. A government pledged to democracy and human rights succeeded the regime of Benin. Laws authorizing new political parties, which would thus allow for free, contested elections were enacted in Gabon, Cote D'Ivoire, Congo, and Zambia. Contested elections were indeed held in Gabon and Cote d'Ivoire. In Cape Verde, and Sao Tome and Principe, the one-party governments lost free elections and have said they will honor the results. However, the intergroup rivalries that beset many parts of the continent resulted in large-scale death and devastation. The hostilities surrounding the fall of President Doe of Liberia, clan-based or intratribal warfare in Somalia, civil strife in Ethiopia with Eritrean and Tigrean insurgents, the civil war in Sudan, the measures taken by Mauritania against its black population in the south, and the violence in South Africa among black groups, caused many hundreds of deaths in some countries and thousands in others. The Sudanese government's failure to cooperate in food deliveries may lead to wide-spread starvation in southern Sudan in 1991.

In the Western Hemisphere, the election and inauguration of a democratic government in Nicaragua left the repressive dictatorship of Fidel Castro the only Marxist-Leninist regime in the region. After close to 17 years of military rule, a democratically elected President and Congress took office in Chile. A new President was elected in Haiti in a free and fair election. Democratic government and respect for human rights were further consolidated in other countries of the hemisphere, though the struggle for democracy continued in Suriname. In four democratic countries—Colombia, El Salvador, Guatemala, and Peru—leftist insurgencies (in Colombia and Peru at times in alliance with narcotraffickers) and excessive responses by government security forces have resulted in scores of noncombat deaths in El Salvador, hundreds in both Colombia and Guatemala, and 3,000 to 4,000 in Peru.

Cultural patterns and political systems differ widely on the huge Asian continent. Yet some of the developments, both positive and negative, which could be noticed elsewhere in the world affected a number of Asian countries as well. Two widely different countries, Marxist-Leninist Mongolia and the traditional monarchy of Nepal, moved toward democracy in the course of the year. There is hope now that democracy will gain a foothold in Bangladesh. In China, North Korea, Vietnam, and to a lesser extent in Laos, Cambodia, and Afghanistan, Marxism-Leninism continues to be the official political ideology. North Korea remains one of the most severely repressive regimes in the world. In China, serious human rights abuses continued in 1990. As the year ended, hundreds of Chinese people remained imprisoned for their role in the democracy movement, while students and intellectuals who took leadership roles in the 1989 protests were being brought to trial and sentenced to prison terms.

Severe and brutal repression of all forms of political dissent characterizes the situation in Burma. There a military government had allowed free elections and then refused to accept the outcome, thus rejecting the overwhelming desire of the people to return to parliamentary democracy. Two South Asian democracies, India and Sri Lanka, were beset by domestic conflict based on ethnic, religious, and political differences. leading to thousands of deaths in each of these countries.

In the Occupied Territories the Palestinian *intifada* continues. In both Israel and the Occupied Territories, a total of 148 Palestinians and 17 Israelis were killed in violence between Palestinians and Israelis, while 165 people were killed in intra-Palestinian violence.

As the human rights balance sheet for 1990 is drawn and as we look for further progress in 1991, one of the key questions will be posed by the Soviet Union. Will the combination of entrenched conservative forces, economic turmoil, and social upheaval bring the reform era to an end? Or alternatively, will the disparate democratic forces and proponents of the free market overcome the counterattack of the hardliners and solidify and institutionalize the human rights progress thus far achieved? If they do, their success will be felt not only in the Soviet Union but elsewhere in the world as well.

Another important region to watch is sub-Saharan Africa. Will the initial democratic stirrings ripen into further significant political movements? Will the region's authoritarian regimes allow free and fair elections to be held and then surrender power peacefully to the choices of the people?

And, finally, there is the question of the aftermath of the world community's move to halt the international outlawry perpetrated by Saddam Hussein. What will be the spillover effect for international support for human rights principles?

This year, as last, there are 168 separate reports. The guidelines followed in preparing the reports are explained in detail in Appendix A. In Appendix B is a discussion of reporting on worker rights, as required by Section 505(c) of the Trade Act of 1974, as amended by Title V of the Trade and Tariff Act of 1984 (Generalized System of Preferences Renewal Act of 1984).²

Although the legislation requires reports on worker rights only in developing countries that have been beneficiaries under the Generalized System of Preferences, in the interest of uniformity,

²Section 505 (c) of the Trade Act provides as follows:
"The President shall submit an annual report to the Congress on the status of internationally recognized worker rights within each beneficiary developing country."

and to provide a ready basis for comparison, we have here applied the same reporting standards that we have applied to all countries on which we prepare reports. Appendix C contains a list of 12 international human rights covenants and agreements and indicates which countries have ratified them. Appendix D contains explanatory notes on the statistical table in Appendix E, which shows the amounts obligated for U.S. economic and military assistance for fiscal year 1989.

DEFINITION OF HUMAN RIGHTS

Human Rights, as defined in Section 116(a) of the Foreign Assistance Act, include freedom from: torture or other cruel, inhuman, or degrading treatment or punishment; prolonged detention without charges; disappearance due to abduction or clandestine detention; and other flagrant denial of the rights to life, liberty, and the security of the person. Internationally recognized worker rights, as defined Section 502(a) of the Trade Act, include (A) the right of association; (B) the right to organize and bargain collectively; (C) prohibition on the use of any form of forced or compulsory labor; (D) a minimum age for the employment of children; and (E) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

In addition to discussing the topics specified in the legislation, our reports, as in previous years, cover other internationally recognized political and civil rights and describe the political system of each country.

In applying these internationally recognized standards, we seek to be objective. But the reports unashamedly reflect the U.S. view that the right of self-government is a basic political right, that government is legitimate only when grounded on the consent of the governed, and that government thus grounded should not be used to deny life, liberty, and the pursuit of happiness. Individuals in a society have the inalienable right to be free from governmental violations of the integrity of the person; to enjoy civil liberties such as freedom of expression, assembly, religion, and movement, without discrimination based on race, ancestry, or sex, and to change their government by peaceful means. The reports also take into account the fact that terrorists and guerrilla groups often kill, torture, or maim citizens or deprive them of their liberties; such violations are no less reprehensible if committed by violent opponents of the government than if committed by the government itself.

We have found that the concept of economic, social, and cultural rights is often confused, sometimes willfully, by repressive governments claiming that, in order to promote these "rights," they may deny their citizens the right to integrity of the person as well as political and civil rights. There exists a profound connection between human rights and economic development. Experience demonstrates that it is individual freedom that sets the stage for economic and social development; it is repression that stifles it. Those who try to justify subordinating political and civil rights on the ground that they are concentrating on economic aspirations invariably deliver neither. That is why we consider it imperative to focus urgent attention on violations of basic political and civil rights. If these basic rights are not secured, experience has shown, the goals of economic development are not reached either. This is a point which the Soviet Union's reformers seem to have recognized.

UNITED STATES HUMAN RIGHTS POLICY

From this premise, that basic human rights may not be abridged or denied, it follows that our human rights policy is concerned with the limitations on the powers of government that are required to protect the integrity and dignity of the individual. Further, it is in our national interest to promote democratic processes in order to help build a world environment more favorable to respect for human rights and hence more conducive to stability and peace. We have developed, therefore, a dual policy, reactive in the sense that we continue to oppose specific human rights

violations wherever they occur, but at the same time active in working over the long term to strengthen democracy.

In much of the world, the United States has a variety of means at its disposal to respond to human rights violations. We engage in traditional diplomacy, particularly with friendly governments, where frank diplomatic exchanges are possible and productive. Where we find limited opportunities for the United States to exert significant influence through bilateral relations, we resort to public statements of our concerns, calling attention to countries where respect for human rights is lacking. In a number of instances, we employ a mixture of traditional diplomacy and public affirmation of American interest in the issue.

The United States also employs a variety of means to encourage greater respect for human rights over the long term. Since 1983 the National Endowment for Democracy has been carrying out programs designed to promote democratic practices abroad, involving the two major United States political parties, labor unions, business groups, and many private institutions. Also, through Section 116(e) of the Foreign Assistance Act, funds are disbursed by the Agency for International Development for programs designed to promote civil and political rights abroad. We also seek greater international commitment to the protection of human rights and respect for democracy through our efforts in the United Nations and other international organizations, and in the process devised by the Conference on Security and Cooperation in Europe.

Preparation of these annual reports constitutes an important element of our human rights policy. The process, since it involves continuous and well-publicized attention to human rights, has contributed to the strengthening of an international human rights agenda. Many countries that are strong supporters of human rights are taking steps of their own to engage in human rights reporting and have established offices specifically responsible for international human rights policy. Even among countries without strong human rights records, sensitivity to these reports increasingly takes the form of constructive response, or at least a willingness to engage in a discussion of human rights policy. In calling upon the Department of State to prepare these reports, Congress has created a useful instrument for advancing the cause of human rights.

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