
Country Reports on Human Rights Practices for 1995

Bureau of Democracy, Human Rights, and Labor U.S. Department of State

[The following material has been extracted from the annual State Department report to the Congress, title as above, dated 6 March 1996. This year's report describes human rights practices in 194 countries, and is available for purchase from the Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328, telephone (703) 512-1800. The report is also available on the internet through the State Department home page: DOSFAN (Department of State Foreign Affairs Network). The excerpts which follow discuss the statutory requirements for the reports, the method of data collection and compilation, and a general overview of human rights conditions in 1995 throughout the world.]

PREFACE

1995 HUMAN RIGHTS REPORTS

WHY THE REPORTS ARE PREPARED

This report is submitted to the Congress by the Department of State in compliance with sections 116(d) and 502(b) of the Foreign Assistance Act of 1961 (FAA), as amended, and section 505(c) of the Trade Act of 1974, as amended. As stated in section 116(d)(1) of the FAA: "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 the status of internationally recognized human rights, within the meaning of subsection (A) in countries that receive 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." We have also included reports on several countries which do not fall into the categories established by these statutes and which are thus not covered by the Congressional requirement.

The responsibility of the United States to speak out on behalf of international human rights standards was formalized in the early 1970's. In 1976 Congress enacted legislation creating a Coordinator of Human Rights in the U.S. Department of State, a position later upgraded to Assistant Secretary. In 1994 the Congress created a position of Senior Advisor for Women's Rights. Congress has also written into law formal requirements that U.S. foreign and trade policy take into account countries' human rights and worker rights performance and that country reports be submitted to the Congress on an annual basis. The first reports, in 1977, covered only countries receiving U.S. aid, numbering 82; this year 194 reports are submitted.

HOW THE REPORTS ARE PREPARED

In August 1993, the Secretary of State moved to strengthen further the human rights efforts of our embassies. All sections in each embassy were asked to contribute information and to corroborate reports of human rights violations, and new efforts were made to link mission programming to the advancement of human rights and democracy. In 1994 the Bureau of Human Rights and Humanitarian Affairs was reorganized and renamed as the Bureau of Democracy, Human Rights, and Labor, reflecting both a broader sweep and a more focused approach to the interlocking issues of human rights, worker rights, and democracy. The 1995

human rights reports reflect a year of dedicated effort by hundreds of State Department, Foreign Service, and other U.S. Government employees.

Our embassies, which prepared the initial drafts of the reports, gathered information throughout the year from a variety of sources across the political spectrum, including government officials, jurists, military sources, journalists, human rights monitors, academics, and labor activists. This information-gathering can be hazardous, and U.S. Foreign Service Officers regularly go to great lengths, under trying and sometimes dangerous conditions, to investigate reports of human rights abuse, monitor elections, and come to the aid of individuals at risk, such as political dissidents and human rights defenders whose rights are threatened by their governments.

After the embassies completed their drafts, the texts were sent to Washington for careful review by the Bureau of Democracy, Human Rights, and Labor, in cooperation with other State Department offices. As they worked to corroborate, analyze, and edit the reports, the Department officers drew on their own sources of information. These included reports provided by U.S. and other human rights groups, foreign government officials, representatives from the United Nations and other international and regional organizations and institutions, and experts from academia and the media. Officers also consulted with experts on worker rights issues, refugee issues, military and police matters, women's issues, and legal matters. The guiding principle was to ensure that all relevant information was assessed as objectively, thoroughly, and fairly as possible.

The reports in this volume will be used as a resource for shaping policy, conducting diplomacy, and making assistance, training, and other resource allocations. They will also serve as a basis for the U.S. Government's cooperation with private groups to promote the observance of internationally recognized human rights.

The Country Reports on Human Rights Practices cover internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights. These rights include freedom from torture or other cruel, inhuman, or degrading treatment or punishment; from prolonged detention without charges; from disappearance due to abduction or clandestine detention; and from other flagrant violations of the right to life, liberty, and the security of the person.

Universal human rights aim to incorporate respect for human dignity into the processes of government and law. All people have the inalienable right to change their government by peaceful means and to enjoy basic freedoms, such as freedom of expression, association, assembly, movement, and religion, without discrimination on the basis of race, religion, national origin, or sex. The right to join a free trade union is a necessary condition of a free society and economy. Thus the reports assess key internationally recognized worker rights, including the right of association; the right to organize and bargain collectively; prohibition of forced or compulsory labor; minimum age for employment of children; and acceptable work conditions.

OVERVIEW

Several distinctive events of 1995 marked progress toward resolution of some of the world's most catastrophic human rights crises. Most dramatically, the November Dayton Accords ended the fighting in Bosnia, which for the first six months of the year was the source of continuing, massive, and highly publicized crimes against humanity. At the heart of the Dayton Accords is a framework of commitments and institutional mechanisms aimed at restoring human rights and promoting justice, without which peace cannot be secured.

Other conflicts which had spawned major human rights violations also moved closer to resolution; 1995 saw steps towards peace in Angola, the Middle East, and Northern Ireland, with inevitable setbacks along the way towards the resolution of long struggles. In Haiti, continued progress toward the restoration of democratically elected government, with the assistance of the U.S.-led Multinational Force, marked another bright spot for human rights. In Central and Eastern Europe, as well as in Latin America and in parts of Asia and Africa, some new democracies consolidated their movement towards more open civil society; and a few [countries] experienced peaceful transfers of power through democratic elections. Internationally, a number of new human rights institutions took root; especially noteworthy was the work of the International War Crimes Tribunals for Rwanda and the Former Yugoslavia in The Hague. The U.N. Fourth World Conference on Women focused global attention on the rights and empowerment of one half of the world's people, many of whom suffer discrimination and mistreatment in every part of the globe.

In many countries around the world widespread abuses of human rights continued unabated. The pages of this volume document innumerable instances of extrajudicial killings, disappearances, torture, arbitrary detention, and denial of fair trial in all parts of the world. Fundamental freedoms of conscience, expression, assembly, association, religion, and movement were routinely violated by many governments. Discrimination based on race, sex, religion, disability, language, or social status was a pervasive problem in many societies. Basic worker rights were often denied. While democracy advanced in many countries, it registered uneven progress in others; some young democracies were snuffed out by violent coups d'etat. Continuing conflicts in Afghanistan, Burundi, Chechnya, Guatemala, Kashmir, Sudan, and elsewhere resulted in major human rights violations. In countries such as Burma, China, Cuba, Iran, Iraq, Libya, Nigeria and North Korea, governments continued systematically to deny basic rights to their citizens.

THE PURSUIT OF JUSTICE AND PEACE

The post-Cold War world poses new challenges to human rights.

Strong central governments persist in committing familiar abuses—repression of dissent, torture, and political killings. These are increasingly matched, however, by human rights abuses stemming from the dissolution of state authority, and from the manipulation by cynical leaders of ethnic, racial, and religious differences to incite atrocities against civilians. The experiences of Bosnia, Burundi, Afghanistan, and Liberia demonstrate that no area of the world can claim immunity from this danger, which has serious implications for the future of human rights promotion. Alongside advocacy and more traditional diplomacy, the development of institutions that will carry human rights protection into a new century is becoming an increasingly urgent task, as the familiar shapes of our world steadily undergo significant change.

Bosnia provides a stark example of a human rights nightmare sparked by aggression against civilians based on their ethnicity. The efforts in 1995 to end the horrors of Bosnia, however, yielded valuable lessons that might be applied in future conflicts. Intensive U.S. diplomacy backed by credible force led to the Dayton Accords which ended the conflict.

The drafters of the Dayton Accords recognized the essential relationship between peace, justice, and respect for human rights. The Accords provide an interlocking structure of constitutional guarantees; new institutions, including a constitutional court, human rights chamber, and ombudsman; international monitoring of elections and human rights performance; and a mandate for the investigation and prosecution of war crimes. This

unprecedented peace agreement synthesizes human rights, justice, and conflict resolution, in a framework that has the best chance of securing a real peace.

The diplomatic and military efforts to end the human rights crisis and restore democratic government in Haiti were an important forerunner to the Dayton Accords; in Haiti, as in Bosnia, we saw that international support for the reconstruction of civil society, democratic institutions, and the rule of law is essential to ending human rights catastrophes.

As the promotion of human rights increasingly moves beyond cessation of immediate abuses to broader reform of political, legal, and social institutions, justice assumes an ever larger role in fostering reconciliation. Individual accountability is a critical element in the passage of nations from repression to freedom. For human rights to take hold, leaders must be held accountable to their people and to the fundamental norms of the international community as set out in the Universal Declaration of Human Rights and international law.

A successful transition from a conflict-ridden past to democratic governance is aided by official efforts to acknowledge the sufferings of victims and honestly reckon with the past. In settings ranging from Chile, Argentina, and El Salvador, to South Africa, Germany, and South Korea, a variety of institutions rooted in local political cultures has arisen to address the need for accountability as a prelude to reconciliation. The U.N. War Crimes Tribunals in the Hague represent one of the clearest attempts by the international community to integrate justice with reconciliation and peace.

Implementation of the Israeli-Palestinian agreements brought with it a continued reduction in the level of violence in the West Bank and Gaza. The withdrawal of Israeli forces drastically diminished the confrontation between Israelis and Palestinians and resulted in fewer Israeli human rights violations. The Palestinian Authority, for its part, took important first steps toward creating institutions of self-government, though its progress was uneven.

South Africa continued to consolidate its new democratic institutions, and to deepen national reconciliation by promoting broader justice.

FAMILIAR ABUSES IN NEW CONTEXTS

In a number of countries, familiar patterns of abuse occurred in changing contexts in 1995.

The Chinese Government continues to commit well-documented human rights abuses in violation of international norms. Although there was greater emphasis on legal reform, by year's end almost all public dissent against the central authorities was silenced. At the same time, robust economic expansion produced increased social mobility and access to outside information. The experience of China in the past few years demonstrates that while economic growth, trade, and social mobility create an improved standard of living, they cannot by themselves bring about greater respect for human rights in the absence of a willingness by political authorities to abide by the fundamental international norms.

In Russia, while Communist totalitarianism has been succeeded by electoral democracy, the future remains uncertain. This year saw continued and widespread use of Russian military force against civilians in Chechnya, the undermining of official institutions established to monitor human rights, and the continued violation of rights and liberties by security forces.

The Government of Cuba's behavior regarding human rights remains deplorable; human rights activists and dissidents are regularly arrested, detained, harassed, and persecuted, while the Cuban people continue to be denied the most fundamental rights and freedoms.

Nigeria presents a more classic picture of human rights abuse, as the regime of General Sani Abacha continues ruthlessly to suppress dissent.

The situation in Colombia has not improved, owing to entrenched conflict among security forces, guerrilla armies, paramilitary units, and narcotics traffickers, compounded by the near impunity of narcotics traffickers.

In Guatemala, serious human rights abuses continued to occur, although significant progress was made in the peace negotiations between the Government and the guerrillas. Several human rights activists were also elected to Congress in the November elections.

Indonesian security forces in East Timor and Irian Jaya were responsible for significant abuses, although the Government was willing in some cases to prosecute those charged with abuses.

Outposts of unreconstructed totalitarianism remain in Iraq and Libya. Severe human rights problems persist in North Korea, despite progress on some other issues under the Agreed Framework.

In Burma, the State Law and Order Restoration Council continued to rule with an iron hand and to commit a wide range of serious human rights violations, although the release from house arrest of democratically elected leader Aung San Suu Kyi was a positive development.

While Turkey has instituted significant legal and constitutional reforms, it has not yet ended a continuing pattern of serious human rights abuses, including restrictions on freedom of expression, torture, and the excessive use of force against its Kurdish population in the course of the struggle against PKK terrorism in the southeast.

Egypt's long campaign against Islamic extremists has entailed continued abuses, including alleged extrajudicial killing and torture.

Saudi Arabia continues to restrict basic freedoms of expression, association, and religion, and systematically discriminates against women.

The government of Mexico continued its effort to end the culture of impunity surrounding the security forces and to initiate comprehensive justice reform; serious problems remain, however, such as extrajudicial killings by the police and illegal arrests.

Ethnic strife continued to complicate efforts to resolve instability in Burundi and Rwanda. In Sudan, the brutal civil war waged along ethnic and confessional lines exacted an inexorable toll in human suffering, while in Somalia, anarchical regional power centers, based on clan affiliation, persisted in the absence of a viable central government. Tentative signs of progress were evident in efforts to end Liberia's long and costly civil war, although final resolution remained problematic at year's end.

RIGHTS OF WOMEN

This year saw an increased international focus on the human rights of women and the advancement of their status. The World Summit for Social Development at Copenhagen in

March, and above all the U.N. Fourth World Conference on Women, held in Beijing in September, cast a spotlight on the broad range of issues related to the human rights, equality, and empowerment of women.

At the Beijing Conference, governments reaffirmed the universality of human rights and explicitly accepted the principle that women's rights are in the mainstream of all human rights.

The Beijing Declaration and Platform for Action committed governments to take specific steps to end violence against women, addressed the problem of rape in armed conflict as a human rights violation, called on the United Nations to integrate women into decisionmaking, urged an end to harmful traditional practices such as female genital mutilation, and dealt with issues of gender discrimination.

The Beijing Conference drew attention to the political, civil, and legal rights of women, who continue to be significantly underrepresented in most of the world's political institutions. Women in many countries are subjected to discriminatory restrictions on their fundamental freedoms regarding voting, marriage, travel, property ownership, inheritance practices, custody of children, citizenship, and court testimony. Women also face discrimination in access to education, employment, health care, financial services including credit, and even food and water. Other longstanding violations of women's human rights include torture, systematic rape, domestic violence, sexual abuse, harassment, exploitation and trafficking, and female infanticide.

The 1995 Country Reports chronicle the many abuses of women's human rights which continue around the world and include information on the steps some governments are taking to address these problems.

Many countries are making strides towards enabling women to realize their human rights. The Nongovernmental Organization Forum which took place in tandem with the formal Beijing Conference vividly illustrated the courageous and creative human rights work that women are increasingly undertaking at the grass roots level.

WORKER RIGHTS

Failure to respect basic worker rights as defined in several key International Labor Organization (ILO) Conventions is a growing problem in many countries. These core worker rights include freedom of association, which is the foundation on which workers can form trade unions and defend their interests; the right to organize and bargain collectively; freedom from discrimination in employment; and freedom from child and forced labor.

Despite broad international recognition of these principles, free trade unions continue to be banned or suppressed in a number of countries; in many more, restrictions on freedom of association range from outright state control to legislation aimed at frustrating workers, legitimate efforts to organize. For example, in 1995 Nigeria was cited by the ILO for its failure to repeal decrees dissolving unions and denying unions the right to elect their own leaders, two of whom in early 1996 remain jailed without charges. For the third time the ILO condemned Burma for its refusal to guarantee workers the right to join unions. Similarly, the ILO called on Burma to terminate its forced labor practices. The suppression of worker rights in Indonesia has remained a persistent international concern.

The relationships between worker rights, trade, and foreign investment remain the focus of ongoing discussions in 1995 in a number of international forums, including the Organization for Economic Cooperation and Development and the ILO. Domestically, the United States took action that resulted in the suspension of Overseas Private Investment Corporation benefits in several countries on worker rights grounds. Concern continues to grow over the practice by several countries of curtailing the rights of workers in export processing zones (EPZ's). In South Asia, Pakistan is a case in point, and EPZ's remain problematical in several Central American countries. A failure to protect worker rights in EPZ's often has a disproportionate impact on female workers, since they are usually the large majority of EPZ workforces.

RELIGION AND HUMAN RIGHTS

In some countries, religious differences were seized upon in 1995 as a pretext for human rights abuses. Elsewhere, religious differences themselves set groups in conflict, especially when these differences were related to ethnic differences as well. The depth of the passions and commitments surrounding religious issues make this an especially pressing and sensitive problem.

Religious ideas and institutions have a major role to play in promoting respect for human rights. All the major religious traditions of the world offer deep resources and teachings that speak to the theory and practice of peace and justice, and many courageous men and women are putting those teachings to work in some of the hardest-fought conflicts and deeply persecuted societies of the world.

As new technologies foster increasing communication and contact among groups and societies, the religions of the world will have a major role to play in helping to articulate ideas and foster institutions that are authentic and compelling.

HUMAN RIGHTS ACTIVISTS

No government, no matter how powerful or well-intentioned, can perform the human rights work being done at the grass roots by nongovernmental organizations (NGO's), whose members often expose themselves to great personal risks. The grass roots work of NGO's is irreplaceable not only because it is effective, but also because it is the strongest proof of the universality of human rights. Precisely because NGO's are deeply rooted in local societies and cultures and spring from their own communities, their work has an undeniable authenticity and legitimacy. Unfortunately, human rights NGO's continue to face impediments, harassment, and persecution in many countries of the world.

LOOKING FORWARD

With each passing day, we are increasingly at home in the post-Cold War world. That growing familiarity with the new international setting brings with it the recognition of what must be done to secure the progress of human rights into the next century. The challenges human rights advocates face are significant, indeed greater than one might have anticipated during the heady days of the Cold War's end. Yet the new international environment offers opportunities of its own for the development of institutions that will protect human rights in sustained and structural ways around the world.

These institutions cannot simply emerge of their own accord. They can come about only through the concerted effort of people of goodwill from countries and cultures around the globe, united in a commitment to reduce human suffering and protect human dignity. One of

history's foremost champions of human rights, the Rev. Dr. Martin Luther King, Jr., said that "the arc of the universe is long, but it bends towards justice." There is still a long way to go along that arc.

John Shattuck
Assistant Secretary for
Democracy, Human Rights and Labor