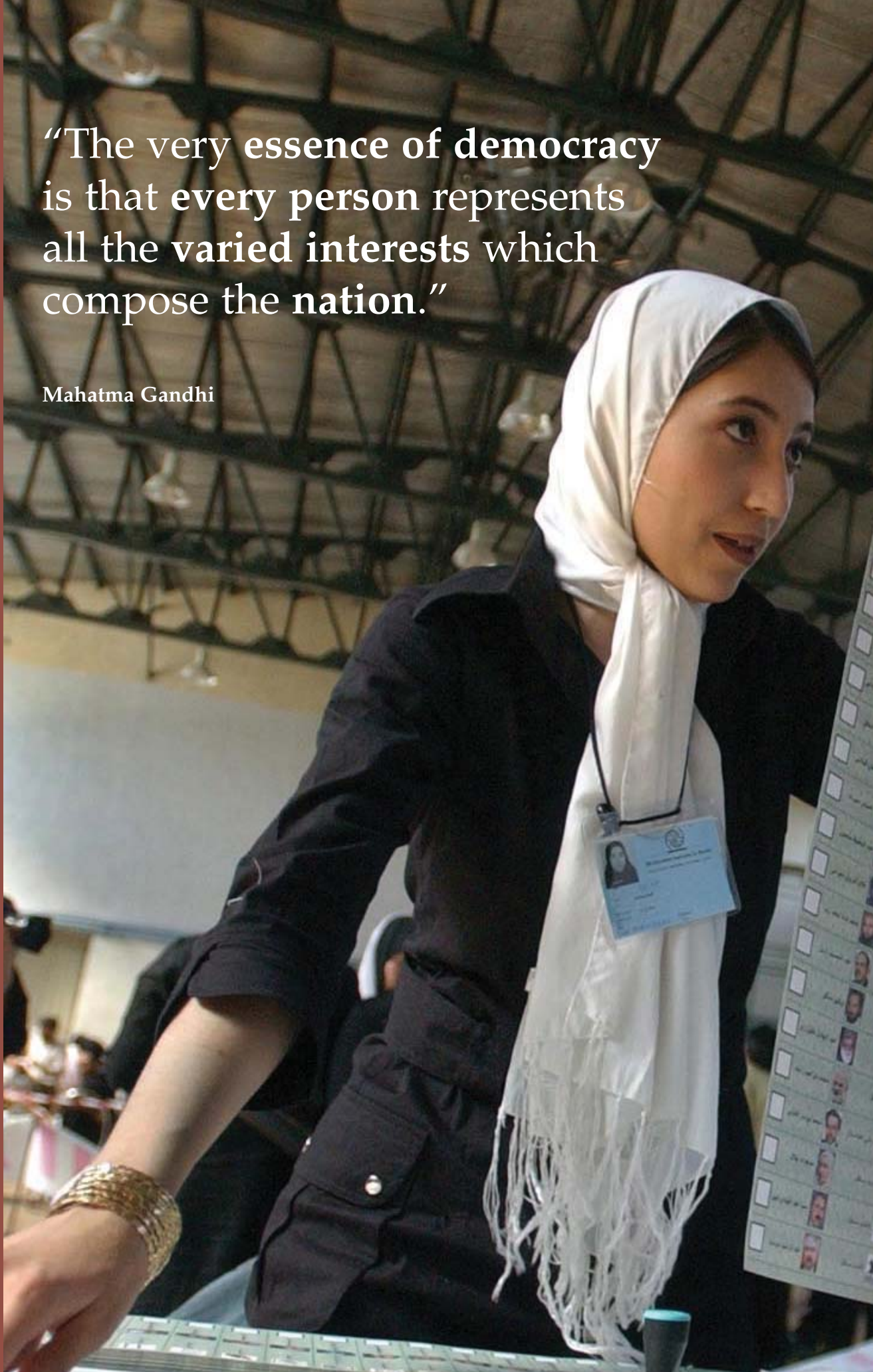


# South Asia

“The very essence of democracy is that every person represents all the varied interests which compose the nation.”

Mahatma Gandhi






Tehran, Iran

A female election official teaches an Afghan refugee the voting procedures for their presidential election.

AP Photo



South Asia faces numerous human rights and development challenges that threaten stability and democracy, while various long-standing ethnic conflicts and insurgencies hamper further progress.

Despite these challenges, there have been notable successes. The April-May parliamentary elections in India were the world's largest elections. The results confirmed the ability of the people of India to peacefully change their government. In October, more than eight million Afghans - 40% of them women - voted in Afghanistan's first election. Despite security threats and attacks before the vote, the Afghan people overwhelmingly supported the country's transition to democracy.

The continuing thaw in relations between India and Pakistan was another positive development. Both President Musharraf and Prime Minister Singh showed a willingness to reach peaceful settlements on major bilateral issues, including Kashmir. Continued engagement between India and Pakistan has the potential to improve the lives of the Kashmiri people by ending years of estrangement and political violence.

A number of entrenched problems, however, continued to undermine progress in the region. In Nepal, the deadlock among Nepal's political parties persisted and a Maoist insurgency prevented elections. The King's declaration of a state of emergency and suspension of basic human rights further deepened the country's political crisis. The ethnic conflict in Sri Lanka remained unresolved. According to international observers, both the Government and the terrorist organization Liberation Tigers of Tamil Eelam violated the 2002 ceasefire. An increase in politically-motivated attacks in Bangladesh seriously undermined further political progress.

Throughout the region, torture and illegal detention by security forces remained widespread, eroding public trust in government authorities. Sectarian tensions exploited by homegrown and foreign terrorist groups, extremism and ineffective legal systems threatened peace and stability. Rampant corruption in South Asia perpetuated inefficiency and often blocked the administration of justice, leading to further abuses against members of the most vulnerable communities, such as women and minority religious and ethnic groups. Trafficking in persons remained a significant problem in the region. Millions of people were recruited through force, fraud or coercion into servitude or the sex trade. While there were differing levels of commitments from the Governments of South Asia, many took encouraging steps to address these issues, particularly in trafficking in persons.

The United States remained focused on strengthening democratic institutions in South Asia and reinforcing respect for human rights and the rule of law. In countries with upcoming elections, U.S. strategy centered on the promotion of free and fair democratic processes through support of civil society and encouragement from high-level U.S. officials. Initiatives in the region included political party reform, civic education and strengthening local government bodies. The U.S. human rights and democracy strategy encouraged peaceful settlements of internal conflicts and prevention of abuses by security forces. To address key human rights concerns, the United States supported programs to enhance the professionalism of security forces, combat trafficking in persons and reduce violence against women. The United States also sought to strengthen the rights of vulnerable groups, such as religious minorities and lower caste groups, women and children, and workers' rights. The United States is working with governments and non-governmental organizations in the region to address these challenges.

# Muslim Women Political Leadership Program

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In most South Asian countries, women occupy only a small number of seats in their respective national and local legislatures. Many women who enter politics lack the basic political skills to run successful campaigns or effectively serve their constituents if elected.

To help resolve this imbalance, the United States, working with the National Democratic Institute (NDI), sponsored a regional Muslim women's political leadership program in Afghanistan, Bangladesh and Pakistan. This innovative project aimed to develop the skills women need to enter politics, and serve as elected officials. This project also provided a forum for regional women to discuss and develop solutions to common obstacles.

Using U.S. funds, NDI organized a regional conference in Pakistan promoting the candidacy and election of women party leaders to legislatures across South Asia. Conferees were trained to be Master Trainers for their respective parties, and develop training capacity within their organizations. Conferees from Afghanistan are currently conducting political party training programs for women candidates in advance of the parliamentary elections. Master Trainers in Bangladesh and Pakistan have launched training sessions to enhance the skills, leadership capacity and confidence of elected women representatives and political leaders.

As a result of the program, Master Trainers in Afghanistan and Pakistan have enhanced the professional skills of 132 women, including elected officials and aspiring parliamentarians. In Afghanistan, a number of program participants planned to run for parliament or work on behalf of their political parties. Trainers from three of the five leading parties in Pakistan held training sessions for political party activists, which covered government, public speaking, gender barriers in politics and lobbying within the party. Many of the participants are currently serving their communities as local councilors.

## Afghanistan

Since the end of almost 23 years of war, Afghanistan has made significant progress towards reconstruction, stability, and protection of human rights. This progress includes the adoption in 2004 of a Constitution with strong human rights provisions, the codification of an election law and a political party law, and the successful election of the country's first democratically chosen president in October 2004. In spite of these advancements, the Government of Afghanistan's human rights record remained poor. Serious violations of human rights included arbitrary arrest and detention, extrajudicial killings, torture, and reports of inhumane living conditions at detention centers. Afghans continued to experience a climate of insecurity and violence characterized by rape and kidnapping as well as discrimination against women and religious and ethnic minorities. Trafficking in Persons (TIP) and child labor were problems. Government efforts to bring serious human rights offenders to justice were often ineffective, and impunity from the law remained a serious concern. Justice was administered on an ad hoc basis according to a mixture of codified law, Shari'a law, and local customs. Private prisons were a problem. There were credible reports that the country's intelligence agency ran at least two prisons, and there were unconfirmed reports of private detention facilities around Kabul and in northern regions of the country. The activity of the Taliban, al-Qa'ida, and other anti-government groups, particularly in the south and south-east, compounded security concerns and led UN agencies and non-governmental organizations (NGOs) to temporarily cancel or curtail their activities at various times during the year.

The United States supports Afghanistan's effort to develop as a nation that respects human rights and conducts free and fair par-

### Kabul, Afghanistan

**Afghan election officials pass presidential election ballot boxes to a warehouse on an**



liamentary elections as outlined under its new Constitution. The U.S. Embassy in Kabul focused on strengthening the reach of the central Government to provide the basis for the rule of law through its Disarmament, Demobilization and Reintegration programs through training and capacity building of the national police, judiciary and numerous other ministries. The U.S. human rights and democracy strategy assists the Government of Afghanistan in reforming and rebuilding legitimate national institutions and infrastructure, including rebuilding judicial institutions and the rule of law and supporting the elections process, and civic participation.

To promote stability and support Afghanistan as it asserts political self-determination and transitions into a democracy, the United States contributed generously in the preparation and execution of the country's first democratic presidential elections. Over 10.5 million voters registered in country, with almost 42 percent of them women. Over one million Afghan refugees in Iran and Pakistan were also registered. In October 2004, Afghans voted for their first elected president. Eighteen candidates for the presidency contended for the vote. Despite security threats and inherent technical challenges, over 8 million Afghans voted, with a majority selecting President Hamid Karzai.

The United States, through USAID provided funding to the National Democratic Institute (NDI) for the establishment of eight political party centers nation-wide, which helped in the formation of a coalition of moderate political parties seeking democratic reform. They also supported a nation-wide network of domestic election monitors.

The United States provided funding for civic education programs, including the development and dissemination of oral education materials designed to teach the Afghan people

the basic tenets of democracy. To spread the message of democracy, the U.S. State Department's Bureau of Democracy, Human Rights, and Labor (DRL) and USAID supported a U.S.-based NGO to develop a total of 27,000 solar-power devices akin to amplified MP3 players containing eight hours of civic education material. Topics included the country's new constitution, the importance of voting, and how to register for the elections.

During the year, the United States funded projects to support independent press and electronic media. Information dissemination improved with the opening of a radio station network and the country's first commercial television channel. The United States, through USAID provided assistance to 32 independent radio stations that develop and broadcast programs on nation building, national unity, civic education, and local, national and international news programming. The United States supported the development of "Salaam Watandaar," an independent, national radio program produced in Kabul, that is broadcast via satellite to radio stations, including a few state stations for four hours each day. The program emphasizes nation building and national unity. The stations also offered women's programs and covered topics on health, literacy, and agricultural training for women. The United States distributed 40,000 radios nationwide to women and other vulnerable groups. In September, the United States helped establish "Tolo TV Kabul" which broadcasted programs on a range of issues, including public interest programming, local, national, and international news, financial reporting, children's programming, investigative journalism and round table talk shows. The United States provided training to media professionals and journalists at six different Afghan universities on international standards of investigative journalism including interviewing skills and how to report during election periods. The United States also support-

ed the establishment of an independent news agency, a media distribution network, various print publications, documentaries, assisted in the development of Afghanistan's media broadcast law and the Election Media Code of Conduct, and provided support to the Office of the Presidential Spokesperson.

To foster and strengthen the rule of law, U.S. efforts focused on rebuilding justice system infrastructure; including equipping and training judges, attorneys, and administrators. The United States rehabilitated 14 judicial facilities, trained approximately 443 judicial experts, and offered training for 50 employees at the legislative drafting unit of the Ministry of Justice. To help disseminate basic information on the country's new laws and constitution, the United States printed 1,100 copies of ten basic laws and the Constitution for the Ministry of Justice. The United States recently awarded a grant to a U.S.-based university to institute a Doctorate of Law degree program specifically designed for Afghan legal educators to help improve the institutional capacity of this critical sector.

Narcotics production and drug trafficking is a significant rule of law problem, as it leads to lawlessness and strengthens internal elements that oppose the national Government. During the year, the United States provided funding for counter narcotics activities, including programs in eradication, alternative livelihoods, interdiction, demand reduction, regional cooperation and enhancing border security.

The United States and Afghanistan jointly agreed to establish and support a five-year program designed to provide training, technical assistance, alternative development, equipment and other forms of support for the police, judicial, and counter narcotics projects. The police training courses include classes on community-based policing and knowledge of and protection of human rights, with an

emphasis on women's and children's rights. Women were also included in the police force and were offered two types of training, a four-week Transitional Integration Program and an eight-week basic training program. A total of 67 women enrolled and graduated from the four-week Transitional Integration Program.

The United States provided technical assistance to the Afghan Independent Human Rights Commission (AIHRC) to help with its capacity building and carry out its mandate of monitoring and investigating human rights violations. Embassy officials worked with the AIHRC, NGOs, and Afghan officials to identify areas of particular concern and encourage wider reforms within the Government. The AIHRC regularly monitored the human rights situation, published findings, and worked closely with U.S. diplomats to resolve issues discovered in government-run prisons or other cases of human rights violations such as trafficking in persons.

To improve women's rights, the United States provided funding which enabled NGOs to hold workshops and educate women on the new Afghan Constitution, presidential elections, their legal rights and legal procedures, and the justice system. The United States sponsored teacher-training programs for middle and high school teachers on human and legal rights, including the rights of women and children.

To help promote religious freedom and tolerance, the United States promoted the inclusion of minority groups in the Government and military, and the fair distribution of assistance in the country's reconstruction and its legal and political processes. Additionally, U.S. Embassy representatives continue to meet with government officials and with religious and minority figures in an ongoing dialogue regarding the political, legal, religious, and human rights context of the country's recon-



struction. The United States has worked with civil society organizations to promote religious tolerance. Between March and July, the U.S. Government funded a visit to the United States of 25 religious leaders under a program on "Democracy and Civil Society." The U.S. Embassy also provided assistance from the Ambassador's Fund for Cultural Preservation for the restoration of the Mullah Mahmood Mosque in Kabul. In at least one instance, U.S. officials met with and assisted an Afghan Christian allegedly being persecuted for his faith.

The United States incorporates women's issues in most of its assistance programs, including health clinics, schools, and market centers. In addition to support for the Ministry of Women's Affairs, the U.S.-Afghan Women's Council is forging bi-national, public-private partnerships to help and enable Afghan women to participate and take leadership roles in the political and economic life of their country. In 2004, USAID constructed and furnished 14 provincial women's centers, which provided literacy training, legal and income generation support activities, and political participation training for women.

The United States is supporting a U.S.-based NGO in an ongoing regional Muslim women's political development program that involves women from Afghanistan, Bangladesh, and Pakistan. The program seeks to improve the capacity of women to campaign for elected office and serve the public as elected officials, and develop sustainable local capacity of a few "Master" trainers to train other women party members and elected officials.

The U.S. Embassy promoted interest in trafficking in persons issues amongst the Government and civil society members. The United States developed a national Anti-Trafficking Action Plan with the Government to combat trafficking both in the short and

long term. The United States funded the International Organization for Migration (IOM) to conduct research on trafficking in persons and published its findings in January 2004. In addition, the program works to increase coordination within international and national networks on combating trafficking, and strives to ensure that trafficking is mainstreamed into relevant ministry priorities. In September 2004, the Government approved the establishment of an inter-ministerial committee to combat child trafficking by consolidating a list of projects from all donors, developing a national action plan, tracking implementation, and coordinating efforts to maximize capacity. The committee is a focal point for articulating and implementing the Government's national TIP policy. The United States, through USAID granted IOM funding to implement a victim's assistance program which began in November 2004.

Throughout the year, IOM worked in conjunction with the UN Assistance Mission to Afghanistan (UNAMA) human rights unit to provide informational sessions on trafficking to members of the UN Protection Working Groups. These groups were established in eight provinces and met regularly to discuss reported human rights cases and determine the most appropriate intervention. During the year, there were 198 reported cases of trafficking in persons. From these cases, 20 arrests were made and seven resulted in convictions.

## Bangladesh

The Government's poor human rights record worsened during the year, as it continued to commit numerous abuses, including a significant rise in extrajudicial killings, harassment of non-governmental organizations (NGOs) and discrimination against religious minority groups. The Government also failed to conduct thorough investigations of politically-

motivated attacks. An entrenched climate of impunity, hampered by police corruption and torture occurred on a regular basis. Violence was a pervasive element in the country's political environment and continued to undermine democratic concepts and practices. The judicial system was hampered by lengthy pre-trial detention, corruption and a large judicial case backlog. The Government restricted freedom of speech, movement, assembly, political association and religious freedom. In June, the main opposition party, the Awami League, ended its boycott of Parliament, though it alleged that it is prevented from exercising parliamentary prerogatives. Violence against women and discrimination against indigenous people and religious minorities was ongoing. The Government succumbed to pressure by some politically-affiliated religious parties and banned the publications of members of the Ahmadiya sect, but by year's end, there was some improvement in government efforts to protect the Ahmadiyas. Child labor and abuse of child workers was widespread. The Government renewed its focus on trafficking in women and children for the purpose of prostitution and forced labor, and beginning in the summer, moved aggressively and successfully to arrest, prosecute and convict traffickers.

The U.S. human rights and democracy strategy in Bangladesh aims to strengthen democratic institutions, transparency and accountability to citizens, and respect for the rule of law and human rights. To do this, the United States seeks to reform political parties, increase informed citizen political participation, strengthen local government, improve police and military professionalism. The United States encourages better governance, a reduction in corruption, promotion of religious tolerance, and reduction in violence against women and trafficking, as well as improve women, children and worker rights.

United States officials publicly highlighted the need for an improvement in human rights conditions using the State Department's annual *Country Report on Human Rights Practices* as a key tool for moving the dialogue on human rights forward. The report is widely publicized in Bangladesh and closely scrutinized by the Government, opposition, press and NGOs both in Bangladesh and abroad.

The Ambassador and other U.S. officials work publicly and privately to engage the Government, the opposition, and diverse elements of civil society on the importance of democratic institutions. U.S. officials have condemned violence in the form of strikes and personal assaults as an instrument of political coercion. In 2004, officials such as Secretary of Defense Rumsfeld, USAID Administrator

### Bangladesh

**Recipient of ILO Microcredit loan who purchased a sewing machine.**



Photo: S. Ghori

Natsios, Under Secretary of Labor Grizzard, and Assistant Secretary of State for South Asia Affairs Rocca, raised the importance of human rights and emphasized political dialogue as key issues in the country's development during visits to Dhaka. For example, after the attack on opposition leader Sheikh Hasina on August 21, the Embassy consistently pressed the Government for an effective and prompt investigation. Similarly, after the attacks on former President Badruddoza Chowdhury, the Ambassador stressed the importance of a transparent and thorough investigation of the attack and the importance of allowing political expression. After the January 2005 incident that killed four Awami League members, including former Finance Minister Shah Mohammad Kibria and injured more than 70 people, the State Department issued a statement urging the Government to undertake a thorough investigation. The Secretary also pressed for a complete investigation and end to Bangladesh's pattern of political violence. The Ambassador and other U.S. diplomats delivered seven major speeches that focused heavily on human rights, including keynote addresses on events marking Press Freedom Day and International Human Rights Day.

Since many of the human rights abuses centered on issues of governance and corruption, the Embassy focused its democracy promotion efforts on political reform and improving local governance. The United States, through USAID is funding a three-year initiative to strengthen parliamentary committees, reform political parties, and assist elected local governments in becoming more accountable to its citizens. Over the past year, the United States has continued to support the formation of the Municipal Association of Bangladesh (MAB) as well as the creation of the National Union Parishad Forum, a network of local government officials (equivalent to locally elected councils). Assistance to the MAB included membership recruitment, organizing a national convention to develop policy agenda on local governance issues, and establishing and collecting membership fees. A total of 43 policy workshops were held at the district level, along with two national policy workshops.

Despite the national stalemate between the two major political parties, training for mid-level party leaders has made significant progress. The United States, through USAID funds a program with the National



Democratic Institute (NDI) and the International Republican Institute (IRI) to implement these training programs. In the past year, NDI conducted training for a total of 160 mid-level political party leaders, including 32 women in six cities. The major focus of the training was on building internal democratic practices within the political parties. Using U.S. funds, IRI organized a regional conference for nearly 4,000 young party members on the roles and responsibilities of political parties.

During the year, the Embassy focused on the security and freedom of journalists, who faced pressure and violence from criminals, political leaders, and religious extremists. The Ambassador made five high profile visits to major newspaper offices to underscore our support for freedom of the press. The Embassy's press section placed an editorial by Ambassador Thomas on World Press Freedom Day in several newspapers. Using USAID's initiatives to combat the endemic problem of corruption and train Bangladeshi journalists on investigative journalism, journalist integrity and human rights related reporting continued to evolve.

Responding to the growing incidence of extrajudicial killings committed by paramilitary police units, the Ambassador and other Embassy officials both publicly and privately expressed strong concerns over government-sanctioned executions as a crime-fighting instrument. Additionally, the United States sponsored International Military Education and Training (IMET), Expanded International Military Education and Training (EIMET), and counter-terrorism training courses for Bangladeshi law enforcement and security personnel which emphasized respect for human rights. Human rights were included in the curriculum in U.S.-funded peacekeeping courses and in joint training involving

Bangladeshi peacekeepers, over 8,000 of who are now abroad serving in 12 countries.

Since the police perpetrated many of the human rights abuses, the Embassy has focused on enhancing police professional skills and their commitment to human rights and the rule of law. The United States, through USAID provided funding to a local NGO to monitor human rights abuses at select police stations. The United States also provided training and technical assistance to human rights NGOs, including assistance for anti-trafficking related projects. The Embassy is heavily involved in promoting human rights through the programs they sponsor on improving the professionalism of Bangladesh's security and military forces. A Department of Justice International Criminal Investigative Training Assistance Program began this year to improve police professionalism through an integrated training curriculum at the police academy and detective training school.

The United States also continues to support local human rights groups through its ongoing four-year program that provides critical services such as monitoring police stations and providing shelter to abused women, as well as training and technical assistance to human rights NGOs. The United States co-chaired a local donor working group on anti-corruption initiatives with the World Bank. The working group mainly focused on coordinating information on the types of anti-corruption initiatives in the country. Another major initiative has been to jointly push for the establishment of the Anti-Corruption Commission, including assistance in designing and implementing the commission.

During the past year, the Embassy has sponsored 22 Bangladeshis on the International Visitors Program to advance the goals of respect for rule of law, leadership development for women, student leaders and civic responsibility, freedom of the press, and the U.S. political process.

The U.S. Department of State's Bureau of Democracy, Human Rights, and Labor funded a regional project supporting women political leaders in Afghanistan, Pakistan, and Bangladesh through its Human Rights and Democracy Fund. Through regional workshops and in-country trainings, the project aimed to improve the capacity of women to campaign for elected office, enhance the capacity of women legislators to serve the public as elected officials, and develop local capacity of women political leaders to train other women members and elected officials.

The U.S. Department of State's Bureau of South Asian Affairs also supported a regional South Asian Muslim women's network and workshops, to bring together women from Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka with Muslim women from Indonesia and Malaysia to explore solutions to common challenges facing Muslim women. They developed and discussed strategies on how to understand women's rights from within an Islamic framework and formulated ideas on how to construct these rights within their societies and legal frameworks.

In January, when the Bangladesh Government announced a ban on the publications of the Ahmadiya sect of Islam, the Ambassador met with high-level Bangladeshi officials to convey our deep concerns and to stress the importance of religious freedom. When the Government printed the Gazette Notification officially banning Ahmadiya publications, the United States sent a strong message to the

Government reminding them that such an action would violate the freedoms of religion and expression embodied in Bangladesh's Constitution. Six civil society groups and a member of the Ahmadiya Muslim community challenged the Government's ban, which was later supported by the High Court, which is a part of the Supreme Court. The Government had effectively stopped attacks on the Ahmadiya headquarters in central Dhaka at least twice.

Improving conditions for Bangladeshi workers is a consistent aspect of the overall U.S. human rights strategy. The American Center for International Labor Solidarity (ACILS) worked with the Government, the International Labor Organization's International Program on the Elimination of Child Labor (ILO/IPEC), and local labor and industry groups, on the elimination of child labor from the export-oriented garment industry. The U.S. Labor Department and USAID also fund programs to eliminate the worst forms of child labor, to support working women's education centers, empower rural women in the informal sector and provide opportunities for persons with disabilities.

Through IPEC, the ILO used activities including a three-year project to eliminate the worst forms of child labor. The project targeted five industries - beedi production (the hand-rolled cigarette industry), match-making, tanneries, construction and child domestic workers. As of December 2004, 22,900 children had been removed from hazardous work, and more than 30,000 children have been placed in either non-formal or formal education or pre-vocational training. In 2004, parliament passed legislation permitting limited freedom of association in the export processing zones. The Embassy is closely monitoring implementation of the legislation, including provisions for worker representation elections. Supported by the United States, ACILS and

the Bangladesh Independent Garment Workers' Union Federation played an instrumental role in the drafting of this legislation. Personnel for ACILS began working to assist workers in EPZ factories to better organize themselves and to understand their new rights and responsibilities under this legislation.

After Bangladesh's designation during the year as a Tier III country in The Trafficking in Persons report, the United States worked closely with the Government to devise and implement an anti-trafficking action plan. Bangladesh was able to demonstrate sufficient progress, including intensified law enforcement activities such as victim rescue, arrests of traffickers and the establishment of a national police monitoring cell to justify a reassessment of its designation to Tier II (watch list) within the 90 day time-frame. The United States highlighted its concern through an aggressive public diplomacy campaign and continuous engagement with Bangladeshi Government officials.

The United States, led a working group on anti-trafficking with the Government, civil society and other donor representatives and worked closely with the Minister of Women and Children's Affairs to carry out road marches to raise awareness about trafficking. Television channels aired U.S.-sponsored anti-trafficking spots and messages free of charge. The successful imam outreach program which began in 2003, will be expanded to other critical areas of the country and will continue to provide orientation about U.S. programs in human rights, women's rights, health care, HIV/AIDS, agriculture, economic growth, democracy and governance, and anti-trafficking. Over the past year, ten major village gatherings totaling 4,000 people were organized by imams to raise awareness about trafficking. Many imams now address this issue periodically after Friday prayers and at other

community events. Several thousand people attended two anti-trafficking film festivals that the Embassy coordinated in outlying regions of the country. The Embassy also worked with local NGOs and other cultural groups on their efforts to educate rural Bangladeshis about the dangers of trafficking, using specialized folk songs.

## Bhutan

Bhutan is in the process of a fundamental governance shift, from a hereditary monarchy to a constitutional monarchy. The King has stated that he intends to create a constitutional monarchy operating under a parliamentary system amalgamating ideas from many democratic systems. Until the Constitution takes effect, however, civil liberties remain limited. The Government restricts freedom of speech, press, assembly and association and prohibits the formation of human rights organizations and political parties. The Government also restricts freedom of religion. The ban on political parties allowed the Government a large degree of control over the expression of dissent. The Government has not confirmed whether the new Constitution will allow political parties, or the extent to which it will guarantee fundamental human rights.

As the Government's transformation progresses, King Jigme Singye Wangchuck will join a select group of leaders who have voluntarily relinquished absolute power and embraced a representative system of government. In preparation for the transformation, the King began devolving authority in recent years to a National Assembly and Council of Ministers. The Royal Government of Bhutan has stated that a new Constitution will go into effect after National Assembly approval, planned for 2005.

In 2004, the National Assembly passed legislation on a broad variety of topics, including a nationwide ban on the sale of tobacco products, improving the environment and changing the penal code. It also vigorously debated topics such as refugee return, expatriate workers, regulation of the media and a national land policy, while passing the national budget and electing new committee members.

A significant Bhutanese refugee problem persisted in Nepal. The Government refused to restart the Bhutan-Nepal Joint Verification Team process while the security situation in Nepal remained unsettled, but indicated a willingness to allow a pilot group of all Category 1 refugees in Khudunabari Camp to repatriate to Bhutan. The Government of Bhutan reaffirmed that offer in January, but did not reach a final agreement with the Government of Nepal.

The United States and Bhutan do not have formal diplomatic relations; the U.S. Embassy in New Delhi is responsible for following Bhutan issues and communicates frequently and effectively with the Government. The U.S. human rights and democracy strategy for Bhutan is still largely focused on finding durable solutions for the Bhutanese refugees of ethnic Nepali descent who were compelled to leave Bhutan for Nepal in the early 1990s.

The United States actively pursued a solution to this problem during the past year with a delegation visiting the Kingdom in January, the U.S. Ambassador's visit to India in March and the Assistant Secretary of the Bureau of Population, Refugees and Migration Arthur E. Dewey's visit to the region in October. Embassy staff used these visits to highlight the plight of the approximately 100,000 refugees currently living in Nepal. The United States also discussed religious freedom issues during these visits.

Embassy officers also engaged the Government and other interested parties, including donor countries, UN agencies and non-governmental organizations, regarding the refugee situation. The Embassy used active discussions with Bhutanese government officials to highlight U.S. concerns related to internally displaced persons languishing in refugee camps and encouraged the Government of Bhutan to resolve this problem.

Senior State Department and Embassy officials also discussed the issue of democratic reform with King Wangchuck and other high-ranking members of the Government. During these discussions, the King was frank about the need for democratic reform and reiterated his commitment to the process. The King is the driving force behind democratic reforms, while government sources reported that much of the population is wary of change. There is a widespread concern that democracy in neighboring states has contributed to the destabilization of those Governments. The Government stated that it is taking the transformation process slowly to allay people's fears. However, the King's commitment has been firm; he has said that Bhutan's future cannot rest solely on one man and that power should not be transferred through bloodlines.

During the year, the Embassy sent six Bhutanese nationals to the United States on the International Visitors Leadership Program, focusing on areas such as local government, television broadcasting, human resources and transportation. A Bhutanese human rights activist resident in India traveled to the United States on an International Visitors Program, and one Fulbright Scholarship was awarded to a Bhutanese academic.

## India

India is a vibrant democracy with strong constitutional human rights protections. However, poor enforcement of laws, especially at the local level, and the severely overburdened court system weaken the delivery of justice. The victory of the United Progressive Alliance (UPA) over the incumbent Bharata Janata Party (BJP) in the April-May parliamentary elections verified the Indian people's ability to change their government peacefully. Over 380 million people (58 percent of the voting population) voted in the elections, making this the largest exercise of electoral democracy in history. With a Muslim President, Sikh Prime Minister, and Christian head of the governing parliamentary party, India's leadership is representative of its religious diversity.

Although the Government generally respected the human rights of its citizens, numerous problems remained. These include extra-judicial killings, custodial deaths, excessive use of force by security forces, torture, poor prison conditions, and extended pretrial detention. Combating insurgencies in Jammu and Kashmir led to arbitrary arrests and disappearances. Societal violence and discrimination against women, trafficking of women and children for forced prostitution and labor, female feticide and female infanticide remained concerns. Widespread corruption, caste-based discrimination and exploitation of workers, including indentured and bonded servants and child laborers continued, as did religiously motivated violence against Christians and Muslims.

Following its electoral victory in May, the Government began to address a number of human rights concerns that have arisen in recent years. For example, it moved quickly to rewrite school textbooks (which the previous Government had rewritten to promote the

BJP's Hindu nationalist propaganda) in order to stress the contributions of the Muslim, Sikh, Buddhist and Christian minority communities. However, the rewrite of the textbooks has not been completed, and the state of Gujarat has not recalled its old textbooks or announced plans for their replacement. The Government also began to address the aftermath of the 2002 Gujarat riots, during which Hindu extremists attacked Muslim communities, killing an estimated 2,000. Human rights activists alleged that the Gujarat Government, led by Chief Minister Narendra Modi (BJP), had been complicit for failing to prevent the violence and for allowing the riots to spiral out of control. In August, the Indian Supreme Court ordered state level courts to re-open over 2,000 cases connected with the 2002 riots, moving a number of them to new venues to ensure that they receive a fair trial. However, by the end of 2004, the report on the number of cases that should be re-opened had not been submitted to the Supreme Court, and only three cases related to the Gujarat rioting had completed trial in the lower level courts. While these actions displayed a determination to address past human rights abuses and to confront the causes of communal tension and violence, human rights organizations and religious groups remained concerned about allegations of witness intimidation by local leaders, the cases that have not been reopened and about increasing displacement and "ghettoization" in the Gujarati Muslim community.

During the year, the Government also repealed the Prevention of Terrorism Act (POTA), which had come under fire by human rights organizations for allowing detention without charge for six months, summary trials, and the use of testimony exacted under duress. At the same time, the Government amended the Unlawful Activities (Prevention) Act to incorporate a number of POTA's anti-terrorism provisions, leading some human rights activists to describe the process as





India

A volunteer carries an elderly man to his polling place.

AP Photo

“three steps forward and two steps back.” The amended law is a considerable improvement over POTA, however, POTA-like legislation such as the Armed Forces Special Powers Act remained in force in many states, leading to serious human rights violations.

United States human rights and democracy initiatives in India focused on the promotion of good governance and the rights of vulnerable groups. The United States, through USAID administered a program on gender and the law, establishing legal aid centers for low income women in Rajasthan and Karnataka. In addition, the USAID program “Reaching and Educating At Risk Children” is aimed at providing services to schoolchildren from vulnerable communities and assists Dalits and other underprivileged groups. The United States also focused on improving access to justice for women and children victims of sexual exploitation, domestic violence, trafficking and other gender-based crimes. United States engagement included diplomat-

ic interaction at the highest levels, sharing of information, public diplomacy and funding of projects to encourage respect for democracy and human rights.

During the year, the Embassy sponsored four Kashmiris and three non-Kashmiri Indian students to participate in an American Studies Summer Institute for South Asian Undergraduate Student Leaders. The program educated the students on American democracy and human rights in the United States. Additionally, more than 25 Indians working in human rights, democracy and journalism participated in three-week long International Visitors Programs. The “Seeds of Peace” program enabled 28 youth and two resource persons from Mumbai and Lahore, Pakistan to attend a three-week conflict resolution course in a neutral, supportive environment at a summer camp in the United States. In addition, Consulate General Calcutta sponsored the first-ever conflict resolution workshop in Nagaland, bringing together a number

of groups to find a peaceful solution to the disputes that have led to violence and human rights abuses in that region.

The Embassy co-hosted a human rights law conference and arranged for a prominent academic to speak on human rights curriculum development. The Embassy hosted three events in conjunction with the conference, including a screening of two documentaries on women and child rights, a discussion on gender equality and justice and a digital video conference on human rights curriculum development and teaching methodologies.

The United States funded numerous efforts to support expanded roles for women. During the year, USAID provided funding to strengthen the protection of women's legal rights, in the areas of domestic violence, dowry, divorce and inheritance. Eight of the 11 planned legal aid/counseling centers have opened for women on police station grounds in Rajasthan, with an additional nine centers targeting mainly, but not exclusively, Dalit women in Karnataka. The United States supported legal drafting and advocacy for a bill securing a married woman's right to her marital home in Rajasthan. The United States, through USAID also funded an intensive pilot effort to change attitudes toward violence against women in two states. The United States assembled a coalition of women's groups, Women Power Connect, to support the creation of a permanent entity to advocate on gender issues in parliament and with executive branch agencies and the national media. Using USAID's "Gender and the Law" initiative the United States addressed the needs of Muslim women, particularly in family matters. The program organized a national level conference promoting dialogue between religious leaders, members of the All India Muslim Personal Law Board, women's rights activists, academics and non-governmental organization (NGO) representatives and is

now undertaking rights awareness campaigns at the grassroots level.

The United States supported a wide range of initiatives to encourage religious and communal tolerance and freedom. During Ramadan, Embassy officers hosted several Iftaar dinners to promote better relations with the Muslim community and continued to meet with religious leaders of the Hindu, Muslim, Christian and Buddhist communities. In addition, the Department of State's Bureau of South Asian Affairs hosted an Iftaar dinner bringing together diplomats from the Bangladesh, Pakistan and Indian Embassies. The Embassy expanded the Urdu and Hindi editions of SPAN magazine, exploring issues such as globalization, conflict resolution, human rights, academic freedom and inclusiveness toward women and minorities.

The Embassy continued to assist the U.S. Labor Department in running a joint U.S.-India "INDUS" child labor project implemented through the International Labor Organization. Each Government is providing funding to bring children out of the workplace and into school. The project aims to remove 80,000 children from work situations over three years.

During the year, the Embassy worked with Indian officials and international organizations to combat the growing problem of trafficking in persons (TIP). The Ambassador discussed trafficking on numerous occasions with senior government officials, including the Home Minister and Foreign Minister, to demonstrate the importance of this issue in U.S. foreign policy. The United States funded NGO projects to prevent trafficking, develop training modules for police and government officials to recognize, investigate and prosecute trafficking and establish shelters and programs to protect female victims of gender crimes. The United States, through USAID

and the UN Office on Drugs and Crime funded a total of 24 NGO programs to raise public awareness of at-risk groups, expand victim assistance and improve cross-border collaboration between law enforcement and civil society.

Using USAID's South Asia Regional Initiative on Equity for Women and Children (SARI Equity) the United States funded a three-year project which has convened trafficking prevention policy reform action groups throughout South Asia and during the year, made approximately 11 grants to South Asian anti-trafficking NGOs. These interventions by the SARI-Equity have produced policy reform progress in the area of trafficking. SARI-Equity also expanded its programs to address cross-border efforts and a Victim Witness Protection Program in Mumbai. The United States also funded the National Human Rights Commission's (NHRC) study on trafficking in persons. The Supreme Court ordered the study's report distributed to all states and encouraged states to use its recommendations as the baseline for their reporting on trafficking. The Government cooperated with a USAID partner to present 20-India-wide workshops on trafficking prevention. At the national level, the National Law Commission of India accepted SARI-Equity's Regional Victim-Witness Protection Protocol, a piece of model legislation designed to improve prosecution and conviction rates.

On the state level, the state of Maharashtra incorporated the Victim Witness Protocol into its draft State Plan for Trafficking Prevention. The states of Maharashtra, Andhra Pradesh and West Bengal have altered their policies to permit NGO participation in the management of state homes for rescued victims of trafficking, resulting in noticeable and substantial improvements in the living conditions of the girls.

The Embassy sponsored a month-long series of training seminars with India's three police detective academies on investigating rape and child sexual abuse. These workshops were followed by two one-day workshops which trained a mixed audience of approximately 300 police, government officials, NGOs, attorneys, psychologists and physicians on investigating child sexual abuse.

The Consulate General in Calcutta organized a workshop to inform private corporations about anti-trafficking efforts and to introduce them to NGOs from eastern India working in the field. At the workshop, the Ambassador stressed the need for greater cooperation to end the scourge of trafficking, and expressed U.S. determination to eliminate this problem and to help like-minded governments do the same. The U.S. Department of Justice provided trainers from the International Criminal Investigative Training Assistance Program to conduct sex crimes courses in Calcutta in collaboration with the Central Detective Training Institute for regional police personnel.

## Maldives

The Republic of Maldives has a parliamentary style of government with a strong executive, headed by President Maumoon Abdul Gayoom, the longest-serving head of State in South Asia. Although President Gayoom began a process to strengthen democracy and introduce political reforms during the year, the Government's human rights record remained poor. The President's power to appoint members of the parliament and the absence of political parties constrained citizens' ability to change their government. Although the president issued orders designed to protect the rights of detainees, there were reports of the abuse of prisoners, especially in the wake of the August 2004 civil unrest where citizens demanded implementa-

tion of greater democratic freedoms. The Government continued to limit freedom of the press, the formation of political parties, freedom of assembly and association and freedom of religion. The Government also restricted internationally recognized worker rights.

The Government's crackdown on outspoken reformists, including members of the Special Majlis raised questions about President Gayoom's commitment to reform. During 2004 - the first year of his sixth term - the president declared a state of emergency, which suspended fundamental rights and permitted detention without charge and restricted access to an attorney, in the wake of the August unrest. Although the state of emergency was rescinded in October, the Government prepared charges of sedition against several parliamentarians, some of whom had been held in solitary confinement for over 60 days. The charges were dropped in late December.

President Gayoom announced his commitment to reform in a June 9 speech. In July, Secretary of State Powell visited Maldives and praised the Maldivian leader's efforts to reform the Maldives political system and expressed the U.S. Government's belief in the ability of the Maldivian Government to create a more open, democratic political process.

From August to December, U.S. diplomats engaged in discussions with the Maldivian Government to encourage the fair treatment of all detainees as well as to gauge the Government's commitment to reform. Press statements, both from the U.S. Embassy in Sri Lanka and the Department of State, publicly called on the Maldivian Government to treat detainees in accordance with international standards of human rights. During multiple visits to Maldives, U.S. officials, including the Ambassador and Deputy Chief of Mission, successfully persuaded the Government to allow U.S. officials access to some of the

detainees, including those who had been transferred to house arrest.

In May, Assistant Secretary of State for South Asian Affairs Christina Rocca met with President Gayoom and the Foreign Minister and stressed the importance of due process and political reform. Following the unrest in August, Acting Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor Michael Kozak met with the Maldives Permanent Representative to the UN and reiterated the same message. In the aftermath of the December 26, 2004 tsunami, which affected one-third of the inhabited islands in Maldives, President Gayoom ordered all charges to be dropped against everyone detained after the August unrest, except for one person, who had been indicted in connection with the unrest.

The United States has pursued the promotion of human rights in the Maldives with a variety of other actions. Through U.S.-funded training, Maldivian police officers participated in police investigation and management training classes. The Maldivian Police Department, which separated from the National Security Service in September 2004, will be able to utilize this training as it focuses on implementing community policing.

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

In December 2003, President Gayoom established the Maldivian Human Rights Commission (MHRC) by presidential decree. The Commission addressed human rights complaints throughout the year by investigating reported violations and took a leading role in monitoring the treatment of detainees

arrested following the August 2004 unrest. The Commission effectively functioned despite the Majlis' failure to pass implementing legislation for the human rights body. Under the presidential decree establishing the body, commissioners repeatedly visited detainees in prison, following up on reports of alleged human rights violations made by detainees' families and friends. Although one of the commissioners was also detained, the MHRC continued its work, publicizing its findings from prison visits. The Commission also called for an independent inquiry into the August civil unrest and detentions. Although the Maldivian Government eventually agreed to let the MHRC conduct an investigation, the Government stipulated that any inquiry must not be held publicly.

In response to the Commission's capacity-building efforts, the United States sent two commissioners to the United States in August 2004, to participate in the International Visitors Programs. To provide further expertise for the Commission, the U.S. Embassy received funding to bring several U.S.-based human rights experts to the Maldives to enhance the body's ability to address complaints as well as to educate the public on human rights.

At present, the Maldives does not have extensive labor laws, nor does the Government tolerate the formation of unions. The U.S. Embassy has been awarded funding to host a labor seminar to bring together Maldivian Government and civil society leaders with regional experts on labor issues in order to assist the Government in redrafting its labor laws.

## Nepal

Nepal's nascent 12-year experience with multiparty democracy suffered a severe setback with the King's recent dismissal of the Prime

Minister and the cabinet, declaration of a state of emergency, and suspension of basic human rights. The United States regards the successful political resolution of the violent nine-year insurgency in Nepal as a fundamental precondition for major improvements in the area of human rights and democracy. All efforts to protect human rights and develop democratic institutions in Nepal are hampered by this insurgency. Amidst the ongoing Maoist insurgency, security forces have engaged in serious human rights abuses, including unaccounted-for detentions, abuse and disappearance of detainees, torture, and employing arbitrary and unwarranted lethal force. Pervasive corruption and social, economic, gender, caste and ethnic inequalities, make many Nepalese susceptible to Maoist influence and propaganda. Institutional weaknesses hamper the Government's ability to respond appropriately and effectively to human rights violations. Violence against women, trafficking in women and children, child labor, the rights of women and refugees and the impact of insurgency-related violence on children remain serious human rights concerns.

The leaders of the Communist Party of Nepal (Maoists) have made clear their goal of establishing an authoritarian single-party state. Pursuing their goals, the Maoists have systematically employed violence and terror and have committed serious human rights abuses, including torture, killings, bombings, extortion, forcible conscription of child soldiers, and the forced closure of schools and businesses.

The U.S. human rights and democracy strategy is grounded in the conviction that human rights and democracy in Nepal are best protected by a negotiated settlement of the Maoist insurgency. To these ends, the United States engages the Government, its security forces, the international community, and civil society to facilitate a common vision for a peaceful,

prosperous and democratic Nepal. Simultaneously, the United States works to mitigate the deleterious effects of the insurgency and address Nepal's legacy of inequalities by encouraging these same actors to build institutional capacity to translate principles of democracy and human rights into practice. Areas of engagement include electoral and political reform, civic education, good governance and rule of law. Other areas include support for judicial reform, conflict management and mitigation, international humanitarian law and civil military relations, rehabilitation of torture victims, women's political participation, support for refugee communities, and combating child labor and trafficking in persons.

The United States interacts regularly with political leaders, the Government, security forces, the National Human Rights

Commission (NHRC), human rights non-governmental organizations (NGOs) and other sectors of civil society on the importance of restoring democratic processes and institutions, the rule of law and respect for human rights. Additionally, the Embassy encourages balanced public statements on human rights, including criticism of Maoist violence, by the international community, international organizations and international NGOs. Statements by these groups during the year have forced the Maoists to declare their policies on human rights matters publicly, and thereby exposed the widening gap between their stated policies and their actions.

The Embassy and senior U.S. officials, including USAID Administrator Andrew Natsios, the Assistant Secretary of State for South Asian Affairs Christina Rocca, and the Principal Deputy Assistant Secretary of State for South Asian Affairs Don Camp, urged the

### Katmandu, Nepal

**Pro-democracy students carry torches and call for restoration of the democratic system.**



AP Photo

Government, both publicly and privately, to focus its efforts on reducing abuses and on increasing transparency in military and police investigations when abuses are alleged. The Ambassador repeatedly emphasized the importance of protecting human rights and restoring democratic practices, including through a well-received speech at the Kathmandu School of Law entitled, "Support of U.S. Government in Protection of Human Rights and Conflict Transformation." The Embassy widely distributed the text of this speech, as well as human rights-related reports of the State Department in both English and Nepali.

During the year, Nepal's Chief of Army Staff made public visits to the NHRC and to the Supreme Court to discuss human rights and ways to improve the relationship between the military and the two institutions. During the year, the Government opened a detention facility to house detained suspected Maoists while they were being interrogated. Family members, lawyers and human rights groups were given access to the facility, but in some cases, access was limited or denied. During 2004, the Government formed a five-member committee to investigate disappearance claims and had identified the location of 382 missing individuals. The Foreign Military Financing section of the U.S. 2005 Foreign Operations Act requires the Government to improve human rights practices or face a loss of military assistance, and the Embassy has repeatedly emphasized the importance of meeting the Act's requirements in discussions with Government officials, the judiciary and the NHRC.

To assist the military to improve its human rights record through engagement, the United States sponsored a seminar on Operational Law for Internal Conflicts for senior members of the security forces, the Royal Nepal Army (RNA)'s Judge Advocate General's office, as

well as members of the national media. The United States also sponsored several RNA soldiers to attend International Military Education and Training program courses, many of which contained instruction on rules of engagement and the respect for human rights. Through the Joint Combined Exchange Training program, the United States provided training for the RNA and focused heavily on rules of engagement and civil-military affairs.

The United States is providing funding to rehabilitate victims of torture and offer comprehensive medical and psychological care to torture survivors and their families. Since mid-2002, the program has trained 179 medical professionals in forensic medicine to enable them to better document torture cases, and provided more than 3,104 torture victims and their families with comprehensive medical and psychological care as well as legal counseling. Ten newly-established district Psychosocial Support Units provide care and support to trauma and torture victims. More than 219 female torture victims have received comprehensive rehabilitation services. Mobile treatment clinics have served 945 clients and conducted awareness programs on legal rights.

To strengthen independent non-partisan human rights groups, the United States provided funding to the NHRC to employ a software tool to securely record and store human rights investigations. The United States also supported a local NGO to work with the NHRC in conducting a legal review of Nepali law that is inconsistent with international standards of human rights and norms of fair trial and studied the impact of security-related laws on the local population in five sample districts.

The United States recognizes that the rule of law and a healthy judiciary are critical to the protection of human rights. In July, the

United States initiated a program with the Nepali judiciary and civil society to modernize the justice sector and strengthen the national capacity to combat corruption. This initiative will strengthen the legal framework to protect human rights of women and the disenfranchised, and ultimately help address the problem of disappeared persons. In 2004, the United States also signed an agreement with the Government to provide assistance for curriculum development and training support for Nepal's new Judicial Academy.

In Nepal, the poor cannot afford the legal costs involved in dealing with the corruption-prone formal justice system. Nepal's 1999 Local Self Governance Act offered a chance to begin building Nepal's alternative dispute resolution capacity to promote peaceful resolution of disputes outside of the formal system. By the end of 2004, the U.S.-sponsored community-based alternative dispute resolution program has trained more than 60 master trainers and 1,330 community level mediators. More funding will be used to expand these activities, leading to a nationwide alternative dispute resolution program.

United States assistance to Nepal's Commission on Investigation of Abuse of Authority (CIAA) has helped it to increase its investigation and prosecution capacity. In a 2004 national survey, Nepalese identified corruption among their top three concerns (along with unemployment and Maoist violence), and identified the CIAA as the most well regarded of the national institutions surveyed. In 2004, the court that hears corruption cases convicted a former minister and political leader of the ruling party, indicted three former Inspector Generals of Police and prosecuted over 98 cases of corruption.

The United States continues to provide assistance for electoral processes and political party development and reform. In early 2005

the United States began a two-year program that includes support for internal political party reform, developing dialogue among political party and civil society leaders and assistance to expand the Government's election planning capacity.

The United States also provides support and training for Nepal's political parties to help them develop healthy and transparent internal processes, to represent their constituencies effectively and to expand internal opportunities for women and traditionally disenfranchised groups. In 2004, the United States completed a three-year program on women's political participation that trained over 12,000 women in political campaigning and leadership skills, and invested funding in civic education programs, including activities such as voter education, curriculum development and book translations.

To promote women's development initiatives and expand their political roles, the United States supported several rural and urban women's empowerment programs, enabling many women to become financially independent. In 2004, due to public interest litigation by an NGO that had received some U.S. assistance, a landmark Supreme Court decision struck down a provision in Nepal's civil code that had prevented women from retaining inherited property after marriage.

The United States continued to assist approximately 100,000 Bhutanese refugees in Nepal through significant contributions to the UN High Commission for Refugees and the World Food Program. The Ambassador's Fund for Refugees allowed 260 teenage Bhutanese refugees to continue their high school education. The Embassy engages the Government and other interested parties to promote durable solutions for the Bhutanese refugee population. The United States also continued to provide significant support for Tibetan



refugees in Nepal. The United States is working with the Nepalese Government, UNHCR and the Tibetan community to ensure that the closure of the Tibetan Refugee Welfare Office does not impact the well-being of Tibetan refugees.

In 2001, the United States began a three-year "time-bound" program to eliminate the worst forms of child labor. The United States also funds an International HIV/AIDS Workplace Education project.

Since 2001, the United States has supported a four-year program to combat human trafficking. The program includes economic alternative programs for vulnerable groups, education programs and rights-based training for the Government's anti-trafficking task force members. Achievements include a policy to protect and promote the rights of migrant workers, increased convictions of traffickers, and a growing number of victims rescued at the community level.

## Pakistan

Pakistan is a federal republic. President and Chief of Army Staff Pervez Musharraf, who assumed power following the military's 1999 overthrow of elected Prime Minister Nawaz Sharif, has repeatedly stated his intention to transform Pakistan into a moderate, democratic Muslim state. In December 2003, the National and Provincial Assemblies passed the 17th Amendment to the Constitution which transferred a number of powers from the Office of Prime Minister to the President and exempted Musharraf from a prohibition on holding two offices of state until the end of the year, allowing him to remain as Chief of Army Staff. In October, over opposition protests, parliament passed another bill which extended this exemption until 2007. Local elections in 2000 and 2001 and national and

provincial parliamentary elections in 2002 established functioning civilian legislatures. While domestic and international observers criticized the elections for being seriously flawed, the resulting bodies are beginning to engage in national political debate and are working to develop mechanisms to check the power of the executive. The Assembly has required senior civil servants to appear before committees to testify on government actions, and held hearings on the defense budget and military operations in the Federally Administered Tribal Areas. The Senate convened a special committee on Balochistan and produced a critical report on Okara Farms. The Government has committed that new local elections will be scheduled for 2005 and national elections to be held no later than 2007 will be free and fair. The United States will continue to encourage the Government to adhere to this commitment and will provide needed support. Both contests will be important indicators of the political will for democratization.

The Government's human rights record remained poor, although there were some improvements in several areas. Constitutional amendments passed by the Government have strengthened the powers of the President at the expense of the National Assembly. The military remains heavily engaged in politics, and President Musharraf's decision to continue as Chief of Army Staff has spurred political debate. Political parties are generally weak, undemocratic institutions centered on personalities instead of policies. The judiciary is corrupt, inefficient, and malleable to political pressure. Politically motivated prosecutions of opposition figures continue, as do concerns that opposition leaders or their parties are not always allowed to function freely. Leaders of three major parties remained outside the country, and the leader of one opposition party in parliament remained in prison appealing a conviction for sedition. Despite

its increasing freedom, the media lacks journalistic standards and continues to practice self-censorship in some areas. Security forces have committed numerous human rights abuses, including extra-judicial killings and torture. Societal discrimination and violence against women and religious minorities persist.

The Pakistani Government has over the last year increasingly opened the landscape for political debate. Opposition parties and civil society are beginning to criticize the Government and its policies, however, some political opposition leaders remained in prison or in exile abroad. While the Government has loosened restrictions on the right to assembly, it still denied permits or imposed restrictions on certain groups, such

as the Ahmadis. Measures against terrorist and extremist groups advocating and perpetrating sectarian and religious violence have continued, as have efforts to reform the education system. The Government has passed new legislation to address honor killings and to prevent abuse of laws against blasphemy, adultery, and fornication. Human rights groups remained concerned that perpetrators of honor crimes, in a limited number of cases, could still be pardoned by the victim or heirs. Strategies to combat child labor and trafficking in persons have been accelerated in cooperation with international donors and non-governmental organizations (NGOs).

The United States believes that the success of Pakistan's democratization efforts is critical to the strength of our long term relationship and



**Peshawar, Pakistan**

**Afghan women refugees, living in a refugee camp, arrive at a polling station to cast their vote in the country's first-ever direct presidential election.**

AP Photo

will positively contribute to its effective participation in the Global War on Terrorism. The U.S. strategy has focused on the promotion of free and fair local and national elections, the strengthening of the capacity of the National Assembly; democratization and institutional strengthening of political parties, improved local governments that are functioning and accountable, and increased respect for the rule of law, including professionalizing law enforcement personnel, and promoting an appropriate role for the military. Senior U.S. officials such as Secretary of State Powell underscored with the Pakistani leadership the need to press forward on democratization and to prepare the groundwork for free and fair parliamentary elections not later than 2007. United States officials also urged respect for human rights by security force personnel, improved legal and judicial systems, and continued actions to curtail the activities of extremist groups. In their public statements, both then Ambassador Powell and Ambassador Crocker stressed the importance the United States attaches to building a fully functioning democracy in Pakistan and the need to continue to strengthen democratic

institutions and improve the rule of law.

On the human rights front, the United States continued to work with the Pakistani Government, civil society institutions, and international organizations to combat religious discrimination and violence, trafficking in persons, child labor and legalized discrimination against women. For example, when opposition leader Javed Hashmi was sentenced in April for sedition, the United States expressed concern with the closed nature of proceedings against him, and urged that the case be handled in a fair and transparent manner. In May, when the Government did not allow member of the opposition Shahbaz Sharif and brother of deposed former Prime Minister to enter Pakistan, the United States encouraged the Government to resolve the matter in a transparent manner, within the context of Pakistan's legal system. The United States also urged the Government to release or charge journalists held in incommunicado detention.

The United States, through USAID is actively engaged in a multi-year strategy to strengthen



**Mithi, Pakistan**

**Villagers wait in line to cast their votes.**

AP Photo

Pakistani democratic institutions. Through its legislative strengthening program, the United States provides training to national and provincial parliamentarians that strengthens their secretariats and research capacity; helps to develop a functioning committee system; and promotes regular dialogue between constituents and civil society organizations.

Through its political party strengthening program launched in 2004, USAID worked with the leadership of all major political parties to train future political leaders in campaign finance, platform development and candidate selection. The U.S. Department of State's Bureau of Democracy, Human Rights, and Labor (DRL) is complementing these efforts by working with the National Democratic Institute to train emerging female political party leaders and improve their capacity to campaign for elected office, serve the public as elected officials, and develop the local capacity of women political leaders to train other women members and elected officials. The United States continued to advocate for the adoption of internally democratic mechanisms in political parties as a way to promote greater government accountability. At the local level, USAID supported the National Reconstruction Bureau in establishing and strengthening local government institutions and encourages cooperation between communities, the private sector, and local governments through district grants.

The United States believes that the strengthening of media institutions and civil society is critical for the long-term development of Pakistani democracy. Under its media support program, USAID worked to develop improved journalistic training in journalism departments at two leading universities and to provide alternative sources of information to media outlets. The United States, through DRL also worked to train broadcast journalists

to improve their capacity for investigative reporting. The U.S. Embassy and Consulates maintained an active dialogue with journalists and advocates for an improvement in their standards of journalism. Moreover, the Embassy regularly nominated journalists as participants in the State Department's annual International Visitors Program. Senior U.S. officials have regularly raised the need to respect press freedom with the Government and have raised specific, high-profile violations of press freedom and pressed for redress.

During the year, the United States concluded a multi-year assistance program to civil society organizations. Under this program, USAID provided assistance to train leading civil society organizations in effective advocacy tools and to organize dialogues with the Government on key policy issues. The program has greatly expanded civil society capacity and led to increased and regularized engagement with the Government.

The United States continued to encourage the Pakistani military to play an appropriate role in the emerging democratic set-up and to refrain from interference in domestic politics. Through the International Military Education and Training Program, the United States continued to provide emerging military leaders with professional development opportunities that emphasize the importance of improved civil-military relations and civilian control of the military. During the year, the United States continued a dual strategy to combat human rights violations by security forces, combining direct training with advocacy and victim assistance. The United States has worked with the National Police Academy and Police College Sihala to develop and implement new training curricula for law enforcement personnel. The curricula focus on criminal investigation techniques, strategic planning and law enforcement management.

Courses incorporate elements that stress the rule of law and respect for human rights.

The United States continues to advocate for the elimination of discrimination against women and children. The United States has remained engaged with local women's rights NGOs and has provided support for their advocacy efforts to strengthen penalties for domestic violence and honor killings and to reform the discriminatory provisions of the nation's legal system. The United States, through DRL provided support to a U.S.-based NGO working with a local women's organization in Pakistan to promote respect for international human rights norms and women's rights advocacy amongst legal aid practitioners and human rights advocates. Local program partners are conducting training courses for lawyers, judges, civil society activists and other opinion makers to offer support to victims of human rights abuses. Partners are researching and tracking human rights abuses and creating a Human Rights Action Forum in collaboration with other human rights NGOs to further their advocacy efforts.

The United States has continued efforts to combat religious discrimination in Pakistan. The U.S. Embassy has pressed the Government to reform discriminatory legislation such as the so-called anti-Ahmadi laws and has encouraged its efforts to prevent abuse of the blasphemy laws. United States officials have spoken out against sectarian violence within the country's Muslim community and urged the Government to continue its efforts to dismantle organizations responsible for such violence. The U.S. Embassy maintains close ties with the Christian, Ahmadi, Shi'a, and Hindu communities and raised cases of discrimination and violence against such groups with the Government. In addition, the Embassy has actively engaged with the country's religious leadership, advocating

tolerance and promoting President Musharraf's vision of enlightened moderation. The United States continued cooperative efforts with the Government as part of the Global War on Terrorism to apprehend terrorist suspects and curtail the activities of terrorist groups. Pakistani law enforcement implicated such groups in sectarian and extremist violence against religious minorities by arresting a few of these perpetrators.

As part of its education program, USAID assisted the Government in its reform efforts and in school construction. The Federal Minister of Education, Javed Ashraf Qazi, vigorously promotes the philosophy of enlightened moderation. At a USAID sponsored education policy dialogue workshop with senior education officials he stated that "the root cause of terrorism in Pakistan is the lack of quality education." The Minister also challenged senior staff members to do away with irrationality and extremism and to modernize Pakistan's curriculum for the benefit of the nation and its children.

Similarly, the United States maintained close contact with local NGOs working on behalf of children. During 2004, the United States continued to support the International Labor Organization's International Program for the Elimination of Child Labor in Pakistan. This project targets working children and children at risk of entering the work force by placing them in non-formal education centers to learn basic literacy and numeric skills with the goal of mainstreaming them into the government school sector. United States officials have continued to press for revision of labor legislation to ensure its compliance with international standards. During the year, the United States funded work with local labor unions to strengthen their ability to advocate effectively for increased labor rights and to protect workers' interests more ably.

During the year, the United States established a program to assist the Pakistani Government in combating trafficking in persons. This program utilizes a three-pronged approach emphasizing prevention, prosecution and protection of victims. The International Organization for Migration (IOM) is concluding a U.S.-funded study on the nature and extent of the trafficking problem in Pakistan and has conducted a series of awareness-raising activities in collaboration with the Interior Ministry and local and provincial officials. With U.S. assistance, Pakistan has established a dedicated Anti-Trafficking Unit and finalized implementing regulations for its Anti-Trafficking Ordinance. The United States, IOM, and the Pakistani Government are finalizing the establishment of a model shelter to protect and assist victims of trafficking.

## Sri Lanka

Sri Lanka is a democratic republic with an active multiparty system. From 1983 until 2001, the Government fought the Liberation Tigers of Tamil Eelam (LTTE), a terrorist organization advocating a separate ethnic Tamil state in the north and east of the country. In 2001, the Government and the LTTE each announced unilateral cease-fires and signed a formal cease-fire accord in 2002. While the Government manages most of the country, the LTTE controls roughly 15 percent of Sri Lanka in the north and east and has influence in a significant percentage of the country. The conflict had a significant impact on human rights and democracy issues in Sri Lanka. While the Government generally respected the human rights of its citizens, there were serious problems in some areas. There were extensive reports of torture and custodial deaths as a result of police torture. To address the issue of government accountability for past abuses committed during the war, the Government investigated some past abuses by security and armed forces person-

nel. The Government continued to hold Tamils under the Prevention of Terrorism Act (PTA), which permitted arrests without warrants and non-accountable detention.

Violence and discrimination against women, and child prostitution occurred. Violence against religious minorities increased, and institutionalized ethnic discrimination against Tamils was still a concern. Safe migration is a significant issue in Sri Lanka, as approximately one million women are employed as domestics in the Gulf States and reports of physical and sexual abuse and denial of wages may affect up to ten percent of workers. Trafficking in women and children for the purpose of forced labor occurred and there was some trafficking of women and children for the commercial sex industry.

The LTTE continued to commit serious human rights abuses. The LTTE was responsible for politically motivated killings, arbitrary arrest, torture, harassment, abduction, disappearances, extortion and detention. The LTTE continued using and recruiting child soldiers. Through a campaign of intimidation, the LTTE undermined the work of elected local governments in Jaffna and the east. The LTTE denied those under its control the right to change their government, killed candidates standing for office and did not provide for fair trials. In addition, it infringed on privacy rights and discriminated against ethnic and religious minorities.

The United States has taken an active role in pressing for greater human rights and democracy initiatives in Sri Lanka. For most of 2004, U.S. human rights and democracy initiatives focused on the peace process and on bolstering freedom of the press, freedom of religion, fair labor practices and the rights of women and children. Then-Deputy Secretary of State Richard Armitage raised the importance of the peace process and the human rights situation

in Sri Lanka on different occasions. On December 26, a large-scale tsunami devastated significant parts of the southern, northern and eastern coastal areas of the country, killing, injuring and displacing thousands of people. The Government and international non-governmental organizations (NGOs) attempted to ensure that relief efforts were effectively administered throughout the country to include LTTE-controlled areas. However, media reports aired charges by both the LTTE and the Government that disaster assistance was being used for political gain.

The United States contributed aid and supplies to areas devastated by the tsunami. Additionally, USAID funded the local office of the American Center for International Labor Solidarity (ACILS) to help raise post-tsunami awareness about the risk of trafficking among vulnerable groups, mainly women and children, as well as help tsunami-displaced persons obtain legal services. The grant will fund centers operated by ACILS partners to support the needs of community organizations working on these issues.

Major democracy initiatives in 2004 focused on the April parliamentary election. During the election, 11 teams from the U.S. Embassy visited different locations around the country, excluding LTTE-controlled areas. The teams reported that in the south, the election was relatively free and fair; however, in government-controlled parts of northern Sri Lanka, there was evidence of vote rigging and ballot falsification.

To aid election monitoring efforts, the United States supported the National Democratic Institute for International Affairs to fund the two largest indigenous election monitoring groups in Sri Lanka. For the first time, Sri Lankan NGO representatives were permitted in polling places and were able to observe election conditions in most parts of the coun-

try. In October 2004, the United States sponsored a national symposium on electoral reform based in part on the observations of the local election monitoring groups.

The United States provided funding to the Sri Lankan Press Institute, the only independent institution working for greater press freedom, which it used to begin a library and purchase textbooks.

For the second consecutive year, the United States conducted a national survey which focused on the rule of law and the Sri Lankan peace process. The United States shared the survey results with government officials, using them to detail how the Government might better implement rule of law initiatives.

In line with the United States goal of helping Sri Lankans achieve a political solution to ethnic conflict, the Embassy focused on retraining Sri Lankan police to focus on community policing. With U.S. funds, members of the U.S. law enforcement community led courses on basic investigative techniques and management, and worked with their Sri Lankan counterparts to integrate these skills and techniques into the local law enforcement curriculum.

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

The U.S. Department of States' Bureau of Democracy, Human Rights and Labor (DRL) provided assistance to help strengthen the capacity of the National Human Rights Commission, a government-appointed body adjudicating human rights complaints.

As part of the outreach efforts to address human rights issues in Sri Lanka, the United States organized numerous International Visitors Programs (IVPs). Six community leaders participated in IVP in 2004; two university student leaders participated in the "Student Leaders in Civic Responsibility" program; two participants attended a IVP program on effecting political and economic change; and a Buddhist monk participated in an IVP program on civic education in religious schools. One civil society leader also attended the "Young Leaders: Effecting Social, Political, and Economic Change."

In June, the United States completed a grant to North Illinois University to establish a program to help women in business and government in Sri Lanka encouraging women's participation in local government and entrepreneurial activities. Using another grant, the United States established a training program to increase management skills for Sri Lankan civil society representatives involved in human rights and democracy activities.

Sri Lanka is predominately Buddhist, but it also has sizeable Christian, Hindu and Muslim populations. The Embassy documented evidence of Buddhist harassment of Christians, especially those belonging to evangelical denominations. In 2004, Ambassador Lunstead held high-level meetings with the president and former and current Prime Ministers of Sri Lanka concerning religious freedom. Throughout the year, U.S. officials, including then Assistant Secretary of State for DRL Lorne Craner and Ambassador at Large for International Religious Freedom John V. Hanford met with Sri Lankan Government officials to discuss ongoing attacks against Christian churches, pastors, and congregants and the negative implications of proposed religious "anti-conversion" legislation, which would criminalize some religious conversions. By the end of the reporting period, the legisla-



Colombo, Sri Lanka

**A Sri Lankan policeman guards ballot boxes before the beginning of the general elections.**

AP Photo



tion had not passed. The United States continues to encourage government and religious leaders to find non-legislative means to address these religious issues.

In February, the U.S. Department of Labor's Deputy Undersecretary for International Labor Affairs, Arnold Levine, visited Sri Lanka to promote free trade initiatives and discuss Department of Labor programs in the country. Deputy Undersecretary Levine met with the Sri Lankan Labor Minister and discussed better labor-management relations. The U.S. Department of Labor, through the International Labor Organization, funds programs in Sri Lanka designed to eliminate child labor and help children who are the victims of trafficking and sexual abuse.

The U.S. Department of State's Assistant Secretary for South Asia Affairs, Christina Rocca and then Ambassador-at-Large for Counterterrorism, Cofer Black, met with Sri Lankan officials to discuss issues related to the LTTE's recruitment of child soldiers, child labor abuses and problems related to trafficking of women and children for the sex trade in September 2004.

The United States funded a conference for Sri Lankan criminal justice personnel to enhance their professional capabilities to prevent the trafficking of women and exploitation of children. The Sri Lankan National Child Protection Agency and Embassy organized a conference that featured presentations by three U.S. Government criminal justice experts in the field.



**Batticaloa, Eastern Sri Lanka**

**Election officials carrying ballot boxes to the counting center.**

AP Photo





