Human Rights Watch

Discrimination, Detention, and Deportation: Immigration & Refugees

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Annual reports

Human Rights Watch World Report 1998

ASIA

Contrary to expectation, the reversion of Hong Kong to China did not have the most impact on human rights in Asia during the year. The famine in North Korea, the currency crisis in Southeast Asia, and the forest fires in Indonesia unexpectedly vied for that honor. All served to weaken the shibboleths about human rights and economic development in Asia, highlighting the issue of government accountability. The fires, the economic crisis, and the coup in Cambodia also raised questions about the staying power of "Asian solidarity" that has been such a block to regional human rights initiatives in the past.

War, work, and religion were three other themes running through human rights developments in the region during the year. Ongoing internal armed conflicts in Afghanistan, Sri Lanka, East Timor, India's northeast, Kashmir, and the border areas of Burma continued to produce serious abuses by both government and opposition forces and a growing population of refugees and internally displaced people. Labor rights remained a top priority of activists in the region, with bonded labor an ongoing issue across South Asia, forced or compulsory labor a continuing problem in Burma, Tibet and Vietnam, and restrictions on the right to organize source of deep concern in Indonesia and China. International campaigns also highlighted abuse of workers in Asian-invested plants producing international name-brand footwear. The political use of religion by Asian governments caused human rights violations in Pakistan, China, Indonesia, Burma, and Vietnam, while arbitrary detention and torture continued to be a problem across the region.

Human Rights Developments

On the surface, the problems in North Korea and Southeast Asia could not have been more different. The secretive Stalinist government in Pyongyang, clinging to a home- grown ideology of self-sufficiency, seemed to be frozen politically, socially, and economically in the 1950s. In contrast, the urban elite of the capitalist, foreign investment-friendly societies of Thailand, Malaysia, Singapore, and Indonesia seemed in some ways to have already crossed the bridge to the twenty-first century. It was the governments of these "miracle economies" of Southeast Asia, together with China, that produced the spurious "Asian values" claim, arguing that the welfare of the community through economic development had to take precedence over protection of individual rights, and that Asians valued efficiency over democracy. Many western analysts bought the argument, often adding that a strong, centralized leadership not beholden to particular constituencies and capable of taking unpopular decisions at critical times was responsible for the soaring rates of economic growth.

But when the Asian bubble burst in July, with the collapse of the Thai currency and dangerous smog spread over Southeast Asia, the comparison to North Korea did not seem so farfetched. North Korea's catastrophe was only a more extreme version of a central problem besetting Southeast Asia: lack of government accountability. It seemed to underscore the accuracy of philosopher Amartya Sen's contention that famines- as opposed to crop failures- only take place in countries with tight restrictions on freedom of expression.

The absence of checks on executive power also contributed to Southeast Asia's woes. One lasting image for the year may well be the larger-than-life videoscreens of Malaysian Prime Minister Mahathir and financier George Soros trading accusations at the World Bank meeting in Hong Kong in September over who was responsible for Southeast Asia's economic crisis. Mahathir blamed Soros and western speculators in general, going so far as to suggest that Soros was out to punish the Association of Southeast Asian Nations (ASEAN) for admitting Burma as a member in July. Soros countered that the crisis in the region might have been averted by a freer press and less corruption.

Certainly Malaysia, Singapore, and Indonesia continued to punish those who released damaging information about the government or who portrayed government leaders in a negative light. Singapore continued to rely on criminal defamation suits, with two opposition politicians, Jayaretnam and Tang Liang Hong, the particular objects of its wrath. Meanwhile, in Thailand Prime Minister Chavalit established a "News Analysis Center" under the Ministry of the Interior, ostensibly to ensure accurate reporting at a time when the government was blaming negative press articles for some of the country's economic problems.

Lack of government accountability and corruption are also believed to have been factors in the forest fires that raged through Sumatra and Kalimantan, Indonesia, in the latter half of the year. One cause of the fires was a prolonged drought, but another was the Indonesian government's granting of timber concessions to Soeharto family cronies and the clearing of land for palm oil plantations, both over the opposition of local peoples and both resulting in the destruction of wide swathes of rainforest. The argument that controls on freedom of expression and association lessened the possibility of finding correctives to bad development policies had fallen on deaf ears as long as the negative impact of those policies stayed within national boundaries. By late 1997, with the smog causing serious health hazards in at least three countries besides Indonesia, the argument was beginning to carry more weight.

One result of the problems in East and Southeast Asia was that Indian democracy gained new respect. Singaporean officials, in particular, had been fond of pointing out that if India and the Philippines were examples of Asian democracy, they wanted none of it. Open political processes, in their view, produced chaos and perpetuated poverty. China, with all its human rights problems, was doing more to improve the standard of living of its people than India. That view began to change during the year. More realistic assessments of long-term growth in the region laid stress on the importance of the rule of law, independence of the judiciary, political accountability, and the need for building up popular consensus to sustain economic reform programs, and the same analysts bewitched by the "Asian values" argument of the mid-1990s were beginning to see India as perhaps a better investment prospect than China.

The currency and forest fire crises in Southeast Asia, combined with the coup in Cambodia, also brought into question the notion of "Asian solidarity" in a way that had implications for human rights. While frictions among South Asian countries had long been public and bitter, the governments of East and Southeast Asia had tended to observe a code of silence with respect to each other's practices. Not only did they traditionally refrain from any public criticism of their neighbors, but they even allowed the more repressive countries of the region to set the lowest common denominator for human rights. Thus, in November 1996, the youth wing of the ruling party UMNO, backed by Malaysian police, broke up a conference on East Timor and deported the largely Asian participants, so as not to cause offense to Indonesia. In August 1997, apparently for the same reason, the Singaporean government requested the Foreign Correspondents' Association to cancel a plannedlecture by Indonesian opposition

politician, Megawati Soekarnoputri. No government official would publicly criticize Burma or China for its human rights practices, arguing the case instead for quiet persuasion. The code of silence was adopted partly as a reaction to western pressureon human rights-a statement on May 25 by U.S. State Department spokesman Nicholas Burns saying Burma should not be admitted to ASEAN was widely believed to be the act that convinced the last holdouts in ASEAN to drop their objections- and partly for self-protection of the individual member governments. It meant, among other things, that it was ludicrous to even think of a regional governmental Asian human rights charter, court, or commission because there was such a reluctance to interfere in what were perceived as the domestic affairs of one's neighbors. Indeed, according to the *Economist* magazine in July, ASEAN "has given the impression of being a club without even minimal standards of political behavior." ASEAN's call in July, at Prime Minister Mahathir's instigation, for a review of the Universal Declaration of Human Rights, did nothing to dispel that impression.

But cracks in the facade of unity were showing. The most important factor was the Cambodian coup of July 5-6, carried out by Hun Sen just before Cambodia was to be formally admitted as a member of ASEAN. Singapore was one of the first countries to speak out against the violence, and ASEAN as a whole held an emergency meeting within days of the coup and decided to put Cambodian membership in the regional body on hold. As ASEAN mounted a mediation effort led by Indonesian Foreign Minister Ali Alatas, Malaysian Deputy Prime Minister Anwar Ibrahim coined the phrase "constructive intervention,, as opposed to "constructive engagement," to describe the body's newfound role.

Then, as the Asian currency crisis deepened, Malaysians wondered publicly whether if they had voiced concerns about Thailand's problems earlier, some of the spillover effects of the problem might have been avoided. In October, a Singaporean paper, *The Sunday Times*, made similar comments about the forest fires. It said that while information about Indonesia as the source of the smog problem had been apparent as early as May 1997, Singapore's Environment Ministry requested the press not to publish the information because of "regional sensitivities," according to an October 12 Reuter dispatch. The paper acknowledged that keeping the information from the public in Singapore and elsewhere also meant that there were no demands on Indonesia from affected governments to take action to address the problem. "If only everyone concerned who had been monitoring the situation closely had spoken out about it early, clearly and loudly enough, the region may not have suffered the unmitigated environmental, public health and economic disaster that followed," Reuter reported the paper as saying. If governments of the region became well aware of the transnational impact of poor economic and environmental policy, it remained to be seen whether they would be willing to break the code of silence on their neighbors' human rights practices.

In other areas, long-festering problems remained much the same, with armed conflict remaining a major source of human rights violations. In Kashmir, elections in 1996 did little to reduce the incidence of rape and extrajudicial executions on the part of the Indian armed forces and groups working with them during 1997. In Afghanistan, summary trials and executions by Taliban forces got less attention than the group's efforts to ban women and girls from education and employment outside the home. In East Timor, attacks by guerrillas on army posts just before and after the May 29 elections sparked widespread arbitrary detention of young East Timorese men, often accompanied by torture, on the part of the Indonesian military; the guerrillas were also responsible for executions of civilians suspected of having links to Indonesian military intelligence.

Labor issues continued to be high on the agenda of local human rights groups. In China, new studies by researcher Anita Chan showed a system of bonded labor in some of the footwear manufacturing plants that have grown up in the country's booming coastal provinces, whereby migrant workers, recruited from inland provinces, are required to pay their employers a deposit for a temporary work permit which is then deducted from wages. She also documented widespread physical abuse of workers, including the use of electric batons by private security guards with links to the Chinese police. Chinese labor activists were among those who received particularly harsh administrative sentences during the year, and Chinese independent union organizer Han Dongfang, now resident in Hong Kong, remained banned from entering the mainland. In Burma, ongoing forced labor prompted the European Union to halt tariff benefits for Burmese agricultural exports. In Vietnam, reports of abuses of Vietnamese workers by Korean and Taiwanese managers in footwear factories were coupled with the Vietnamese government's announcement in May that families would be required to donate labor to the construction of the most massive infrastructure project in Vietnam's history, the construction of a north-south road running the length of the country. Bonded labor problems in South Asia, particularly India, Pakistan, and Nepal received new attention from the World Bank and other development agencies, with renewed emphasis on projects to eliminate bonded child labor in selected industries such as sericulture (silk production). In Indonesia, much of the labor activism was focused on a draft labor law that continued restrictions on freedom of association as well as on the issue of working conditions in Asian-owned plants in Java producing shoes for the Nike company. Independent labor union leader Mochtar Pakpahan moved back and forth between a hospital bed and his trial on subversion charges in a Jakarta court, as members of his union contined to face harassment, including brief detentions, during the year.

Finally, political manipulation of religion and communalism was another theme prevalent in Asia during the year. In Pakistan, in a gesture to religious conservatives, the government made permanent the *qisas* or retributive penalties mandating that punishments for certain crimes be equal to the harm caused. Persecution of the Rohingya Muslim minority continued in Burma's Arakan (Rakhine) state, causing a new outflow of refugees to Bangladesh, and attacks by Buddhist monks on Muslims in the central Burmese city of Mandalay in March were widely believed to have been instigated by the government as a way of increasing popular support. In Indonesia, it remained unclear whether government agents were involved in a series of outbreaks of communal violence prior to the May 29 elections, but the October trial of a well-known Catholic priest and social activist in Jakarta, on charges of harboring student radicals accused of subversion, was widely interpreted as a government effort to brand opposition leaders in heavily Muslim Indonesia as non-Muslim. In China, the government increased its control of organized religious activities, claiming that religion was being used by foreign powers to subvert and destabilize the country. The stepped-up control affected Protestants and Catholics, Muslims in Xinjiang and Tibetan Buddhists.

The Right to Monitor

Independent human rights organizations did not exist in Afghanistan, Bhutan, Burma, Brunei, China, North Korea, Singapore, or Vietnam. Where they were allowed to function, they remained vulnerable to various forms of intimidation, with individual activists facing threats, arrests, and sometimes death for their advocacy of rights and social justice. India continued to be one of the most dangerous places for human rights activists to work. Most of the attacks occurred in areas of conflict where human rights monitors were accused of sympathizing with armedopposition groups. Activists working with low caste or other marginalized groups in more remote rural areas were also targeted. Nevertheless, when rights organizations in the region acted in concert to advocate for common goals or to come to the assistance of beleaguered colleagues, they displayed remarkable strength. Governments, corporations and international financial institutions like the World Bank were forced to acknowledge their importance and include them (albeit sometimes grudgingly) in decision-making.

Regional networks expanded during the year, with nongovernmental organizations (NGOs) from India, Bangladesh, Nepal, Pakistan and Sri Lanka joining colleagues from East and Southeast Asia for strategizing on common concerns, including the impact of economic globalization and protection of labor and migrant rights in the context of the Asian-Pacific Economic Cooperation (APEC) organization. They (unsuccessfully) worked to prevent Burma from joining ASEAN and combatted national security legislation that infringed on civil rights. The Internet also played an increasingly important role in day-to-day communications among distant groups, allowing rapid responses to arrests of colleagues, threats to organizations, and other breaking news. Government attempts to control the Internet had little noticeable impact on the widening electronic network, in part because the governments most determined to put controls in place, such as China, Vietnam and Singapore, were also those where independent organizations were weakest.

In December 1996, more than one hundred activists from some twenty countries attended the Asia Pacific NGO Human Rights Congress in New Delhi, India. The meeting sought to enhance coordination among Asian rights groups to pressure governments, increase nongovernmental consultation in policy making, and counter attacks on the universality of human rights by Asian governments. The congress was an initiative of the Asia-Pacific Human Rights NGO Facilitating Team, a body of Asian NGOs that was formed in 1994 following the Vienna World Conference on Human Rights.

In January and February, nongovernmental activists throughout the region joined in celebration when Malaysia's attorney general dropped charges against participants in the banned Second Asia-Pacific Conference on East Timor (APCET II), which had been forcibly dispersed in Kuala Lumpur in late 1996. The attorney general also agreed to prosecute four members of a pro-government group who participated in the violent dispersal.

The case filed in 1995 by the Malaysian government against human rights activist Irene Fernandez continued to be a priority for NGO colleagues worldwide. Fernandez, director of Tenaganita (Womens' Force), was charged with publishing "false information" for her reporting on abuses of migrant workers in Malaysian immigration detention facilities. The case focused international attention on the growing phenomenon of migrant workers in Asia and the need for human rights protections.

Throughout the year, Asian activists concerned with the plight of migrant workers launched campaigns on behalf of endangered or stranded workers. The Asia-Pacific Mission for Migrant Filipinos in Hong Kong released a global appeal in August regarding stranded Filipino migrants in Saudi Arabia. The human rights organization SUARAM , based in Malaysia, circulated an appeal on behalf of Bangladeshi migrant workers who had been detained in Malaysia after they protested labor rights violations by a Japanese factory owner.

In June, pressure on the World Bank by well-coordinated networks of Indian and international NGOs concerned about the use of child labor and bonded child labor in World Bank-funded projects led the bank to convene meetings with Indian NGOs to determine means by which it might address child labor issues. The Bank agreed to canvas existing projects to determine if they employed children and to ensure that social assessment work on child labor be carried out for projects in preparation that posed a serious risk of employing child labor. The overall response of NGO participants in these meetings was cautious but positive. They stressed the need for the bank to emphasize prevention through quality primary education as well as the need for law enforcement.

National human rights commissions in the region (India, the Philippines, Indonesia, Australia, and Sri Lanka among them) continued to meet and forge links with each other, holding out the possibility that some kind of more formalized network might emerge.

The Role of the

International Community

The lure of the market in the region, or concerns about its health following the currency collapse in Southeast Asia, overrode human rights concerns for most of the international community. This was particularly true with respect to China. No government successfully resolved the dilemma of how to exert pressure to improve human rights practices on this important trading partner and emerging superpower with a key voice on regional security, proliferation and other concerns. Integrating China into the global system of human rights norms and accountability remained a vague objective without a concrete strategy. The Group of Eight (G8), meeting in Denver in July, which might have hammered out such a strategy, focused only on Hong Kong. Most governments opted to drop political or economic pressure on human rights altogether and to substitute "dialogue" and support for long-term, uncontroversial rule of law programs.

Another source of potential leverage, limits on arms transfers to abusive governments, was virtually ignored, with the exception of an international campaign to ban arms to Indonesia because of human rights violations in East Timor. Foreign Minister Robin Cook, responding to pressure in the U.K., announced in September that he would apply the new British guidelines on an "ethical" foreign policy and ban 1 million worth of arms sales to Indonesia, for reinforced Land Rovers that the government called armored personnel carriers and sniper rifles. The U.S. Congress also formalized and extended an existing ban on some arms transfers to Indonesia.

United Nations

The U.N. continued to have a visible presence in Asia, with a special rapporteur on Burma (who was nevertheless denied access to the country); a special representative on Cambodia and an active field office in Phnom Penh of the U.N. Centre for Human Rights; and a special representative of U.N. Secretary-General Kofi Annan to work on East Timor. Officials from the U.N. Department of Political Affairs continued to be active in trying to help resolve conflicts in the region.

Several visits by the "thematic mechanisms" of the U.N. Commission on Human Rights took place during the year. The special rapporteur on religious intolerance visited India in December 1996, but the special rapporteur on torture, who had requested a visit, was not invited. The special rapporteur on summary and arbitrary executions visited Sri Lanka, and the Working Group on Arbitrary Detention went to China in October. The U.N. Human Rights Commission kept pending a decision on whether or not to take up human rights problems in Thailand (related to its treatment of Burmese refugees) under a confidential review procedure known as "1503."

Some progress was made in ratifying international human rights treaties or complying with treaty obligations. In January, Thailand's ratification of the International Covenant on Civil and Political Rights entered into force. In March, Pakistan reestablished dialogue with the U.N. Committee on the Elimination of Racial Discrimination after a ten-year lapse. In October, Sri Lanka became the first South Asian country to accede to the Optional Protocol to the International Covenant on Civil and Political Rights. China signed (but not necessarily ratify or accede to) the International Covenant on Economic, Social, and Cultural Rights before the end of the year.

Regional Bodies

The ninth summit in May of the South Asian Association for Regional Cooperation (SAARC) provided a forum for the prime ministers of India and Pakistan to meet and begin talks on Kashmir-the first meeting of its kind in eight years. While there was no immediate impact on the human rights situation in Kashmir, most observers believe that the human rights problems could not be resolved without addressing the underlying political conflict.

ASEAN's plans to admit Burma as a member, which it did in July, prompted the creation of the so-called Alternative ASEAN, a coalition established in October 1996 of more than fifty primarily Southeast Asian nongovernmental organizations to mobilize pressure within the region to address Burma's human rights record.

The Asia Pacific Economic Cooperation (APEC) forum steadfastly refused to examine human rights issues, although the Canadian government, as the 1997 host of APEC in Vancouver, provided some support for discussions about "civil society" in the various APEC working group meetings leading up to the Vancouver heads of state meeting. That meeting in late November was preceded by a "People's Summit" drawing hundreds of activists from throughout the region to discussions of labor rights and freedom of expression.

Donors and Investors

The annual consortium group (CG) meetings of international donors convened by the World Bank, and in some cases cosponsored by Japan, are a potentially useful venue for governments to raise human rights concerns, but the meetings on Cambodia, Indonesia and India had mixed results. The Cambodia donor meeting took place in Paris literally days before the July coup, but the strong message sent by several governments about corruption and the elections was largely eclipsed by events. The Indonesia CG in Tokyo was largely a missed opportunity to press Jakarta on key issues such as treatment of nongovernmental organizations and abuses related to the May elections, though some donors brought up these issues in private bilateral discussions. At the India CG in Paris, a number of governments urged action on child labor and bonded child labor issues-as they did at the previous year's CG in Tokyo-which clearly had an impact when combined with initiatives at the World Bank.

The Asian Development Bank (ADB), on the other hand, was slow to implement its "governance" policy adopted in August 1995, although it did sponsor a panel on governance and a seminar on work with nongovernmental organizations at its annual meeting in Fukuoka, Japan, from May 10 to 14. Nearly forty such organizations (including Human Rights Watch) from thirteen countries in the region were accredited to attend. The Burmese finance minister, Gen. Win Tin, made an abortive effort to lobby the ADB to resume funding to SLORC suspended since 1988. The ADB continued an ongoing dialogue with the NGO Working Group, based in Manila, where the ADB is headquartered. By the end of the year, the ADB planned to issue an updated policy on nongovernmental organizations and one on gender and development.

Among private investors, governance issues took on greater relevance in many countries throughout the region. The flight of capital from Cambodia following the coup-including, most dramatically, from Southeast Asian countries-sent an unmistakable political signal to Hun Sen. Foreign investors, including major U.S. oil companies like Texaco, continued to pull out from Burma in response to both consumer pressure and a desire to distance themselves from the country's dismal human rights image. Equally significant were moves by companies to examine the impact of expanding trade and investment in the Asia-Pacific region, the need for open legal systems and accountable governments, and how to handle increasing demands in the region for worker rights.

The private sector became increasingly sensitized to consumer campaigns on Burma, East Timor, U.S. and foreign "sweatshops," and child labor issues. (Nike's effort to monitor its own code of conduct through a brief inspection trip to Vietnam, China and Indonesia by former U.S. Amb. Andrew Young is described in the section on Corporations and Human Rights.) Legislation in Massachusetts banning the state from purchasing goods and services from companies investing in Burma prompted a

complaint from European countries to the World Trade Organization of discriminatory trading practices; muncipalities around the U.S., from Madison, Wisconsin to New York City, enacted similar Burma-related bans. Meanwhile, similar legislation was pending in Massachusetts at the end of the year with regard to Indonesia and East Timor.

The U.S.House of Representatives adopted legislation in the House in late September, requiring the U.S. Export-Import Bank to give preference in its export assistance programs in China to U.S. companies agreeing to a specific "code of conduct." (China receives about $1 billion a year in export credits from the Bank). Though the bill had not come to a Senate vote at this writing, its passage in the House indicated a growing consensus on the importance of the private sector's role in promoting human rights.

The Work of

Human Rights Watch

Many of the themes touched on above were covered by the Asia division of Human Rights Watch in reports and advocacy efforts. We responded immediately to the July coup in Cambodia, interviewing newly arrived refugees in Bangkok and using information from sources in Phnom Penh to put pressure on the international community to respond forcefully to summary executions and other human rights abuses committed by forces linked to Hun Sen. In addition to assisting opposition parliamentarians and others forced into temporary exile, we issued a report on the range of abuses that followed the coup. That report, cited in newspaper editorials in the U.S. and Europe, had as one of its key recommendations that the international community not press forward with support for elections scheduled for May 1998 until basic safeguards for human rights were in place.

We undertook two exploratory missions to investigate links between human rights violations and the famine in North Korea.

Concerns about the erosion of civil liberties in Hong Kong under the Special Administrative Region government provided an important focus of work in Brussels, Washington, and Hong Kong itself. Those concerns were outlined in a response we prepared in February to the British government's report on how the International Covenant on Civil and Political Rights was being implemented in Hong Kong. At that time, less than five months before the reversion to Chinese rule on July 1, several disturbing steps had already been announced by the Chinese government. We continued to monitor the independence of the courts and the press and analyze legislative developments, commenting publicly each time a key decision was taken. We helped arrange visits to the U.S. for human rights defenders in Hong Kong to ensure they could personally raise their own concerns with policymakers in Washington, and we co-sponsored a seminar on the rule of law in Hong Kong in Washington in March to ensure that those concerns were aired before a larger audience, including the private sector. In June, we issued a joint report with the Human Rights Monitor, a local human rights organization in Hong Kong, after undertaking the first-ever international assessment of prison conditions there. The report, which gave a reasonably clean bill of health to Hong Kong prisons, was intended both to establish a precedent for prison access after the reversion and to set benchmarks for assessing prison conditions under S.A.R. administration. Finally, in the months and weeks prior to the reversion, our Hong Kong office made a major effort to ensure that Chinese dissidents resident in Hong Kong were safely resettled in third countries prior to July 1.

The consequences of internal armed conflict and religious and communal persecution were central to our work on refugees, asylum seekers, and displaced people. In March, we issued a report on the status of the remaining Vietnamese boat-people in Hong Kong. In July and August, we issued reports on members of Burmese ethnic minorities who had fled to Thailand and Bangladesh respectively. Both reports were based on missions to the region and interviews with newly arrived refugees; one report was issued jointly with Refugees International. Incidents of involuntary repatriation prompted an ongoing dialogue with the United Nations High Commissioner for Refugees (UNHCR) about how best to protect the refugees involved, as well as protests and appeals, together with other nongovernmental organizations, to the Thai government to stop pushing Burmese refugees back over the border. The refugee exodus from Cambodia to Thailand following the Cambodia coup was also cause for concern. On Thailand, Cambodia, and Burma, Human Rights Watch worked in close cooperation with the Jesuit Refugee Service.

Human rights abuses associated with the conflict in East Timor produced a report in September, citing violations by both the Indonesian armed forces and related paramilitary groups and the East Timorese guerrillas. The report placed particular emphasis on the failure of the Indonesian government to address the problems of arbitrary detention and torture of those suspected of supporting the armed opposition. In Kashmir, our investigations into human rights abuses associated with the conflict there, including by Indian soldiers and former militants working with them, led to visa denials for our staff members and consultants.

A major report on religious repression in China appeared in October, as did a report on communal violence in West Kalimantan, one of Indonesia's most severe outbreaks of ethnic conflict in decades. The latter report was based on two missions to Kalimantan, one in January and one in July.

Much of our advocacy work during the year focused on labor rights. On Burma, we submitted information on forced labor to an International Labour Organisation commission of inquiry and presented testimony on the same subject at a hearing by the U.S. Labor Department on June 27. Our work on forced labor also contributed to key European Union decisions on withholding tariff benefits for Burma. As noted above, we pressed the issue of bonded labor in India with the World Bank and were in regular touch with our Indian counterparts to follow up on what steps the Indian government and international donor agencies were taking toward its eradication. In an effort to ensure that all those engaged domestically and internationally on the bonded labor issue in India had access to the same information, we prepared the first in a series of electronic newsletters on developments in the World Bank, the Indian Supreme Court, local government initiatives in India, and bilateral aid programs. On Indonesia, we continued to give labor rights abuses a high priority in Washington-based advocacy, particularly as a petition we submitted in 1995 to the U.S. Trade Representative's office calling for a resumption of the USTR's review of Indonesia's labor practices remained pending during the year.

Restrictions of rights on the grounds of national security remained a major area of concern. In April, we issued a report together with Human Rights in China focusing on China's New Criminal Code. The report documented the replacement of crimes of "counterrevolution," used to sentence most dissidents, with offenses against state security and provided the basis for an ongoing campaign during the year to get cases of convicted "counterrevolutionaries" reviewed with a view toward their release. We joined colleagues in Hong Kong in protesting new legislation there allowing the government to ban organizations and demonstrations on the grounds of national security and provided documentation on U.S. case law to help refute the S.A.R. government's contention that the new laws were no more restrictive than laws in the United States.

More generally, we continued to work for attention to the "traditional" human rights problems of political imprisonment and torture in China, Burma, and Indonesia. The steady diminution of international pressure on China to improve its human rights practices was the focus of a report released in March, just before the U.N. Human Rights Commission meeting, empasized Chinese diplomacy and Western hypocrisy. It was also the focus of numerous briefings, testimonies, newspaper commentaries, and other interventions by our Brussels and Washington offices.

We continued to work closely with our colleagues in the Human Rights Watch children's and women's rights projects. In January, we published a report on children's rights in Burma and took part in a hearing on Burma held in Geneva by the Committee on the Rights of the Child. Research on the trafficking of women in Asia continued, with a particular focus on Thai women trafficked to Japan. In July, we helped a small group interested in the trafficking of Indonesian girls to Malaysia find funding and establish themselves as a nongovernmental organization. A joint investigation with the Human Rights Watch Women's Rights Project, on the state's response to victims of sexual violence in Pakistan, began with a mission in November 1996 (*see* the WRP section).

We testified three times in the U.S. Congress during the year, on Indonesia, Hong Kong, and the general subject of democracy in Asia; we also submitted a written statement for a Senate hearing on Cambodia. Our Washington staff briefed members of Congress and their staff traveling to Asia, hosted Burma "roundtable" meetings with U.S. policymakers, nongovernmental organizations and members of the media; and met frequently with senior White House, State Department, and foreign embassy officials. We maintained regular contact with the WorldBank, both at the staff and management level as well as with the U.S. executive director's office. In efforts to ensure good communication with the private sector on human rights issues in China, Hong Kong, Indonesia and Burma, we maintained a steady dialogue with relevant business and trade associations.

In the European Parliament, our Brussels office organized support for a resolution calling on the E.U. to back a China resolution at the U.N. Commission on Human Rights in April. In October, it helped mobilize support for a similar resolution for the commission's 1998 session. On Hong Kong, our Brussels and Washington offices

worked in close coordination to secure expressions of support for the pro-democracy movement in its efforts to challenge actions by the S.A.R. government. Those efforts intensified prior to the visits by S.A.R. Chief Executive Tung Chee-hwa to the U.S. and Europe in September and October respectively.

The U.N. and its various agencies played an important part in our work during the year. In addition to the Burma and China advocacy described above, we appeared before the annual meeting of the U.N. Decolonization Committee to present material on human rights violations in East Timor and submitted to the Human Rights Committee a critique of the Indian government's report on its compliance with treaty obligations under the International Covenant on Civil and Political Rights.

Our advocacy work with Japan continued to be a key priority, with a staff mission in May and regular contacts with the Japanese embassy in Washington. These proved particularly useful during the Cambodian crisis. We also published commentaries on Asian human rights issues in the Japanese press.

As in the past, we worked closely with nongovernmental organizations in the region, sharing information, exchanging views on strategy (particularly with respect to labor issues), and cooperating in research. We continued an advocacy campaign with Indian rights groups on the issue of bonded child labor and took part in an ongoing campaign initiated by Asian organizations to promote the freedoms of association, assembly, and expression in the region. In defense of our embattled Asian colleagues, we wrote to the Indian government on behalf of threatened human rights activists in Kashmir and Andhra Pradesh. In March, our NGO liaison visited Malaysia to attend the trial of Irene Fernandez; later the same month, we helped lead sessions on using international law and on forging linkages among NGOs as part of a two-week Asian regional study session on human rights, sponsored by the Asian Forum for Human Rights and Development (Forum-Asia) and the Programme for the Promotion of Non-Violence in Thai Society at Chulalongkorn University. In November, we cosponsored a seminar called "Open Markets, Open Media" at the annual APEC summit; the seminar highlighted the the effect that the region's trade liberalization has had on freedom of the press.

For a listing of relevant reports and missions, see xxxx at the end of this report. Partial listings also follow each country chapter.