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**Hearing of the House Foreign Affairs Committee:
The 2007 Country Reports on Human Rights Practices
and the Promotion of Human Rights in U.S. Foreign Policy**
2172 Rayburn House Office Building, 10:00 am, March 29, 2007

The main themes of this hearing were the recent worldwide regression in terms of democracy and human rights, the role of United States policy in contributing to this regression. The main focus in this regard was the loss of credibility suffered by the U.S. with regard to human rights, particularly through the application of “double standards,” that is, criticizing inimical regimes for behavior undertaken by U.S. allies and even the U.S. government itself.

The hearing was very poorly attended—roughly one dozen of the Committee’s 50 members were in attendance intermittently, with not more than a handful present at the same time, and with one five-minute stretch in which Representative **Berman** (D-CA) was the only member in attendance.

The featured witnesses were two former Assistant Secretaries for Democracy, Human Rights and Labor at the Department of State--**Harold Hongju Koh** (now Dean of the Yale Law School) and **Ambassador John Shattuck** (now CEO of The John F. Kennedy Library Foundation).

Much of the testimony focused on recent setbacks in the promotion of democracy and human rights worldwide. **Dean Koh** opened by quoting current Assistant Secretary of State for Democracy and Human Rights **Barry Lowenkron**, who described 2006 as the “year of the pushback,” explaining that “as the worldwide push for greater personal and political freedom grows stronger, it is being met with increasing resistance from those who feel threatened by change.”

Koh attributed this pushback “in part to the world’s reaction to the current Administration’s obsessive focus on the War on Terror, which has taken an extraordinary toll upon our global human rights policy.”

Koh gave four highest priority steps that must be taken by the United States to repair the damage done to the cause of protecting and promoting human rights over the past six years:

1. Taking immediate action against genocide in Darfur.
2. Taking further steps to tell and disseminate the truth.
3. Reengaging with multilateral institutions, especially the U.N. Human Rights Council and the International Criminal Court.
4. Promoting democratic transitions and supporting democratic movements in authoritarian societies.

Ambassador Shattuck’s statement also found fault with the current administration’s approach to human rights and drew a connection between U.S. policy and the current “pushback” in rights worldwide.

Shattuck made three main points, upon which he elaborated:

1. The 2007 Country Reports on Human Rights Practices lack credibility because the U.S. government in recent years has engaged in some of the very practices that it condemns in its reports.
2. Although the recent U.S. record on human rights undermines the overall credibility of the Country Reports, the reports provide candid assessments of several major human rights violators.
3. The current efforts of the U.S. government to promote human rights are often ineffective because they are conducted outside the framework of international human rights law.

In questioning, **the two countries most heavily addressed for concern were China and Egypt**. Representative **Berman** expressed concern regarding the Bush administration's abandoning of rhetoric on the importance of encouraging political participation to the War on Terror, and he asked specifically about the constitutional amendments pushed through by the government of Egypt this week which appear to undermine democracy on several fronts.

Koh emphasized the need for consistent application of universal standards of human rights, noting that "it cannot be that we criticize Cuba and China but refuse to criticize our own allies," adding that "Egypt is a particularly grotesque example," and he harshly criticized the State Department's mild expression of "disappointment" with the Egyptian constitutional amendments, exclaiming that "It's not merely 'disappointing,' it is an affront to the democratic ideals of the past six administrations!"

Representative **Smith** (R-NJ) agreed with both guests' criticism of "double standards" for human rights, though he added that he has had serious problems with the two previous American administrations in this regard as well. **Smith** listed a dozen specific countries in which he has serious concerns on issues of democracy and human rights. Iran and Saudi Arabia were the two Middle Eastern countries that he included on this list. **Smith** then focused on three particular countries for extensive discussion and questioning: China, Vietnam, and Sudan.

In response to a question from Committee Chairman **Lantos** (D-CA), both witnesses expressed strong support for the **ADVANCE Democracy Act of 2007** approved by this committee on Tuesday, and each stated that he had supported the idea of such legislation during his own tenure as Assistant Secretary of State for Democracy and Human Rights.

Representative **Dellahunt** (D-MA) expressed outrage over continued U.S. support for authoritarian rulers who refuse political reform. He also stated that Congress shares the blame for this, as he described amendments proposed by himself and by Chairman **Lantos** to drastically reduce financial assistance for Egypt and Uzbekistan in response to increased authoritarianism by the rulers of those countries, but neither amendment could garner even 100 votes in the House.

Representative **Rohrabacher** (R-CA) focused on U.S. trade policy with violators of human rights, fearing that U.S. businessmen "give the impression that Americans are only interested in money and trade, not in human rights." He especially focused on this problem in China, and like other members of the committee, voiced hope that next year's Olympics in Beijing could be an opportunity to focus on such issues in China.

Representative **Payne** (D-NJ) complained that the U.S. does not use its leverage to bring about positive change in our authoritarian allies, citing the failure of the government to suspend more than \$2 billion in assistance to Egypt, despite President Mubarak's unwillingness to speak to President Bashir of Sudan regarding the crisis in Darfur. More generally, **Payne** repeated the criticism of the application of "dual standards" for human rights by the U.S. administration.

Representative **Jackson-Lee** (D-TX) also criticized the double standards used by the U.S. on issues of human rights, as well as an unwillingness to engage with international human rights institutions and conventions, including not signing on to international conventions on the rights of children, disabilities, and disappearances.