



**DEMOCRACY
COALITION
PROJECT**

May 24, 2002

Ms. Paula J. Dobriansky
Under Secretary of State
for Global Affairs
Department of State
Washington, DC

Dear Ms. Dobriansky,

As part of the ongoing dialogue regarding preparations for the next Community of Democracies Ministerial Meeting in Seoul, the U.S. NGO Coordinating Committee¹ wanted to share with you our latest thinking about which governments should be invited and in what capacity. We hope these arguments will be taken into consideration as the United States takes up these questions at the next Convening Group meeting next week.

As you recall, the Committee submitted recommendations to you on March 13 outlining which countries should be invited to Seoul. In the ensuing two months, events in certain countries have clarified the underlying trends towards or away from basic democratic norms set forth in the Warsaw Declaration. In reaching these judgments, we relied on a variety of internal and public reporting, including the State Department's 2002 *Country Report on Human Rights Practices*.

On the positive side of the ledger, recent developments in **Bahrain**, **Sierra Leone** and **Afghanistan** deserve recognition by inviting them as observers. **East Timor** could justifiably be invited as a full participant or observer. Serious questions remain, however, about trends in **Venezuela**, **Azerbaijan** and **Madagascar**. We recommend deferring any decision on these countries' status until we see a clearer demonstration of each government's commitment to democratic norms. We urge that, before any final decision is made, the Convening Group approach these governments to express concerns about

¹ The U.S. Nongovernmental Coordinating Committee is composed of the Council for a Community of Democracies, the Democracy Coalition Project, Freedom House, the National Endowment for Democracy and its four affiliates (the International Republican Institute, the National Democratic Institute for International Affairs, the AFL-CIO Solidarity Center and the Center for International Private Enterprise).

recent trends and present recommendations for steps each government could take in the coming months to demonstrate adherence to the Warsaw Declaration.

The Committee also recommends that the Convening Group, before issuing invitations to the Seoul meeting, decide how it intends to distinguish between full participants and observer countries. We believe observer delegations should be given the title of “Observers” in invitation letters, delegation lists of attendees circulated before and at the meeting, name badges and seating selection. Observers should not be given an opportunity to address the plenary sessions, but could be offered an opportunity to make comments at the roundtable discussions, after full participants have had a chance to speak. Observers should not be invited to sign on to declarations, communiqués, action plans or other statements of the main body.

We wanted to express special concerns against inviting, in any capacity, nine countries – **Egypt, Kuwait, Uganda, Pakistan, Malaysia, Singapore, Kenya, Central African Republic and Haiti** – for the following reasons.

Egypt

Since endorsing the Warsaw Declaration two years ago, President Hosni Mubarak’s National Democratic Party (NDP) continues to dominate national politics and frequently harasses political opponents and journalists. Freedom House’s *Annual Survey of Press Freedom 2002* notes a significant decline in press freedoms due to government use of harsh press laws, penal codes and state of emergency regulations to limit media activities. The State Department’s *Country Reports on Human Rights Practices (2002)* also criticizes the government’s poor human rights record. Of particular concern is the continued trial of civilians in military or State Security Emergency courts and detention without charge under the country’s Emergency Laws. The revival this week of charges against Saad Eddin Ibrahim for encouraging Egyptians to participate in parliamentary elections and for publicly criticizing government officials is precisely the type of behavior which the United States has condemned in the past as a violation of basic principles of the Warsaw Declaration and should warrant non-invitation.

Kuwait

Women in Kuwait continued to be denied the right to vote or to seek election to the National Assembly. The State Department’s 2002 report notes that the Government continues, also, to proscribe formal political parties and to exert great influence over the judiciary. The Kuwaiti government also restricts press freedom significantly through a host of publication laws and penal codes instituted to encourage compliance with government opinions. These constitute significant violations of both the spirit and letter of the Warsaw Declaration, which Kuwait endorsed.

Uganda

President Yoweri Museveni remains a steadfast defender of the one-party state model that guarantees total monopoly of power to his National Resistance Movement (NRM). Ugandans still do not have a means of changing their government peacefully. Human rights continue to deteriorate under Museveni (the State Department’s 2002 report states

that security agents use excessive force, at times resulting in death, and engage in extrajudicial killings of suspected rebels and civilians). Press and associational freedoms have also been under attack from government's use of old sedition and false information laws² as well as state restrictions on political activity and banning of political parties other than Museveni's NRM. We see no progress toward respect for democratic norms that would warrant changing Uganda's status in Warsaw as a non-invitee.

Pakistan

General Pervez Musharraf's decision to violate his own roadmap to return Pakistan to the democratic fold is a major setback to Pakistan's democratic fortunes. The April 30, 2002 referendum, which he designed as a means to stay in power for five more years, did not meet international standards, according to Commonwealth observers. The government continues to target the judiciary and to harass political party activists while it fails to "take effective measures to counter prevalent public prejudices against religious minorities"³. A Seoul invitation, even as an observer, would validate open violation of the most basic rights to freely chose one's government.

Malaysia

The Government of Malaysia, which was not invited to Warsaw, continues to limit press freedom and associational rights of its citizens. Media outlets critical of government policies are cowed into submission with the Seditious Act and Internal Security Act as well as the requirement of annual publication licenses. The Government also imposes significant restrictions on opposition parties' ability to compete effectively against the ruling coalition⁴ and continues to harshly criticize nongovernmental organizations that urge improvements in its respect for basic human rights.

Singapore

Singapore remains a de facto one-party state with censorship of the local press and restrictions on the international press. In its *Annual Survey of Press Freedom (2002)*, Freedom House reports news media self-censorship in response to official intimidation of journalists. The State Department's report also expresses concern about restriction of press, associational and religious freedoms, particularly the ban placed on the Jehovah's Witnesses and the Unification Church⁵.

Kenya

President Arap Moi's government continues its persecution of political opponents and journalists in Kenya. The DOS report notes that government security agents, particularly the police, continued to commit extra-judicial killings, torture and beat detainees as well as use excessive force and rape in their operations⁶. Kenyan police frequently harass and arbitrarily arrest and detain persons, including journalists, politicians, and political activists. Press and associational freedoms remain restricted (according to the Freedom

²Freedom House (2002): *Annual Survey of Press Freedom*

³ US Department of State (2002), opcit

⁴Ibid

⁵ Ibid

⁶ Ibid

House report), and President Moi continues to harass nongovernmental organizations for their political views. Moi has announced his intention to quit the presidency this year. However, his ruling Kenya African Union (KANU) party exerts control on the ongoing review of the constitution and other transitional matters. This raises serious questions about the prospect for genuine political change. Furthermore, KANU's merger with opposition parties such as the National Development Party and the recent suggestion that general elections planned for the end of this year may be rescheduled, adds to the climate of uncertainty, frustrates opposition/ pro-democracy actors, and takes credible political reforms off the agenda.

Central African Republic

Political instability continues to limit state capacity and also provides an excuse for wide violation of civic and political rights by the government of the Central African Republic. The DOS report notes official limits to press freedom, arbitrary arrest and detention, prolonged detention without trial, limits on judicial independence, and infringements on citizens' right to privacy. The report notes that security forces "commit extrajudicial killings, including government-approved executions of suspected bandits and killings reportedly committed for political reasons."⁷

Haiti

Since the flawed elections in May 2000, Haiti's respect for democratic norms has gone from bad to worse. According to the State Department's 2002 report, the Government continued to commit serious abuses against political opponents and journalists, and negotiations toward resolving the political crisis remain stalled. Violence surrounding the December 17 attack on the National Palace and counterattacks against the political opposition have intensified the atmosphere of retribution. OAS and CARICOM efforts to resolve the crisis and put Haiti on a sustainable path to democracy have failed due to the Aristide Government's continued intransigence.

We hope that these objections will merit serious consideration at the next meeting of the Convening Group and we look forward to discussing these matters further at our meeting on June 12.

Sincerely,

Ted Piccone
Co-Director

Robert Herman
Co-Director

⁷ Ibid