

**Statement of
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Subcommittee on East Asian and Pacific Affairs**

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**Democracy and Human Rights
In the Context of the Asia Rebalance**

Chairman Cardin, Ranking Member Rubio, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today with my colleague Dan Baer to testify on the important issues of democracy and human rights in the context of the rebalance to Asia. I would also like to thank the Committee for its leadership in supporting and promoting engagement with the Asia-Pacific region and advancing U.S. interests there. I look forward to working further with you and other Members of Congress to continue to expand our involvement in the region.

The United States is bound to Asia through geography, history, alliances, trade, and people-to-people ties, which will continue to grow in importance over the next decade and beyond. Over the last four years, the U.S. government has made a deliberate, strategic effort to broaden and deepen our engagement in the region in what has come to be known as the “rebalance” to the Asia-Pacific. This strategic rebalance is based on the recognition that the Asia-Pacific’s political and economic future and the future of the United States are deeply and increasingly linked.

The rebalance to the Asia-Pacific region covers a range of strategic objectives: deepening our alliances in the region; boosting economic growth and trade; strengthening our relationships with emerging powers; expanding good governance, democracy, and human rights; shaping a regional architecture; and deterring conflict.

And while the rebalance reflects the importance the U.S. government places on our strategic and economic engagement in the Asia-Pacific, the dimension that binds the entire strategy together is our strong support for advancing democracy and human rights.

Democracy and human rights give people the chance to live with dignity and to achieve a better future. Good governance is critical to reducing poverty, building rule of law, and allowing for open discussion of ideas in civil society. Strong democratic institutions increase transparency and ethics, which help to combat corruption. Democracies give people a way to devote energy to productive political and civic engagement and reduce the allure of extremism. And open societies offer more opportunities for economic, educational, cultural, religious, and people-to-people exchanges, which are part of the foundation for peace. It is for these reasons that the U.S. government places so much importance on democracy and human rights and works with governments, civil society activists, journalists, and human rights organizations around the world. It is not only the *right* thing to do; it is also the strategically *smart* thing to do.

Democracy and respect for human rights are increasingly part of the fabric of the Asia-Pacific. In fact, according to Freedom House's most recent "Freedom in the World" report, during the past five years, the Asia-Pacific region has shown the greatest progress in the world in achieving steady gains in political rights and civil liberties. There are numerous examples that immediately come to mind in the Asia-Pacific that have demonstrated profound progress in respecting human rights and good governance. In just fifteen years, Indonesia has transitioned rapidly from an authoritarian regime to a thriving democracy. Timor-Leste, Southeast Asia's youngest democracy, is already a leader in injecting the concerns of fragile and post-conflict countries into discussions of aid effectiveness and the post-2015 development agenda for other post-conflict countries. Thailand has overcome sharp political differences and military rule to restore democratic governance. Taiwan's voters have twice changed their ruling party through the power of peaceful balloting, and Taiwan was awarded the highest rating for political rights and the second highest rating for civil liberties in the 2013 "Freedom in the World" report. And perhaps the most striking example of all in recent history is Burma, where positive developments on a range of concerns of the international community have allowed us to open a new chapter in bilateral relations.

At the same time that we have seen positive developments, we continue to press for improvements with those governments that fall short on human rights and whose democratic institutions remain weak. Improving the welfare of North Korea's nearly 25 million people, who live under conditions which, as described by UN Special Rapporteur on Human Rights in North Korea Marzuki Darusman, may constitute crimes against humanity, is an essential goal of our overall North Korea policy. We have co-sponsored a resolution at the UN Human Rights Council to establish a Commission of Inquiry, building on Special Rapporteur Darusman's work, to investigate systematic, widespread, and grave human rights violations. With our non-governmental organization (NGO) partners, we continue to support programs that document and raise awareness about human rights conditions, promote rule of law and lay the foundation for civil society, and promote the flow of outside information to the North Korean people.

Human rights issues continue to be a central element of the U.S.-China bilateral relationship. We continue to discuss human rights frankly with Chinese counterparts and to press China to respect the rule of law and protect the human rights and fundamental freedoms of all its citizens. But we remain concerned about the continued deterioration in the human rights situation in China. The use of forced disappearances, extralegal detentions, and lack of due process in judicial proceedings are troublesome, particularly when such practices target public-interest lawyers, writers, artists, intellectuals, bloggers, religious figures, and activists in China for exercising their internationally recognized human rights. Authorities continue the severe cultural and religious repression of ethnic Uighurs and Tibetans, and China's response to self-immolations by Tibetans has been harsh, including using criminal penalties to punish the relatives and associates of those who self-immolated.

We recognize that there is much work to be done in countries like Cambodia, Laos, and Vietnam to ensure that all citizens enjoy media freedoms and freedom of expression and that there is space for civil society to have their voices heard. We remain concerned about the disappearance of Lao civil society activist Sombath Somphone. As a respected figure who could work with activists, the government, and the international community alike, his disappearance four months ago has sent a chill through the activist community. We urge the Lao Government to redouble their investigation efforts and to be transparent about information they may have about his whereabouts and well-being. In Cambodia, we have consistently raised our

concerns about the cases of independent radio operator Mam Sanando, recently freed from detention, and exiled opposition leader Sam Rainsy. We were encouraged by the release of Mam Sonando, but will continue to urge Cambodia to improve its record on the issues of resolving land rights and tolerance of dissent, and to fulfill its pledge to genuine multi-party democracy, particularly in the run-up to critical national elections in July.

We also have more work to do in engaging the Association of Southeast Asian Nations (ASEAN) in their historic attempt to address the importance of promoting and protecting human rights in Southeast Asia as a region. In November 2012, ASEAN announced the adoption of the ASEAN Human Rights Declaration. As we noted in November 2012, we are deeply concerned that many of the Declaration's principles and articles could weaken and erode universal human rights and fundamental freedoms as contained in the Universal Declaration of Human Rights (UDHR). We urge ASEAN, in consultation with civil society, to amend and strengthen its Declaration to reflect a commitment to protect and advance fully the fundamental freedoms of its people and to bring the document in line with the standards embodied in the UDHR and the International Covenant on Civil and Political Rights.

Clearly, there is a significant amount of difficult work still to be done, but there are also so many examples of areas where we work closely with our partners in the Asia-Pacific region to promote a variety of human rights and democracy issues. We are committed to working with countries across the region to strengthen judicial systems and rule of law. In the Philippines, for example, through USAID's Judicial Strengthening to Increase Court Effectiveness (JUSTICE) program, the U.S. government is playing an important role in the Philippines' effort to help transform its judicial system. JUSTICE, an approximately \$20 million program, focuses on improving court efficiency, primarily through docket decongestion and reduction of trial delays, strengthening contract and intellectual property enforcement, and building confidence in the integrity of courts.

We are also focused on protecting the rights of women throughout the region and on empowering them economically and politically. In keeping with this goal, we have directed our embassies and consulates in the Asia-Pacific region to promote women's rights and equality through policy development, programming, monitoring and reporting, management, and training. We have invested in programs for ASEAN that directly address women's issues

through support of “Track II” civil society programs such as the Human Rights Resource Center and consultations with the ASEAN Commission for the Protection of the Rights of Women and Children. The efforts of our regional USAID office in Port Moresby to empower women and strengthen democratic institutions in Papua New Guinea were a crucial component of that country’s successful election in July 2012, which witnessed the election of three female Members of Parliament.

We are also proud of our leadership in the Equal Futures Partnership, a multi-stakeholder initiative developed by the White House after President Obama’s 2011 UN General Assembly address. The partnership consists of a core group of member states, working with civil society, private sector organizations, and other multilateral stakeholders, including the World Bank and UN Women working together to identify key barriers to women’s political and economic empowerment and address them with specific new commitments. Founding members include Indonesia and Australia; Thailand and New Zealand have declared their intent to join. We hope to enlist the participation of other Asian-Pacific countries in the future.

In July 2012, the U.S. and Cambodian governments convened the first-ever Gender Equality and Women’s Empowerment Policy Dialogue as part of the Lower Mekong Initiative (LMI). Delegations from LMI countries (Thailand, Cambodia, Laos, Vietnam, and Burma) and from Australia, New Zealand, and Japan attended the conference. The more than 150 representatives discussed integration of women into policy planning, gender equality and women’s empowerment, and increased participation by women in economic and political development. As a result of this conference, the Department of State and USAID are coordinating several new initiatives that empower women from LMI countries in the fields of science and technology, as well as in areas such as natural resource management.

We also take very seriously the goal of advancing the human rights of lesbian, gay, bisexual, and transgender (LGBT) persons around the world. On International Human Rights Day, December 6, 2011, former Secretary Clinton famously declared in Geneva that “gay rights are human rights and human rights are gay rights.” On that same day, President Obama signed a Presidential Memorandum directing all federal agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBT persons. Through our missions abroad we are working to fulfill this directive by engaging actively with civil society

groups and governments. Highlights include Mission China's engagement with a federation of LGBT NGOs to support more than 33 rights events held across six provinces, and the 'Proud to be Us' event supported by the U.S. Embassy to Laos.

In terms of promoting transparent and inclusive governments that provide a strong foundation for democracy, we joined with Indonesia, the Philippines and five other founding governments to launch a global forum, the Open Government Partnership (OGP) in 2011. OGP aims to secure concrete commitments from participant governments in order to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. Under this initiative governments are working in close consultation with civil society to develop country action plans with concrete innovative commitments to improve how governments serve their people. There are currently 58 countries in OGP, including the Republic of Korea. Indonesia is currently a co-Chair of the initiative.

Before I conclude my testimony, I would like to make special mention of Burma, a country in which we are seeing a great shift with regard to respect for human rights and good governance, and a country that demonstrates the possibility for change that exists in the Asia-Pacific region. In November 2012, President Obama became the first sitting U.S. president to visit Burma. He affirmed U.S. support for democracy, civil society, and freedom and noted the centrality of human rights to our bilateral relationship. Recognizing the progress that Burma has made across a wide range of areas, he expressed our country's unwavering support for the aspirations of all the people of Burma. Last year, we reestablished our USAID Mission in Rangoon, and over fiscal years 2012 and 2013, we will provide \$170 million to strengthen democracy, human rights, and the rule of law; promote transparent governance; advance peace and reconciliation; meet humanitarian needs; and enhance economic development that can improve the health and livelihoods of the Burmese people. We supported an expanded UN Development Program mandate in Burma to address inclusive community development, poverty reduction, and local governance capacity-building programs, among other areas. We agreed upon a joint plan to combat human trafficking. We have also restarted the Fulbright program and held the first U.S. university fair in Rangoon last month. However, as the President also made clear, there is still a long road ahead. That is why we are focused on helping Burma solidify the progress it has made so far

and strengthen the hand of those seeking further reform, so that that process becomes irreversible.

We recognize that much of the history of the 21st century will be written in Asia, and we are working to ensure that it is a century in which economies grow, conflicts are avoided, and security is strengthened. Supporting democracy and human rights across the region will be a central component of our efforts.

Thank you for giving me the opportunity to testify today. I am pleased to answer any questions you may have.