

**2001–2002**

# **Human Rights Update**

**and**

# **Study Guide**

Approved by  
The 214th General Assembly (2002)  
Presbyterian Church (U.S.A.)



**2001–2002**  
**HUMAN RIGHTS UPDATE**  
**and**  
**STUDY GUIDE**

Approved By  
The 214th General Assembly (2002)  
Presbyterian Church (U.S.A.)

Developed By  
The Advisory Committee on Social Witness Policy  
of the General Assembly Council

Contents of this document were prepared by the 214th General Assembly (2002) based on information gathered during the preceding year. Because situations constantly change, you are invited to consult the following electronic sources for updated information:

World Wide Web  
[http://www.pcusa.org/oga/publications/human\\_rights01-02.pdf](http://www.pcusa.org/oga/publications/human_rights01-02.pdf)

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September 2002

To: Pastors of Churches and Clerks of Sessions Where There Is No Installed Pastor, and Stated Clerks and Executives of Presbyteries and Synods

Dear Friends:

The 214th General Assembly (2002) of the Presbyterian Church (U.S.A.) asked me to publish the *Human Rights Update 2001–2002* with study action guide on the PC(USA) Web site. The document can be found on the PC(USA) website at the following address: [www.pcusa.org/oga/publications/human\\_rights01-02.pdf](http://www.pcusa.org/oga/publications/human_rights01-02.pdf). However, upon request, a printed copy of the *Human Rights Update 2001–2002* will be made available to each middle governing body or session.

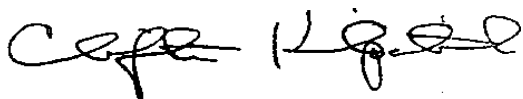
This paper is presented for the guidance and edification of the whole Christian church and the society to which it ministers. It is recommended for consideration and study by our governing bodies (sessions, presbyteries, and synods). The study action guide is designed for personal and class use, with the desire that we may all become more aware of the lives, concerns, and hopes of others elsewhere in the world who are under the care of the living God.

This year's update includes five categories of human rights' concerns to the attention of the General Assembly, for the most part, by our partner churches around the world. They are civil rights, political rights, economic rights, social and cultural rights, and religious rights.

The 214th General Assembly (2002) encourages all middle governing bodies, sessions, and individual members to pray for all victims of human rights' abuse and for those who persecute them, while seeking ways to act on behalf of these victims.

Finally, the commissioners of the 214th General Assembly (2002) have requested that I call special attention to "Human Rights Day," December 10, 2002, as a possible day for highlighting the study and use of the *Human Rights Update 2001–2002*. The commissioners also encourage congregations to observe the General Assembly's Day of Prayer for Those Persecuted and Martyred for Their Faith on the Sunday preceding Epiphany.

Yours in Christ's Service,

A handwritten signature in black ink, appearing to read "Clifton Kirkpatrick". The signature is written in a cursive, somewhat stylized script.

Clifton Kirkpatrick  
Stated Clerk of the General Assembly

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## HUMAN RIGHTS UPDATE 2001–2002

[The assembly approved Item 14-04. See *Minutes*, 2002, Part I, p. 51.]

The Advisory Committee on Social Witness Policy (ACSWP) recommends that the 214th General Assembly (2002) bring to the attention of the church the significant developments that have occurred concerning the conditions of human rights in the world areas named in the “Human Rights Update 2001–2002” by

1. directing the Stated Clerk to publish the “Human Rights Update 2001–2002” with study action guide on the PC(USA) Web site, providing a copy upon request to each middle governing body or session, distributing the Web site address to the entire church through notification on the Web site and in the *Minutes* of the 214th General Assembly (2002), Part I, and calling special attention to “Human Rights Day” to be held December 10, 2002 [<http://www.pcusa.org/ga214>];
2. encouraging middle governing bodies, sessions, and individual members to pray for all victims of human rights abuse and for those who persecute them, also seeking ways to act on behalf of these victims; and
3. encouraging congregations to observe the General Assembly’s Day of Prayer for Those Persecuted and Martyred for Their Faith on the Sunday preceding Epiphany.

### *Rationale*

#### *A. Introduction*

The “Human Rights Update” is an annual report developed by the Advisory Committee on Social Witness Policy (ACSWP) of the Presbyterian Church (U.S.A.). This yearly report affirms the Presbyterian church’s longstanding commitment to human rights at home and worldwide.

The “Human Rights Update” lifts up five categories of concerns brought to the attention of the General Assembly Council (GAC), for the most part, by the partner churches around the world. They are civil, political, economic, social and cultural, and religious. The “Human Rights Update 2001–2002,” however, should not be construed by the members of the Presbyterian Church (U.S.A.) as the definitive statement of all the human rights violations received by the GAC during the course of the year. The 214th General Assembly (2002) encourages the members of the Presbyterian Church (U.S.A.) to continue to pray and work to end all forms of human rights violations worldwide. The “Human Rights Update 2001–2002” includes an action study guide developed to assist the middle governing bodies, sessions, and individual members to engage and focus on human rights issues.

We hope adult study and action groups, as well as session and presbytery committees, will use the “Human Rights Update 2001–2002” and will work for the guarantee and fulfillment of human rights for all of God’s children, locally and globally.

B. *Global Update—The United Nations and Human Rights*

1. *The Global Context, Human Rights, Values, and the Outlook for the Future: The Secretary-General's Annual Report to the 56th UNGA*

Written before the events of September 11, 2001, the United Nations Secretary General's (SG) report is introduced with sobering reflections. Citing the spread around the world of universal ideas—the sovereignty of the people, accountability of leaders, individual rights, and the rule of law—the SG warns that there is no guarantee that these values will not be reversed and that some nations will not revert to tyranny and oppression. The ability to assure peace requires a comprehensive understanding of the underlying causes and dynamics of violent conflict, and the ability to address those causes. He stressed that the UN can help build a world of order and justice only through the respect for the rule of law in international affairs. “The United Nations is an embodiment of the will of humankind to defeat violence with the power of reason and to achieve some betterment of the human condition.” The tragic events of September 11 reflect the importance of the SG's insight.

One challenge addressed involves meeting humanitarian commitments, including finding ways to protect both civilians in armed conflict and those who would care for them—in other words to build a “culture of protection.” In Afghanistan, as elsewhere, gross violations of human rights have occurred as those seeking to provide humanitarian assistance have been deliberately targeted for murder or for kidnapping, a twisted expansion of already tragic situations. Those who serve in the humanitarian work of the UN through the United Nations Children's Fund (UNICEF), World Health Organization (WHO), World Food Programme (WFP), Food and Agriculture Organization of the United Nations (FAO), United Nations Development Programme (UNDP), United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and United Nations Mine Action Service (UNMAS), all of which are coping with massive concerns with declining resources, as well as those who work in the field with non-governmental agencies, need to be protected so they can do the tasks assigned.

A second challenge involves the war on global poverty. The needs and the strategies have all been addressed before through the UN's multidimensional approach to the prevalence of poverty. Poverty has been identified by the UN as a violation of human rights. Therefore, a “rights based” approach embodies principles of equity, nondiscrimination among groups, accountability and participation. Its premise is that economic growth in and of itself will not advance sustainable development for the masses in the absence of social justice.

The UN agencies classify forty-nine countries as “least developed.” Of these thirty-four are in Africa and thirteen in the Asia-Pacific arena. The SG describes the results of the Third United Nations Conference on the Least Developed Countries (LDC) held at Brussels on May 14–20, 2001. “The Brussels Declaration” and Program of Action reaffirm the collective responsibility of the international community for the eradication of poverty. The Program of Action requires development of a people-centered framework, provision for good governance at all levels, the building of human and institutional capacities, efforts to make globalization work for the LDCs, promotion of trade, reduction of vulnerabilities including environment degradation, and increased financing.

A third major coverage of the SG's report deals directly with the development of the international legal order and human rights. While much work has been done in this arena, a significant gap exists between international human rights norms and their implementation. Three significant movements during the past year are noted: the establishment of a Permanent Forum on Indigenous' Issues, finally giving institutional focus to the human rights, needs and concerns of over 300 million indigenous persons the world over; the effort for the first time to address global racism and related issues in a comprehensive way as a human rights matter; and the entry into force of an Optional Protocol to the Convention on the



Elimination of All Forms of Discrimination Against Women (CEDAW). The protocol establishes a procedure allowing the submission of claims of violations of rights covered under the treaty.

2. *The Right to Be Free from Fear and Violence—Terrorism, September 11, and the United Nations*

September 11 brought to reality one of the concerns that had been identified by the secretary general and the United Nations at the time of the Millennium Assembly: Freedom from Fear. In introducing the security agenda of the UN in his report, the SG suggested that the challenge of security had shifted from the violation of borders to deliberate violation of people—the concern is to protect the right of individuals, communities, and groups to be free from violence and abuse by terrorists, extremists, or systemic repression.

Whether coincidence or deliberate, the destruction of the World Trade Center, the attack on the Pentagon, and the crash of a fourth hijacked plane occurred on the International Day of Peace—September 11 was the day marked as the opening of the United Nations General Assembly, usually accompanied by the ringing of the Peace Bell by the UN secretary general.

The response of the United Nations was immediate, and perhaps without precedent, both in the Security Council (SC) and the General Assembly (GA). Within twenty-four hours, both the SC and the GA had passed unanimous resolutions of both condolence and support. Security Council Resolution 1368, September 12, 2001, recognized the inherent right of self-defense in accordance with the Charter, condemned the acts of international terrorism of September 11 as a threat to international peace and security, expressed its solidarity with the U.S. and the victims, and called on all States to redouble efforts to prevent and suppress terrorist acts. A General Assembly resolution, also of September 12, condemned the acts of terrorism, expressed condolences and solidarity, called for international cooperation to bring perpetrators to justice, and for international cooperation to prevent and eradicate acts of terrorism.

The UN has had terrorism on its agenda for decades, helping in the development of twelve international conventions (treaties) that address various aspects of terrorist behavior, including several that deal with seizure of aircraft, crimes on aircraft, safety of aircraft, taking of hostages, internationally protected persons, maritime safety, plastic explosives, and the protection of nuclear materials. The last two to be developed include one on bombing and one on the financing of terrorism. The twelve treaties reflect a piecemeal approach to the problem of terrorism. Unwilling to define terrorism in generic terms, the member states have responded to specific forms/acts considered terrorist, e.g., those identified. The United States has ratified ten of the twelve, paradoxically not having ratified the last two, the one dealing with “terrorist bombing,” the other dealing with the financing of terrorist activity (establishing legal prohibitions and requirements of states in preventing financing activity). Because this latter had not received the sufficient number of ratifications, it had not come into legal force. Though the United States had not ratified the treaty, it immediately began its efforts to freeze and seize the assets of suspected groups after the events of September 11.

A second UN Security Council Resolution, Number 1373, unanimously adopted September 28, focusing on the September 11 events, was negotiated by SC presidency occupied by France. It reaffirmed the positions of SCR 1368, noted above. But the resolution went much further, basing its action on Chapter VII in the UN Charter that deals with military responses to breaches of the peace and security. It determined that all states SHALL prevent and suppress the financing of terrorist acts, criminalize funding of such acts, freeze funds of persons, groups or entities involved, related to terrorist acts; and SHALL refrain from support of terrorism, take necessary steps to prevent terrorist acts, deny safe haven to financiers or perpetrators, and prevent the use of territories for financing or acting. It called on all states to ensure that violators are brought to justice for such acts as criminal offence, help other states in investigations, etc. prevent movement, of terrorists or terrorist groups. Further, it calls on all states to

provide information, cooperate in bilateral or multilateral efforts to prevent terrorism, and to ratify the international treaties regarding terrorism.

The Security Council Resolution has two sweeping aspects. In a sense the Security Council set an incredible precedent in international law, stepping over the treaty ratification process and in effect making the requirements to eliminate the financing of terrorism arbitrarily binding on all states. It also set up a monitoring procedure, establishing the SC as a committee of the whole, to monitor implementation and compliance with the resolution, with specific time requirements for reporting adherence, with the implication that states that fail to comply could be subject to punitive action.

At the Commission on Human Rights in April 2001, the United States voted against a carefully prepared Resolution on Human Rights and Terrorism, one of fourteen against, with thirty-three voting for, and six abstaining. The rationale provided interesting substance: a clear statement that terrorism can never be justified in any instance, even as a means of promoting or protecting human rights; that terrorism creates an environment that undermines the right to freedom from fear; that terrorist groups are able to exploit technology to commit acts that may cause massive damage and human life; that measures to counter terrorism must be in strict conformity with international law and international human rights standards. The background also encouraged the development of an international convention to suppress acts of nuclear terrorism. The Resolution made twelve recommendations. Two are cited here:

- Reiterates its unequivocal condemnation of all acts, methods and practices of terrorism, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, as acts aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and the rule of law and having adverse consequences for the economic and social development of the state.
- Condemns the violations of the right to live free from fear and the right to life, liberty and security [2001/37 pp. 182–85].

The United Nations has been considering a comprehensive treaty with major drafting being done by India, to pull all existing aspects covered in the twelve, into one treaty. It has been hoped that such a treaty would include a definitive legal definition of terrorism. Every prior attempt at such a definition has failed to reach consensus—underscoring the reality that violence is experienced and, therefore, defined by different peoples and countries in different ways. That reality is not likely to change.

While there is the temptation to assume that “terrorism” has taken center stage, the UN still has the responsibility to address the world’s social and security agendas and the context in which terrorist acts are generated—a context often ignored by major world players.

### 3. *Human Development as a Human Right*

The 2001 United Nations Development Programme (UNDP) Report entitled, *Human Development—Past, Present, and Future*, addresses the question of how people can create and use technology for the improvement of life. It also argues that public policies are required to lead the revolutions in information and communications technology for the purpose of human development. The report builds on a number of assumptions:

- Technology, historically, has been a powerful instrument in human development and poverty reduction. A technology divide does not have to follow an income divide.

- Technological advances in health, nutrition, crop yields tend to have multiplier effects that have widespread value.
- The market, while a powerful force in technological progress, is not sufficient to create and diffuse the technologies needed to eradicate poverty.
- Developing countries face both high rewards and severe risks from new technologies, especially in the environmental field.
- The technological revolution and globalization are creating a network age through which technology is created and diffused.
- Domestic policies are necessary for all countries to encourage innovation, access, and advanced skills, though these are not sufficient.
- International initiatives and fair global rules are needed to focus technology in such a way as to address the urgent needs of the poor. The demands are clear: vaccines against diseases that undercut development; new varieties of food crops to provide staple foods in impoverished areas; low-cost computers and wireless communications to enable development; and low-cost energy sources for decentralized electricity.

The initial thesis is that people are the real wealth of nations, and development is the process of expanding the choices they have to enhance their lives. The report does what previous ones have done, asserting that “human development shares a common vision with human rights. The goal is human freedom. And in pursuing capabilities and realizing rights, this freedom is vital.” The challenges presented by the revolution in new information and communications technology on one hand and the revolution in biotechnology is made all the more evident by the completion of the mapping of the human genome. Technological innovation affects human development in several ways: it can directly enhance human capacities; it can impact economic growth through gains in productivity. The process of globalization is both driven by and drives technological progress. The benefits, however, are not equally shared, though the developments in medicine, agriculture and communications have the capacity to benefit all.

Inequality is a major inhibitor to development, exacerbating the effects of market and policy failures on growth, limiting progress. Concentration of income undermines the development of public policies that are most needed for human development, such as education, access to water and sanitation, and the development of other forms of social capital.

Known for its search to find ways of adequately describing economic activity beyond the Gross National Product (GNP), UNDP has devised a new index, the Technological Achievement Index (TAI), focusing, in this instance on four indicators: creation of technology, measured, e.g., in number of patents; diffusion of recent innovations, e.g., use of Internet; diffusion of old innovations, seen in the capacity of leapfrogging stages of development; and the development of human skills through education, particularly in science, math and engineering. Based on this data, the countries of the world are classified into four groupings: leaders, potential leaders, dynamic adopters, and the marginalized. The TAI does not measure how the achievements are translated into human development. Other measures, such as the Human Development Index (HDI) have been structured for those determinations.

#### 4. *Housing as a Human Right: Istanbul + 5—a Five-Year Review of Habitat’s Urban Millennium*

The United Nations General Assembly met in special session from June 6–8, 2001, to review and appraise the work of the Second United Nations Conference on Human Settlements (HABITAT II), Istanbul, 1996. HABITAT II had set forward two principle goals in light of the rapid urbanization of the

world's population (50 percent now living in cities, with the most rapidly growing one in developing countries). The first was to provide adequate shelter for all, the second to ensure sustainable development. These goals were cognizant of the increasing poverty, the burgeoning populations, and the deterioration of the housing conditions of masses of people.

The statistical analysis for Istanbul + 5 was provided by a massive report: *Cities in a Globalizing World: Global Report on Human Settlements 2001*. The sobering report reveals that global conditions have worsened rather than improved since Istanbul, 1996, despite the “commitments” made at that time. The cost of living has gone up, income has gone down, the number of families in poverty has increased, sixty countries have become poorer, a billion live in slums or squatter settlements, and in some parts of the world, a third have no access to potable water or adequate sanitation—the breeding grounds for poor health. The global challenge requires addressing poverty and inadequate housing in both urban and rural areas. The official document outcome: The Declaration on Cities and Other Human Settlements in the New Millennium, identifies poverty as the core obstacle to providing adequate housing for all. Despite commitments in Istanbul, the reality is that governments have not met their primary responsibilities for meeting the extensive agenda necessary to provide decent housing.

While the challenges remain, accomplishments are seemingly outweighed by negative factors, reflecting world conditions. Evidence is lacking both in the commitment of governments in their domestic responsibilities, but also in the commitments of UN-member governments to strengthen the HABITAT secretariat based in Nairobi.

Some issues remain contentious. Despite the agreement reached in Istanbul, 1996, that affirmed the principle that adequate housing was a fundamental human right, under pressure from the United States, a reaffirmation of that principle was omitted from the Istanbul + 5 Declaration. And in other heavily debated issues, a strange coalition of the U.S., the Vatican, and Iran sought to introduce “family” related policies that many felt would be detrimental to women's rights, reinforcing gender inequalities, and penalizing female-headed households. The declaration reaffirmed what has long been a fundamental UN principle, “the family is the basic unit of society and as such should be strengthened [in its various forms].” The declaration also reaffirmed the goal of gender equality, and the commitment to pursue legislative and administrative reforms: “. . . to give women full and equal access to economic resources, including the right to inheritance and the ownership of land and other property, credit, natural resources, and appropriate technologies, as well as ensuring their right to security of tenure . . .”

##### 5. *Health as a Human Right: the UN AIDS Conference—the HIV/AIDS Pandemic*

The United Nations General Assembly also met in a Special Session on HIV/AIDS, June 25–27, 2001, an event preceded by torturous Preparatory Commissions [PrepComs] struggling with the global pandemic that has spread in the twenty years since acquired immune deficiency syndrome (AIDS) had been clinically verified. These years have seen 56 million infected with human immunodeficiency virus (HIV), claiming 22 million lives with AIDS-related illness, including 4.3 million children. More than just a medical and health problem, the HIV/AIDS crisis has human rights, moral, religious, political, economic, and social implications. Sub-Saharan Africa is the most heavily impacted with an estimated 25.3 million persons HIV/AIDS positive. The second most rapidly affected and spreading region is South and Southeast Asia, the number close to 6 million. In the year 2000, it is estimated that there were 5,300,000 new infections. It is estimated that 13 million children have been orphaned, a figure that could more than double in ten years. The statistics are grim. In seven southern African countries, one in five adults is HIV positive. Without massive intrusion, whole populations could be devastated. The most rapid growth is taking place in developing, poor countries, without the medical infrastructure to cope with a crisis of such proportions, and the costs of treatment out of reach of most in need, and where basic education is inadequate.

While the conference and its preparatory sessions heightened global awareness of the HIV/AIDS crisis, the conference sought to address the contributing factors to the spread of AIDS, prevention of AIDS, and treatment of the victims of AIDS. It noted that victims include children born HIV positive, the virus being received from the mother, and the orphans (an estimated 13 million) whose parents have died. A number of highly charged topics provided for controversy at the special session, each with human rights implications. Several involved religious groups, their perspectives and their interests.

- **Regarding Vulnerable Groups:** The question was whether specifically vulnerable groups should be identified and specifically targeted with strategies and programs: homosexuals, sex workers, drug users, institutionalized persons, children in difficult circumstances, refugees, and displaced persons. The problem reflects the struggle between religious “values”—i.e., patterns considered taboo, and the reality that those taboos do not reflect human behavior.

- **Regarding Women’s Empowerment:** In a clear recognition that women and girls bore the brunt of the disease in many parts of the world, the declaration has some of the strongest UN language on the empowerment of women:

to develop and accelerate the implementation of national strategies that promote the advancement of women and women’s full enjoyment of all human rights; promote shared responsibility of men and women to ensure safe sex; to empower women to have control over and decide freely and responsibly on matters related to their sexuality to increase their ability to protect themselves from HIV infection.

This statement comes with the clear recognition that women and girls have been subject to all forms of discrimination, violence, harmful traditional and customary practices, rape, sex trafficking, etc., and have been subject to male domination. The concept that women should have reproductive rights is still not accepted by many societies, governments, and religious groups.

- **Regarding Prevention:** Some traditions opposed promotion of condoms as a preventive—because of the use as associated with birth-control; some have promoted “family values” implying abstinence before marriage and fidelity within marriage, as if those were universally accepted, and practiced in reality even where accepted. In the end, both practical methods and behavior changes were supported, including the empowerment of women to say no.

- **Regarding the Adequacy of Resources:** Estimates by UNAIDS of the need for financial resources to cope with the global pandemic reach as high as \$7 to \$10 billion annually. These figures include promotion of prevention, care for victims, and research on prevention and cure. In light of the devastations of HIV/AIDS, and the cost, the financial commitments of governments in response to the creation has been ludicrously small. The deaths of five thousand children a day has generated less than a day’s cost of pursuing a war against Afghanistan as a result of the deaths caused September 11. Related has been the question of the prohibitive costs of drugs in countries most impacted and desperate, often high because of patent systems that elevate property rights over human rights.

A final word on another debated issue. On the argument that one of the underlying factors contributing to HIV/AIDS spread is the persistence of poverty, reflected in some countries in the crushing debt burden. Efforts to link debt relief for countries devastated by HIV/AIDS in order that those resources might be directed toward saving lives, was challenged by the countries holding the debts.

It has been noted that the UN General Assembly Special Session (UNGASS) on HIV/AIDS is the first time the UN has ever convened a session on a single health issue, because of its pandemic proportions. Some health officials are concerned that it has overshadowed long-existing infectious

diseases that are easy to prevent and treat, but which continue to claim millions of lives each year because they are not in the focus of attention in the developed world.

6. *Human Security as a Human Right: UN Conference on Small Arms and Light Weapons*

The first United Nations Conference on the Illicit Trade in Small Arms and Light Weapons (SA/LW), in all of its aspects took place, July 9–20, 2001, in New York. The ministerial level conference focused on the proliferation of small arms as a factor contributing to a culture of violence, to the erosion of authority of weak governments, and the undermining of international humanitarian law. While the conference drew world attention to the challenge and its many dynamics, and the efforts to curb and eliminate illicit trafficking, most advocates for seeking to address the devastating impact of SA/LW wound up disappointed. Rather than agreeing on concrete actions, the conference agreed on a “voluntary pact” without any binding requirements on member governments.

The United States delegation made little effort to arrive at binding legal agreements to control either licit or illicit trading. These might have included, for instance, the marking of weapons during manufacturing that would enable their tracing, or controls on arms brokers. The conference agenda was skewed from the start—limited to dealing only with illicit flows of SA/LW—as if that could be done without consideration of “licit” trade. United States partners, in assuring a limited perspective without binding controls, included an interesting mix: Russia and China (often criticized by the U.S. for arms sales), Arab States (some identified as backers of terrorism), and Israel, often a co-producer of weapons with the United States. Five hundred million SA/LW will continue to be in circulation and the devastation in one measurable area will continue—the impact on the world’s children who, during the past decade have suffered two million deaths, five million wounds, with twelve million being orphaned. And it fails to address the conditions that have created 300,000 child soldiers easily equipped and taught to kill.

7. *Racism and Human Rights: The World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (WCAR)—A UN Achievement—A U.S. Abdication*

As part of the designation of the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the United Nations General Assembly (UNGA) convened a world conference on this expansive theme in Durban, South Africa, August 31 to September 7, 2001 (WCAR). The UN had convened two previous world conferences on racism: one in 1978 focused on racial discrimination, the second in 1983 addressed the issue of apartheid. It has also sponsored three decades on overcoming racism (1973–1982; 1983–1992; 1993–2002).

The Durban conference, held at the beginning of the new century and millennium, served as a reminder of one of the most far-reaching challenges the world faces as it enters the new era: the removal of racism and related social patterns as sources of injustice, conflict and insecurity. Its fundamental premise was that racism and its related manifestations are violations of the human rights of its victims. The manifestations of these patterns impact all societies in one way or other. They are of concern to our faith communities that have been and are often torn and divided by negative racial attitudes and practices. Tragically, religions have provided sanction not only for racist attitudes but have often justified the historic, social and cultural forces that fostered such patterns.

Racism and discrimination have been concerns of the UN since its founding, expressed both in the Charter (1945): “promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion” [Article 1 (3)], and in the Universal Declaration of Human Rights (UDHR) adopted in 1948.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. [UDHR, Article 2]

Over the years, the United Nations has promoted the development of international law related to genocide, apartheid, racism and racial discrimination. The Convention on the Prevention and Punishment of the Crime of Genocide (1948), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), and the International Convention on the Suppression and Punishment of the Crime of Apartheid (1973) are now in place, and legal definitions are well established. It took the United States forty years to ratify the Genocide Convention. It also delayed for thirty years the ratification of the Convention on the Elimination of All Forms of Racial Discrimination (1994).

A brief summation of the definitions is worthy of remembrance:

*Racial discrimination* is “. . . any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life” (ICEAFRD—Article 1).

*Racism* “includes racist ideologies, prejudiced attitudes, discriminatory behavior, structural arrangements and institutionalized practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable . . .” (Declaration, 1978).

*Genocide* “means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group . . .” (Genocide Convention - Article II).

*Apartheid* “is a crime against humanity . . . inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them . . .” (Apartheid Convention Articles 1 & 2).

The UN High Commissioner for Human Rights (OHCHR) had the responsibility to prepare for the WCAR in Durban. The purposes of the world conference were multiple:

- reviewing progress in the effort to overcome prejudice, discrimination and intolerance;
- examining ways of implementing existing legal standards;
- promoting understanding of multiple expressions of intolerance; and
- reviewing factors contributing to racism, etc.

The agenda revolved around five major themes: sources, causes, forms, and contemporary manifestations of the related patterns of intolerance; identification of and understanding the victimized; measures required for prevention and protection aimed at the eradication of racism, etc.; questions of remedies and redress for victims; and strategies for international cooperation and action.

The UN called for recognition that

- racism is a universal challenge—manifesting itself in every society and culture—no group being immune, no group free from manifestations or patterns of discrimination and prejudice, and that its manifestations are interrelated;

- racism, racial discrimination, xenophobia, apartheid, ethnic cleansing, mistreatment of minorities, migrants, indigenous persons, etc., are all violations of fundamental human rights that are the inherent right of all people, not just certain categories of people;
- racism takes many forms—normally finding expression in minority-majority divisions reflecting power differentials; some patterns are imbedded in law, others in custom, others in religions.
- racial intolerance and religious intolerance often intersect to create “aggravated discrimination” or “double discrimination,” and that if these intersect with matters of gender, then a triple burden is experienced by women.

The conference declaration contained an incredibly strong statement on slavery: “We acknowledge that slavery and the slave trade . . . were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude. And further acknowledge that slavery and the slave trade are crimes against humanity and should always have been so . . . .”

Yet participants waffled on two matters related to the past practices. Should there be apologies for past practices and conditions? Should some form of reparations be provided for the victims and/or their descendants? Some governments and nongovernmental groups joined the call for redress, compensation or reparations for past as well as current injustices, including slavery, colonialism, and the deprivations suffered by indigenous peoples. It is complicated enough if it involves the psycho-social-moral questions of guilt and atonement, acknowledgment, and repentance regarding the past. Who can “apologize” for the sins of the past? Who can accept the apology on behalf of past victims? Who can grant “absolution” for the past misdeeds? If monetary compensation is added to the mix, the questions are obvious—who pays, who gets, how much and on what basis, how is it assured that the debt is paid, etc.? These questions are no longer merely academic discourses into moral theory, but reflections of a whole new field of litigation that has developed to redress the grievances that individuals and peoples allege they have suffered.

The strongest language that the conference could come up with is found in paragraphs 98 and 99, which “acknowledge and profoundly regret” the sufferings and evils caused by slavery, the slave trade, apartheid, colonialism, genocide. It seems that to “apologize” would be to accept responsibility and establish legal liability for which countries do not want to be bound. The document DOES go on to note that some states have taken the initiative to apologize and made efforts at appropriate reparation. While implied commendation, the member states could not agree to go further. The conference did, however, recognize the right of victims to seek just and adequate reparations or satisfaction.

Generally opposed to the conference, as it had been for the two earlier UN conferences on racism, the United States choose to withdraw from the conference before it ended. While the U.S. had set up its rationales, many felt the decision reflected disdain for the UN, and no serious commitment to deal with the global problems being dealt with. Early on it was clear that the U.S. would oppose consideration of any form of reparations beyond acknowledgment of wrongs committed. The reluctance of our government will not silence the domestic and international discussion.

A second major focus claiming lots of media attention, was the complexity of issues related to intertwined issues of past treatment of the Jewish people (historically victims of anti-Semitism that culminated in the Holocaust), and the contemporary status of the Palestinian people (denied the right to self-determination for more than fifty years, in land illegally occupied by Israel, accompanied by massive denials of human rights). In 1975, in preparation for other UN activities related to racism, the UNGA passed a resolution stating that Zionism is racism. Instantly controversial, the resolution was later rescinded. Some governments and some nongovernmental organizations tried to revise this concept before and at Durban. Yet it was determined months before the conference was held in Durban that this



would not be part of the final intergovernmental document, although it continued to be dealt with in the non-governmental forum. It would seem that the two were deliberately obscured, and the United States, never thrilled with the idea of the conference to start with, and Israel chose to walk out of the UN Conference. One might argue, at least on the part of the United States, a regretful decision, perceived by many as the United States turning its back on the broader global problem, and avoiding the domestic implications inherent in any seeming failure to give wholehearted support to Israel. One might also argue that the United States did not want to deal with the historic and contemporary manifestations of racism in its own society, and therefore found this matter a convenient excuse.

The declaration was quite clear. Genocide (the legal term applied to the Holocaust) was cited as a crime against humanity. The “Holocaust must never be forgotten,” (in fact acknowledging a particularly Jewish claim on the word despite claims of genocide against other peoples, e.g., the Armenians). Concern was expressed over the increase in both anti-Semitism and Islamophobia in various parts of the world, including violence against Jewish, Muslim, and Arab communities. The United States by its absence was silent!

The conference went on to express concern over the plight of the Palestinian people under foreign occupation, and the denial of their inalienable right to self-determination and to the establishment of an independent state—hardly controversial as these have been the established international legal principles for years—supported in principle if not practice by the United States. It called for a comprehensive and lasting peace in the region, and the right of refugees to return (also established international law). In this context it also called for the right to security for all states in the region, including Israel.

Little of this made the news. It must also be said, that the language in the documents of the NGO forum—language that does not emerge out of a deliberative body but out of the caucuses of concerned advocates, was, in fact, much more strident. But it should also be noted, that because of that language, the Conference Chairperson, Mary Robinson, UN high commissioner for human rights, refused to officially receive the forum documents, something normally done.

Another matter, dealt with great reluctance, was the concern for the conditions and rights of indigenous peoples. For decades the UN’s human rights apparatus has been limited in its capacity to address the rights of indigenous peoples. No country with indigenous groups has been eager to address the complicated legal and moral issues involved in their claims. The rights of indigenous peoples have been one of the critical issues that few countries have been unwilling to honor, and that the international community has been hesitant to tackle.

Yet, over the years the UN has taken a number of steps toward addressing the human rights concerns and the historic of indigenous peoples, which they have encountered around the world, in whatever context they have found themselves. A Sub-Commission on the Promotion and Protection of Human Rights has had for some years a Working Group on Indigenous Populations. Since 1994, the sub-commission has been considering a “Draft United Nations Declaration on the Rights of Indigenous Peoples,” but has been unable to reach agreement on the text. The United Nations also has sponsored an “International Decade of the Indigenous Peoples.

In 2001, perhaps because of the World Conference, the Economic and Social Council of the United Nations created a Permanent Forum on Indigenous Issues, and the Commission on Human Rights has appointed a Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples.

The Declaration of WCAR fully recognized: “the rights of indigenous peoples consistent with the principles of sovereignty and territorial integrity of States, and therefore stress the need to adopt the

appropriate constitutional, administrative, legislative and judicial measures, including those derived from applicable international instruments.” It went on to qualify that the use of the term “indigenous peoples” is without prejudice to future negotiations and definitions.

The Programme of Action is more specific, urging states to ally all necessary measures to promote, protect and ensure indigenous peoples their rights; to respect indigenous cultures and heritage, to assist in the improvement of their economic conditions, to improve, specifically the conditions of indigenous women; and honor and respect the treaties and agreements that have been made in the past.

Some have argued that the World Conference on Racism (et al) was the most difficult conference ever undertaken by the UN, involving reconsideration of some of history’s most tragic legacies as well as deep-seated social and legal patterns that still exist. Probably no one was fully satisfied with the outcome—but no one said it would be easy. As someone said: if you are going to deal with the problem, you must name the multiple manifestations of racism, intolerance and xenophobia. If you name its manifestations you must identify the perpetrators as racist. Who wants that? So was it a success or failure?

For the first time at an interstate conference under UN auspices, all of the issues were identified, not just those related to slavery in the western hemisphere or apartheid in South Africa. Concerns for the Roma (Gypsies), the Dalits in India, etc.; and the indigenous peoples were all there to see. That no issue was solved should hardly be a surprise—but for those concerned about justice (and perhaps reconciliation), one might argue that a giant step was made for humanity—but the road to be traveled is long and the hazards are great.

8. *The Rights of Children and the World Community’s Responsibilities: Special United Nations General Assembly on Children—a Casualty of September 11—Postponed until Spring 2002*

The events of September 11 brought about the postponement of the United Nations General Assembly Special Session on Children (UNGASS-C), originally scheduled to be held in New York, September 19–21, 2001, until May 2002. This UNGASS was designed to review the progress made toward addressing the rights and needs of the world’s children which were embodied in the Convention on the Rights of the Child (CRC), accepted by the UNGA in 1989, and as set forth in the declaration and plan of action that were adopted at the World Summit for Children in 1990.

Like many recent UN efforts, the preparations for UNGASS-Children had been negatively impacted by the attitudes and positions of the United States. As is well known, the United States is one of the two countries that has not ratified the Convention on the Rights of the Child (CRC), the other being government-less Somalia. The preparative documents were relying heavily on the positive value of the CRC to establish the claims of children and the responsibilities of governments to address the needs of the world’s children. The UNICEF was under pressure from the United States to downplay the “rights” language, if not to abandon it altogether.

Word was that the U.S. claimed that a convention adopted by 187 countries (the most ratified HR treaty in existence) had no normative value. How else could it explain why it has not ratified the convention that it helped draft? The administration also appeared, under pressure from “fundamentalist” religious circles in the U.S., to buy the rhetoric that the concerns of the UN regarding children are anti-family, despite at least seventeen paragraphs in the CRC that affirm and support the family, and the rights and responsibilities of parents. The fact is that in every major UN social document of the past decade, the family is affirmed as the central social institution in every society needing every resource to enable it to fulfill its responsibilities.

Some hoped that the postponement of the UNGASS-Children might provide time for the mobilization of efforts to have the United States reexamine its own values and commitment (beyond the obvious rhetoric) to the world's children and the fulfillment of their needs—including those children in need within the borders of the U.S. itself.

In preparation for the special session, an extensive plan of action had been developed by the United Nations Children's Fund, (UNICEF), the UN's primary agency for children. Entitled "A World Fit for Children," the plan involves commitments both in the establishment of standards and norms as well as the targeting of specific child care and provision goals. The first involves universal ratification of the Convention on the Rights of the Child (1989) and its Optional Protocols, which were adopted in 2000. These are designed to prevent the use of children in armed conflict and the sexual exploitation of children through sale, prostitution, or pornography, to be accompanied by national legislation to conform with the protocols. It would ask universal ratification of the International Labour Organization Convention 182, in order to eliminate the most destructive forms of child labour. It would call for the fulfillment of economic commitments for the provision of basic services, previously accepted but not provided.

The specific targets include the global eradication of poliomyelitis by 2005 and the virtual elimination of iodine deficiency disorders by 2005, and vitamin A deficiency by 2010. It includes an extensive immunization program to protect at least 80 percent of all children under one against the major childhood killers: diphtheria, pertussis, tetanus, measles, and tuberculosis, and the immunization of women of childbearing age to prevent neonatal tetanus. Special effort will be made to prevent the spread of HIV/AIDS among children and to care for those who have been victimized by it. These and numerous other goals set forth are achievable. Every country will be asked to set their own goals and timetables for achievement, with international help where possible.

#### *9. The Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief*

The year 2001 marked the 20th anniversary of the adoption of the UN's Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. That Declaration serves as the central United Nations effort to elaborate on Article 18 of the Universal Declaration of Human Rights which states:

Everyone has the right to freedom of thought, conscience and religion: this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The provisions of the declaration speak against any form of religious coercion and all forms of discrimination based on religion or belief, and calls on states to take effective measures to prevent coercion and discrimination. The Declaration elaborates on nine specific freedoms to which all are entitled, including freedom to worship alone or in assembly, to establish appropriate institutions, to have access to materials necessary for rites or customs, to write and discriminate, to teach, to receive donations, to observe religious days, and to communicate on all levels.

In 1986, pursuant to the growing concerns regarding the increasing evidence of religious intolerance and persistence of religious persecution, the CHR appointed a special rapporteur on what is now called Freedom of Religion or Belief, to examine incidents and government actions inconsistent with the declaration, and to recommend remedial actions. That appointment with its mandate regularly has been renewed since it was established. The process of investigation includes on-sight visit as well as communications with governments regarding situations that have been brought to the attention of the UNHCR.

The special rapporteur's report on the 20th anniversary of the declaration summarizes and analyzes the record that began in 1988. Seven categories of violations are noted: [25ff]

- violations of the principle of nondiscrimination in the area of religion or belief, including policies, legislation, regulations practices that discriminate against particular communities of religion or belief, and which discrimination against women on the basis of religion or belief;
- violations of the principle of tolerance polices and practice from the state or society, amounting to religious extremism, inter- or intra-religions;
- violations of freedom of thought, conscience, religion or belief—with the focus on two issues, the principle of conscientious objection, and the freedom to change or keep one's religion or belief;
- violations of the freedom to manifest one's religion or belief, i.e., policy, law, regulations that result in the interference, prohibition, or limitation of the practice of one's religion;
- violations related to the use and disposition of religious property, e.g., confiscation, denial of use and protection, violation of religious sites through attacks, closures, etc.;
- violations of the right to life, physical integrity, and health of individuals—policies and practices that are reflected in threats, mistreatment, imprisonment or even death;
- violations affecting women—as specifically reflected in the previous six patterns.

The coverage of concern includes all of what are considered the major religious traditions as well as new and smaller religious communities, some of which are subsets or derivatives of major traditions.

The SR asserts: “. . . no religion or belief is sheltered from violations and . . . No state or category of states, no religion or belief has a monopoly on intolerance.” Christianity, however, is identified as most affected, reflecting the fact that it is the most diverse and widely spread of the major traditions, and exists in almost every society in conflict.

Among the major efforts of the special rapporteur have been a world conference in Madrid on education related to freedom of religion or belief, tolerance and nondiscrimination, recognizing the importance of education in strengthening respect for human rights and fundamental freedoms, and promoting tolerance and understanding. The reality is that state, religious or private institutions of education are in a position to perpetuate intolerance, bigotry, and eventually violence, or to promote an international culture of peace. The purpose of the conference was to develop an international educational strategy for primary and secondary school education, and as such it brought educators and religious leaders from around the world.

The second major effort of the SR was support for the International Year of Dialogue Among Civilizations, the effort by the United Nations General Assembly to promote tolerance and understanding among religious and cultural traditions of the world. Tragically, 2001 ended with greater reflection on the fears and tragedies of inter-communal, interreligious strife than on the greater peace and good will the year was supposed to promote. The events of September 11 should confirm that dialogue, understanding, and tolerance in a pluralistic world is all the more important.

The conclusions of the SR are sobering. On the down side, while religion is officially given state recognition, it is still used as a tool of state policy; minorities are still persecuted in states with official

religions; negative policies are increasingly directed against minorities described as sects; extremism is increasing in all religious traditions; patterns of non-belief are on the increase; the role of non-state actors is increasingly problematic; and women still face persistent discrimination and intolerance both from state and religious sources.

The SR suggests that the promotion of religious freedom is linked to the promotion of human rights in general: the increase and strength of democratic institutions, and the eradication of poverty and the promotion of development.

As if in anticipation of events of September 11, the SR notes:

Extremism, whether its invocation of religion is genuine or fictitious and whether it adopts, provokes or maintains violence or takes on less spectacular forms of intolerance, represents a violation of freedom and religion alike. It is not exclusive to any society or any religion.

#### *10. The United States and the International Human Rights Covenants and Conventions*

No progress has been made on United States ratification of major international Covenants and Conventions. These include the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination on all Forms of Discrimination Against Women, and the Convention on the Rights of the Child. Such failure is a source of consternation in other countries in light of public claims in the United States that the country is the world's champion of human rights.

### *C. Regional Updates*

#### *1. North America*

Two major worldwide events that had an impact on the issue of human rights in the United States were most certainly the September 11, 2001, terrorist attacks in New York City, Washington, D.C., and Central Pennsylvania; and, to a lesser degree, the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerances (WCAR). The WCAR took place in Durban, South Africa, from August 28 through September 7, 2001. The WCAR had us asking about our nation's past human rights violations and what responsibility we have to reconcile with descendants of those actions. The September 11, 2001, terrorist attacks had many of us looking for answers regarding what provoked such a cruel response.

Political analysts have posited several reasons for the terrorism we have experienced. Among them are our economic policies; cruel and unusual punishment in our criminal justice system toward minorities; the existence of poverty in the midst of a prosperous nation; and the political repression at the polls during the 2000 elections as experienced by the elderly and racial ethnic persons. These same issues were cited against the United States during the WCAR, with heightened attention given to the plight of indigenous people.

As in the past, this year's North America regional update will focus on the United States and address many of the concerns raised above.

#### *a. Civil Rights*

##### *(1) Racial Profiling*

Prior to the September 11, 2001, terrorist attacks, the primary focus of racial profiling was black and brown people. In fact, the practice was referred to as DWB (Driving While Black/Brown) when it came to

the large number of people of color being pulled aside by local law enforcement officers on the highways. In the days following the terrorist attack, the focus of racial profiling has been on those of Middle Eastern descent, primarily those with Arab or Islamic names or dress. Major newspapers reported that as many as twelve hundred persons of Arab descent were detained without charges by the Justice Department in the weeks immediately following the attack. Civil rights and immigration groups questioned the widespread nature of this detainment and compared it to the treatment of Japanese during World War II. By the first of December, various charges were brought against just less than seven hundred of those being held and the others were discharged.

Over the last few years, Congress has had several bills introduced on the subject of racial profiling. In Senate bill S.989, authored by Senator Russell Feingold (D-WI) and Representative John Conyers (D-MI), the following findings are given to support this measure:

- The vast majority of law enforcement agents nationwide discharge their duties professionally, without bias, and protect the safety of their communities.
- The use by police officers of race, ethnicity, or national origin in deciding which persons should be subject to traffic stops, stops and frisks, questioning, searches, and seizures is a problematic law enforcement tactic. Statistical evidence from across the country demonstrates that such racial profiling is a real and measurable phenomenon.
- As of November 15, 2000, the Department of Justice had fourteen publicly noticed, ongoing, pattern or practice investigations involving allegations of racial profiling and had filed five pattern and practice lawsuits involving allegations of racial profiling, with four of those cases resolved through consent decrees.
- A large majority of individuals subjected to stops and other enforcement activities based on race, ethnicity, or national origin are found to be law-abiding and therefore racial profiling is not an effective means to uncover criminal activity.
- A 2001 Department of Justice report on citizen-police contacts in 1999 found that, although African Americans and Hispanics were more likely to be stopped and searched, they were less likely to be in possession of contraband. On average, searches and seizures of African American drivers yielded evidence only 8 percent of the time, searches and seizures of Hispanic drivers yielded evidence only 10 percent of the time, and searches and seizures of white drivers yielded evidence 17 percent of the time.
- A 2000 General Accounting Office report on the activities of the United States Customs Service during fiscal year 1998 found that black women who were United States citizens were nine times more likely than white women who were United States citizens to be X-rayed after being frisked or patted down and, on the basis of X-ray results, black women who were United States citizens were less than half as likely as white women who were United States citizens to be found carrying contraband. In general, the report found that the patterns used to select passengers for more intrusive searches resulted in women and minorities being selected at rates that were not consistent with the rates of finding contraband.
- Current local law enforcement practices, such as ticket and arrest quotas, and similar management practices, may have the unintended effect of encouraging law enforcement agents to engage in racial profiling.
- Racial profiling harms individuals subjected to it because they experience fear, anxiety, humiliation, anger, resentment, and cynicism when they are unjustifiably treated as criminal suspects. By

discouraging individuals from traveling freely, racial profiling impairs both interstate and intrastate commerce.

- Racial profiling damages law enforcement and the criminal justice system as a whole by undermining public confidence and trust in the police, the courts, and the criminal law.
- Racial profiling violates the Equal Protection Clause of the Constitution. Using race, ethnicity, or national origin as a proxy for criminal suspicion violates the constitutional requirement that police and other government officials accord to all citizens the equal protection of the law (*Arlington Heights v. Metropolitan Housing Development Corporation*, 429 U.S. 252 (1977) [S.989-H.R.2074]).

## (2) *Hate Crimes*

Hate crimes in the United States are still an unfortunate fact of life. The Justice Department and Congress have each continued to address this issue by maintaining statistics and introducing guidelines when needed. In a sense of the Congress Resolution (SCON74 RFH), the U.S. Senate went on record as “Condemning bigotry and violence against Sikh Americans in the wake of terrorist attacks in New York City and Washington, D.C., on September 11, 2001.” Following the attacks, anyone who looked “different” or “foreign” was subject to verbal abuse and physical attacks. The fact that Sikh Americans were attacked because they were thought to be Arab, showed that many Americans do not know the difference between ethnic groups. Many of these groups have lived among us for many decades. Congress, the Administration, and many leaders across the nation called for tolerance, particularly toward Arab Americans during these tense times.

In addition to hate crimes against Sikhs and Middle Easterners, Congress also has under consideration H. R. 1164. This act, introduced by Representative Joe Baca (D-CA), would amend the Omnibus Crime Control and Safe Streets Act of 1968 to dedicate certain funds for the purpose of reducing violence and hate crime against Native Americans and reducing incidents of crime on reservations. One of the issues raised at the World Conference Against Racism, was the fact that indigenous populations all over the world still experience hate crimes on the part of the majority society.

Hate crimes in the school system are still a concern in many U.S. communities. The high profile violent incidents of 1998 and 1999 at various schools around the nation mean that vigilance on the part of community, mental health, religious, and educational institutions is still warranted.

Groups that have traditionally experienced hate crimes are still subject to those crimes. In 1999, there were 7,876 hate crime incidents reported to the FBI. The incidents involved 9,301 separate offenses, 9,802 victims, and 7,271 known offenders. Of the total reported incidents, 4,295 were motivated by racial bias, 1,411 by religious bias, 1,317 by sexual-orientation bias, 829 by ethnicity/national origin.

## (3) *Capital Punishment*

The Presbyterian Church (U.S.A.) has developed over the past forty years a critique of the criminal justice system based on three essential tenets: an emphasis on ministering to the needs to victims of crime, the offender, and the community, the use of alternatives to incarceration, and opposition to capital punishment. The General Assembly, beginning in 1959 and most recently in 2000, opposed the death penalty on the grounds that “as Christians, we must seek the redemption of evildoers and not their death” (*Minutes*, UPCUSA, 1959, Part I, p. 383). The prison population surpassed two million as states and the federal government continue to finance an ever-sprawling and expensive prison-industrial complex. And despite the almost decade-long trend of falling crime rates, citizens feel no safer as creative means to repair the harm that crime does to victims and communities receive less attention than punitive measures that focus solely on inflicting pain upon offenders.

Despite popular support for the May execution of Timothy McVeigh, who was the first person executed by the federal government in three decades, public attitudes toward the reliability and fairness of capital punishment continue to rise. In 2001, 66 people were executed, compared to 85 in 2000 and 98 in 1999. This marks the first time since the reinstatement of capital punishment in 1977 that the number of executions has fallen for two years in a row. The decline is most noticeable in the three states where historically a majority of executions occurred: Texas, Florida, and Virginia combined saw 16 executions in 2001 compared to 54 a year earlier. The release of five more men from death rows across the United States (the total now stands at ninety-nine freed since 1976) fed continued public doubts about the fairness and accuracy of the capital punishment. According to several national surveys, support for capital punishment has fallen to 65 percent, and a majority now favor a moratorium on executions.

Several individual cases raised doubts about the fair application of capital punishment in the United States. In Ohio, five jurors declared that they would not have voted to sentence Jay Scott to death had they known at trial of mitigating evidence, such as Scott's abusive childhood and severe mental disorders. Scott was executed in June 2001. The death sentences given in Georgia and Texas to Alexander Williams and John Satterwhite, respectively, also placed the spotlight on capital punishment and the mentally impaired. Virginia's near execution of Douglas Christopher Thomas raised the question of whether juvenile offenders should face the death penalty. Finally, the historic decision by the International Court of Justice in the cases of Walter and Karl LaGrand, coupled with the execution of Mexican citizen Gerardo Valdez, embroiled the United States Government in diplomatic disputes with its closest allies. The World Court ruled in June 2001 that the United States breached its obligations under the Vienna Convention on Consular relations and violated a binding Court order by executing the LaGrand brothers despite the fact that neither was able to obtain consular assistance, as required by the treaty, upon their arrest for murder.

The United States Supreme Court will soon issue an opinion in the case of *Atkins v. Virginia* on the constitutionality of executing the mentally retarded.

Presently, more than 3,700 people live in death row, a majority of whom are from communities of color. Thirty-eight states, the U.S. Government, and the U.S. military have enacted death penalty statutes. In the wake of the September 11 terrorist attacks, President George W. Bush and Attorney General John Ashcroft issued an executive order authorizing the use of military tribunals to try and possibly sentence to death suspected terrorists. However, just days after that announcement, the government of Spain announced it would not extradite eight suspected members of Osama bin Laden's terrorist organization, Al-Queda, to the United States unless Washington would renounce the possibility of sentencing them to death.

NOTE: all information comes from the web sites of the Death Penalty Information Center ([www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)), Amnesty International USA ([www.amnesty-usa.org](http://www.amnesty-usa.org)), or the NAACP's Legal Defense and Education Fund ([www.deathpenaltyinfo.org/DEATHROWUSArecent.pdf](http://www.deathpenaltyinfo.org/DEATHROWUSArecent.pdf)).

b. *Economic Rights*

(1) *Poverty/Anti-Hunger*

As people of faith and religious commitment, the church has always been called to stand with and seek justice for those who are vulnerable or living in poverty. This is central to many religious traditions, sacred texts, and teachings. People are more than the sum of their economic activities. Anti-hunger programs must provide more than economic incentives and disincentives; and, as a people, we must overcome biased assumptions that feed negative social stereotypes about those living in poverty.

The outpouring of generosity that has followed recent disasters in the United States has refreshed our nation's concept of the Common Good. Although there is a risk that some essential government programs



to help low-income people will receive reduced funding in order that resources can be diverted to pay for other essential services, the government has both the capacity and the responsibility to develop just public policy and provide sufficient resources to maintain a basic safety net for the protection of people in need that will be available at all times. The government and nonprofit and religious communities must work together in order to reduce poverty and increase self-sufficiency. Charity can supplement, but it cannot and should not replace the role of government.

In the robust U.S. economy of the last several years, Temporary Assistance for Needy Families (TANF)—combined with the increased availability of jobs— has significantly reduced the number of people on the welfare rolls throughout the nation. There is, however, unfinished business with regard to those who have left the rolls. Many have gotten jobs that do not provide a family-sustaining wage. At the same time, they have lost the supportive services that are essential to maintaining their households, so that they are often poorer than they were on welfare. TANF must continue to provide work support for people moving into the workforce but earning low wages. The U.S. Congress should provide more funds for TANF to ensure its ability to act as both a work support program and a safety net for those for whom work is not an option. A strong and reliable safety net is more essential than ever at times of disaster.

Currently, the U.S. Congress has begun discussions around the reauthorization of TANF. Acknowledging current economic realities, we believe that TANF reauthorization must be undertaken in the context of market issues, including unemployment and inadequate wages. There are also important family issues such as caring for a disabled child or family member, the availability of affordable, high quality child care and the economic value of care-giving in the home. It is important to acknowledge that 72 percent of the TANF caseload are children whose well-being depends on that of their parents.

Reducing poverty will depend on addressing these concerns along with a range of related issues such as safe and affordable housing, equitable wages, education and training, and access to transportation and health care. Meeting these basic human needs would benefit the whole community by giving all people the opportunity to reach their potentials.

The following principles, agreed upon by mainline denominations, restore poverty reduction in the context of TANF reauthorization.

## PRINCIPLES

For TANF to be effective in reducing poverty, it should meet the following principles. It must:

- Ensure that poverty reduction is a central goal of TANF. The cash benefits combined with wages and supportive services must be sufficient to allow each family to meet its basic needs.
- Provide sufficient federal and state funding. Funding for TANF should at a minimum be indexed to the rate of inflation. Continuation of state maintenance of effort should be required.
- Acknowledge the dignity of work, eliminate barriers to employment and provide training and education necessary for inexperienced and young workers to get and hold jobs. Participation in post-secondary education should count as work. Supportive services provided should include child care, transportation, and ancillary services to make participation possible and reasonable.
- Continue and encourage public/private partnerships to train workers and help them find jobs. If public jobs are created, they should lead to family-sustaining wages, meet Fair Labor Standards Act

requirements, and not displace current workers. States should provide means by which employment programs can be evaluated at the local level for effectiveness and fairness.

- Allow TANF recipients to retain a substantial portion of wage earnings and assets before losing cash, housing, health, childcare, food assistance or other benefits. In no case should former TANF recipients receive less in combined benefits and income as a result of working than they received while they were on TANF.

- Be available to all people in need. Those who receive benefits should receive them according to their needs and for as long as the need exists. Time limits should not be imposed on people who are complying with the rules of the program. It is the state's responsibility to assure access to counseling, legal assistance, and information eligibility for child support, job training and placement, medical care, affordable housing, food programs, and education.

- Acknowledge the responsibility of both parents and government to provide for the well being of children. TANF should insure that children benefit from the active and healthy participation of parents—whether custodial or not—in their lives. The barriers to participation by married parents in federal programs should be removed. There should be no family caps and no full-family sanctions. Children should benefit from successful state efforts to collect child support assistance from non-custodial parents by receiving a greater cash grant.

- Address the needs of individuals with special situations. People who have been victims of domestic violence or stalking must be protected and have their privacy maintained. Some with disabling conditions may need extended periods of time to become employable; and it must be recognized that some people cannot or should not work under any circumstances. Legal immigrants should have access to the same benefits that are available to citizens.

- Uphold and affirm every person's value, whether employed or not. In compassion, we recognize that a small proportion of people on TANF may never be in a position to work outside the home. Exemptions should be offered for people with serious physical or mental illness, disabling conditions, or responsibilities as caregivers who work at home. States should have the option to use federal funds to help families to cope with multiple barriers to employment.

## *(2) Health Care*

The confluence of powerful economic forces, fueled by the terrorist attacks of September 11, have unleashed a "perfect storm" that could increase dramatically the number of uninsured people in the U.S.—with as many as 6 million people in total losing their coverage in 2001 and 2002. Specifically, two forces have converged to cause this perfect storm that threatens over the long term the health coverage security of workers and their families. First, a dominant force that has been building over the last three years is rapidly rising health insurance premiums, which could lead to an additional 6 million people going without health insurance in the two-year period 2001–2002 because of the high costs of maintaining health care coverage. As startling as that number is, the accelerated rise in unemployment powered by the economic downturn and the impact of the September 11 attacks could significantly exacerbate the problem. While the 2000 census reveals that nearly 39 million people were uninsured for the entire year in 2000, the National Coalition on Health Care (a coalition that the Presbyterian Church (U.S.A.) is a member) estimates that approximately 45 million people will have no health insurance coverage by the end of 2002—unless the government takes substantial actions to stem the incoming tidal wave of the uninsured. Further, during the three-year period 2001–2003, the National Coalition on Health Care estimates that a total of 86 million Americans could suffer a gap in their health insurance coverage.

c. *Political Rights*

Following the presidential election of November 2000, the nation waited months to learn who was the actual winner. Voting booth irregularities made the ballot count uncertain in many parts of the country, particularly Florida. Both state and federal officials vowed to fix the problems. In the meantime, it is clear that the votes cast by many legitimately registered American voters were not really counted. In a nation that prides itself on voting rights for all, this was a source of international embarrassment.

Once again, citizens have turned to Congress to find appropriate solutions. Civil rights groups such as the NAACP and the Leadership Conference on Civil Rights have supported legislation introduced by Senator Christopher Dodd (D-CT) S.565 and Representative John Conyers (D-MI) H.R. 3295. The bill makes the following findings:

- The right to vote is a fundamental and incontrovertible right under the Constitution.
- There is a need for Congress to encourage and enable every eligible American to vote by reaffirming that the right to vote is a fundamental right under the Constitution.
- There is a need for Congress to encourage and enable every eligible American to vote by reaffirming that the United States is a democratic Government 'of the people, by the people, and for the people' where every vote counts.
- There is a need for Congress to encourage and enable every eligible American to vote by eliminating procedural, physical, and technological obstacles to voting.
- There is a need to counter discrimination in voting by removing barriers to the exercise of the constitutionally protected right to vote.
- There is a concern that persons with disabilities and impairments face difficulties in voting.
- There are practices designed to purge illegal voters from voter rolls, which result in the elimination of legal voters as well.
- State governments have already begun to examine ways to improve the administration of elections and to modernize mechanisms and machinery for voting.
- Congress has authority under Section 4 of Article I of the Constitution of the United States, section 5 of the 14th amendment to the Constitution of the United States, and section 2 of the 15th amendment to the Constitution of the United States to enact legislation to address the equal protection violations that may be caused by outdated voting systems.
- Congress has an obligation to ensure that the necessary resources are available to States and localities to improve election technology and election administration and to ensure the integrity of and full participation of all Americans in the democratic elections process.

d. *Social and Cultural Rights*

(1) *African American*

The 213th General Assembly (2001) called for a study of the issue of reparations to the descendants of the transatlantic slave trade. Congress has before it a bill that also calls for such a study. This bill, if it is adopted, would acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and establish a commission to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination

against African Americans. It would study the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies.

The Bill (H.R.40) finds that—

- approximately 4 million Africans and their descendants were enslaved in the United States and colonies that became the United States from 1619 to 1865;
- the institution of slavery was constitutionally and statutorily sanctioned by the Government of the United States from 1789 through 1865;
- the slavery that flourished in the United States constituted an immoral and inhumane deprivation of Africans' life, liberty, citizenship rights, and cultural heritage, and denied them the fruits of their own labor; and
- sufficient inquiry has not been made into the effects of the institution of slavery on living African Americans and society in the United States.

## *(2) Women's Rights*

The United States recognizes the goals of International Women's Day. It is celebrated on March 8 of each year. All over the world women are contributing to the growth of economies, participating in the world of diplomacy and politics, and improving the quality of the lives of their families, communities and nations. Women in the United States are fortunate in that they gained the right to vote in 1920, but women in many other countries are still fighting for their voices to be heard in the political process.

Other forms of discrimination against women are still part of U.S. society. The lives and health of women continue to be endangered by violence which is directed at them simply because they are women. Violence against women is a social problem. It affects not only women, but children and families around the world. Violence against women includes rape, genital mutilation, sexual assault, domestic violence, honor killings, sexual trafficking in women, dowry-related violence, female infanticide, sex-selection abortion, forced pregnancy, forced sterilization, forced abortion, and forced use and nonuse of contraceptives.

The World Health Organization asserts that domestic violence causes more death and disability among women between the ages of 15 and 44 than cancer, or than malaria and traffic accidents combined. At least one out of every six women and girls living in the United States has been beaten or sexually abused in her lifetime.

Illegal trafficking in women and children involves between one and two million women and children each year, of whom 50,000 are transported into the United States. Sexual violence, including marital rape, has been denounced as a major cause of the rapid spread of HIV/AIDS among women.

There are 130 million girls and young women who have been subjected to female genital mutilation, and it is estimated that 10,000 girls are at risk of being subjected to this practice in the United States. Women still earn less, own less property, and have less access to education, employment, and health care than do men.

On March 8, 1857, women working in clothing and textile factories in New York City staged a landmark protest against inhumane working conditions and low wages, leading to the formation of the first women's labor union, the Women's Trade Union League, to gain basic workplace rights.

During the last century, March 8 became known as International Women's Day and is a day on which women, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for equality, justice, and peace (H.RES.86 on International Women's Day).

e. *Religious Rights*

Perhaps one of the low profile religious rights issues in the United States is the plight of those in historic Peace churches who find that they have difficulty redirecting their paid tax dollars toward peaceful pursuits and away from war activity. Among the U.S. Peace churches are the Quakers, Mennonites, and Church of the Brethren. In light of this, Congressman John Lewis (D-GA) has introduced H.R.1186. This bill aims to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for nonmilitary purposes, and to create the Religious Freedom Peace Tax Fund to receive such tax payments.

Support for the issues raised here are based on the understanding that—

- the framers of the United States Constitution, recognizing free exercise of religion as an unalienable right, secured its protection in the First Amendment of the Constitution; and Congress reaffirmed it in the Religious Freedom Restoration Act of 1993;
- taxpayers who are conscientious objectors recognize and affirm their civic and legal responsibilities to pay their full share of Federal taxes, and seek to do so without violation of their moral, ethical, or religious beliefs;
- for more than 25 years, these taxpayers have sought legal relief from either having their homes, automobiles, and other property seized, bank accounts attached, wages garnished, fines imposed, and threat of imprisonment for failure to pay, or violating their consciences;
- conscientious objection to participation in military service based upon moral, ethical, or religious beliefs is recognized in Federal law, with provision for alternative service; and
- the Joint Committee on Taxation in 1992 and 1994 has certified that a tax trust fund, providing for conscientious objector taxpayers to pay their full taxes for nonmilitary purposes, would increase Federal revenues.

2. *Africa–South of the Sahara*

a. *Civil Rights*

(1) *Freedom of Expression*

After nearly a decade as the continent's leading jailer of journalists, the Ethiopian government released most of the imprisoned journalists during 2001. However, Ethiopia continues to detain hundreds of opposition and labor activists. In April and May, Ethiopian security forces suppressed student demonstrations at Addis Ababa University, killing forty-one, injuring hundreds more, and detaining more than two thousand students. The government used the protests as an excuse to arrest scores of government critics, opposition politicians and human rights activists, including leading figures in the Ethiopian Human Rights Council.

In neighboring Eritrea, authorities detained six high-ranking members of the military and the ruling party, apparently because they had signed a letter critical of the president's undemocratic methods. The government also began a crackdown on the independent press, ostensibly for failing to comply with media licensing laws. By the end of the year, the Eritrean authorities had closed all of the country's independent newspapers. Eleven journalists were in jail—the most in Africa. Three were missing, several had fled the country, and a number were thought to have been forcibly conscripted.

Press freedom deteriorated rapidly in Zimbabwe following the January bombing of the independent *Daily News*. With the approach of the March 2002 presidential election, a growing number of journalists have been harassed, intimidated, arrested and tortured. In November, the government enacted legislation imposing penalties on people who make statements deemed “prejudicial to the state.” The new act also prohibits any expression intended to cause a breach of the peace or undermine the authority of President Robert Mugabe. Proposed legislation would make it illegal to spread “alarm or despondency,” or to report stories that have been covered by other (i.e., government) media. The vague prohibitions contained in the legislation have fueled fears that it will be used primarily to silence the independent press and political opponents.

For the second consecutive year, the Liberian government restricted Radio Veritas, an independent Catholic station. Radio Veritas' license—withdrawn in March 2000 for “security reasons”—was restored in March 2001, but the government tried unsuccessfully to limit content to religious programming. It was later forbidden to broadcast on the shortwave band, effectively preventing it from transmitting political news nationwide. In February, the government detained four journalists who wrote stories critical of state military spending. Police beat and arrested students who demonstrated against the detentions the following month.

## *(2) Abuses by Military and Paramilitary Forces*

Human rights abuses are endemic in military conflicts. In the overlapping conflicts in the Democratic Republic of the Congo (DRC), Rwanda, and Burundi, both government and rebel soldiers have been accused of routine use of arbitrary detention, forced military recruitment, extrajudicial execution, torture, and sexual violence. The Liberian army and insurgent forces have also killed, tortured, and abducted civilians in northeastern Liberia. In Sierra Leone, both Revolutionary United Front (RUF) rebels and civil defense militias allied to the government launched deadly attacks on civilians. The RUF has also been implicated in the systematic use of sexual violence, including abduction and sexual slavery.

Government security forces have also been implicated in abuses in criminal and civil situations. Rights agencies warn that the use of torture remains widespread in the Kenyan security forces. In July, Kenyan police reportedly executed seven suspected robbers. In October, at least three people were killed and several injured when police opened fire on a peaceful demonstration in Kumbo, Cameroon, calling for greater autonomy for the country's English-speaking regions. One hundred people were arrested in connection with the demonstration. Another demonstration in the province was also forcibly dispersed and nineteen people were arrested.

### *b. Political Rights*

#### *(1) Democratization*

Eleven nations, including Uganda, Senegal, Madagascar, and Zambia, held presidential or parliamentary elections during 2001. Elections in Guinea, scheduled for late December, were postponed until March 2002. In Benin's presidential poll, the candidate who placed second in the first round withdrew at the last minute, citing irregularities.

In several instances, government attempts to slow or reverse the process of democratization met with fierce grassroots resistance. In Zambia, public pressure compelled President Frederick Chiluba to abandon his plan to amend the constitution to enable himself to run for a third term of office. (However, the late December election for his successor was marred by allegations that fraud and administrative glitches had given the ruling party a narrow plurality.) In Zimbabwe, popular opposition to President Mugabe's increasingly autocratic rule has gathered momentum, despite intensifying harassment and intimidation of opposition leaders.

In other cases, governments took tentative steps towards enhancing democracy and public participation. During October and November 2001, Côte d'Ivoire convened a National Reconciliation Forum, along the lines of South Africa's Truth and Reconciliation Commission. The forum hoped to address the wounds of the social and political conflict of the past decade that came to a head in the year following the December 1999 coup d'état. The Angolan government is also talking about holding elections in late 2002—the first since 1992. However, the government has said the elections would be conditional on the restoration of peace, an objective that remains elusive.

## *(2) Security Matters*

The war in the Democratic Republic of the Congo (DRC), which has claimed more than two million lives since August 1998, continued into a fourth year. The situation remains complicated by the many actors competing for control of various parts of the country: Congolese troops, domestic rebel factions, militias aligned with local warlords (known collectively as "mayi-mayi"), the forces of six foreign nations (Angola, Burundi, Namibia, Rwanda, Uganda, and Zimbabwe), and paramilitary groups from Rwanda and Burundi.

International organizations agree that the revival of the Inter-Congolese Dialogue to resolve differences among the country's various factions and to rebuild shared political institutions will depend on the disarmament, demobilization, and repatriation or reintegration of armed groups. The DRC made uneven but positive progress toward these goals during 2001, despite the assassination in January of President Laurent-Desiré Kabila. Kabila was ultimately replaced by his son, Joseph, whose cautious, but generally favorable, approach to a negotiated settlement has been a source of renewed optimism.

A ceasefire signed in Lusaka in July 1999 held in most parts of the country throughout 2001. By October, the United Nations (UN) secretary-general reported that the parties to the Lusaka accord were close to fulfilling their commitments to disengage and re-deploy combatants. Ugandan and Namibian forces had effectively withdrawn, and Zimbabwe made an (unconfirmed) announcement that it had begun to pull out. Angola also stated its intention to withdraw.

In August, seventy delegates representing the DRC government, rebel factions, and civil society met in Gaborone, Botswana, to discuss an agenda and rules for the Inter-Congolese Dialogue. A follow-up meeting in December approved a number of confidence-building measures to prepare for negotiations, scheduled to begin in South Africa in early 2002.

However, a number of obstacles remain. While formally respected at the front lines, the ceasefire has had limited impact in some areas, because the underlying causes of conflict are unresolved and several armed groups, including the mayi-mayi, are not parties to the agreement. In eastern regions, the number of ceasefire violations has actually grown. Ugandan troops returned to parts of northeastern DRC in December after fighting broke out between factions of the Ugandan-backed RCD-Kisangani rebel movement.

Furthermore, reports suggest that some foreign troops may simply have been redeployed to consolidate control over mining areas. Human rights groups have also expressed concern about the reduction of the UN presence in the DRC. Following the Lusaka ceasefire, the UN Security Council authorized the deployment of 5,337 monitors in the DRC. Late in the year, however, the UN initiated a limited voluntary disarmament program among Rwandese rebels in eastern DRC with the consent of the DRC government.

Burundi made some progress toward resolving a civil war that has cost more than 200,000 lives and displaced more than one million people over the past eight years. The Burundian government, political parties, and three armed opposition groups signed a peace agreement in August 2000. However, implementation was delayed, in part by disagreements over who should lead a transitional government. Moreover, the deal was hampered by the lack of a ceasefire and the failure of two significant rebel groups—the Forces Nationales de Libération (FNL) and the Conseil National pour la Défense de la Démocratie—Forces pour la Défense de la Démocratie (CNDD-FDD)—to take part in the negotiations.

The significance of their absence became apparent when the FNL launched a sustained attack on Bujumbura in February. Scores were killed and about 30,000 people displaced. Unlawful detention, disappearances, torture, and extrajudicial executions by Burundian security forces skyrocketed in the wake of the attacks. All combatants continue to be involved in extrajudicial killings and other gross abuses of human rights. Detention without trial has become commonplace, with some prisoners having been detained for as long as six years. Roughly two-thirds of Burundi's prison population of nine thousand have yet to be tried. The death penalty is frequently invoked.

On November 1, 2001, a transitional government was installed as part of a power-sharing peace agreement brokered by former South African President Nelson Mandela. Early reports indicate that serious human rights abuses continue, however. Scores of civilians were allegedly killed by government forces during October 2001. During the first week of November, close to one hundred civilians were reportedly massacred by the military in one rural community. Meanwhile, CNDD-FDD apparently kidnapped hundreds of children from schools. While many subsequently escaped or were released, it is feared that some will be coerced into military service. The new government also inherited a "self-defense" program that included the mainly rural "Guardians of the Peace" militias, some of whom have records of serious human rights abuses.

The protracted conflict in Sudan between the Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A) and other militias continues to displace civilians, destroy infrastructure, disrupt food production, impede delivery of humanitarian relief and threaten livelihoods. A November 2001 report by the UN special rapporteur on human rights in Sudan criticized the SPLM/A for looting food—including relief provisions—recruiting child soldiers, and committing rape. Both sides were criticized for their use of land mines. The rapporteur also found that the indiscriminate bombing of civilian populations in the Nubah Mountains and in Blue Nile State hampered access to these regions by humanitarian aid workers.

Late in the year, however, some progress was achieved. In mid-November, the UN World Food Programme announced that the government and the SPLM/A had agreed on a four-week period of tranquility to allow aid to be delivered to these regions for the first time in years. In December, following a visit by U.S. peace envoy John Danforth, the Sudanese government and the SPLM/A agreed to an internationally monitored ceasefire covering the Nubah Mountains, Southern Darfur, and south-central Sudan. The agreement also allows for "military stand-downs" to facilitate implementation of a polio eradication program.



One of the world's worst refugee crises has been developing in West Africa in recent years. United Nations agencies estimate that more than three million people in Liberia, Guinea, Sierra Leone—20 percent of the population—are displaced. The situation is fueled by interlocking challenges: the proliferation of small arms, weak governance, limited economic prospects, and the illicit trade in diamonds and other natural resources. People fleeing fighting in Sierra Leone and Liberia have crowded into Guinea, with the result that as much as 7 percent of Guinea's population is made up of refugees.

In late 2000 and early 2001, fighting erupted along the Guinean border involving armed Liberian gangs, Sierra Leonean rebels, and Guinean militias. The Liberian government has also launched cross-border raids, ostensibly in pursuit of Liberian rebels. The refugees were again caught in the middle—and joined by an estimated 60,000 to 200,000 newly displaced Guineans. They have also reportedly suffered abuse from the Guinean military and civilians. Many have been arbitrarily detained for periods up to several weeks, and some have been beaten or tortured to death.

The situation became so bad in early 2001 that some began to return, preferring to face death at home rather than in a foreign land. As many as 50,000 Sierra Leonean refugees went back while others moved further into Guinea to escape the fighting, but the majority remained in the volatile border area in mid 2001. Meanwhile, fresh fighting in northwestern Liberia in December 2001 displaced about 15,000 people.

Angola's twenty-six-year-long civil war continues to drag on with little hope of an end in sight. Both government and UNITA (Union for the Total Independence of Angola) forces engage in military practices that target civilians. The UNITA claims only to attack military installations, but in several attacks during 2001, the vast majority of those killed were civilians. The government, for its part, seems to be pursuing a scorched earth policy in eastern parts of the country in an effort to cut off rebel food supplies. The UN reports that this has involved forcible evacuation of peasants.

### *c. Economic Rights*

#### *(1) Control of Resources*

In several places around the continent, government and paramilitary forces continue to loot natural resources to finance warfare. Such piracy places a double burden on civilian populations. On one hand, they must cope with fighting and insecurity. On the other, they are robbed of national assets that could otherwise be harnessed to finance development.

A recent UN inquiry into the role of diamonds in the conflict in Sierra Leone found that diamond smuggling was an important source of revenue for rebel forces, estimated at \$25 to \$125 million annually. The bulk of the diamonds are channeled through Liberia with the knowledge and collaboration of Liberian officials. The UN has accused Liberian President Charles Taylor of fomenting violence in Sierra Leone, in part to retain control of the lucrative diamond trade. In March, the UN imposed a conditional embargo on diamond exports from Liberia.

The April 2001 report of a UN Panel of Experts on illegal mineral exploitation in the DRC found that Uganda, Rwanda, and Burundi, whose troops occupy portions of the country, have been systematically plundering the DRC's gold, diamond, timber, ivory, and other resources. Fighting for the control of mining areas has been responsible for the deaths and displacement of many people. Children are also being used to work the mines.

In August 2001, a joint meeting of the Bishops of the Catholic and Episcopal Churches in Sudan called on the Sudanese government to halt oil extraction until the country's civil war is resolved. The

Bishops said that oil revenues help to finance the war and reinforce existing economic inequalities. Research commissioned by Canadian church and labor groups concluded that fighting has intensified in areas near oil installations, with devastating consequences for civilian populations. While investigators found no evidence to support the Sudanese government's claim that oil revenues are being used to finance development, they did note a close correlation between oil revenues and increases in state military spending.

(2) *Land Rights*

In July 2001, the South African government evicted thousands of people from land at Bredell, near Johannesburg. Most of those evicted were poor people who had occupied the land out of desperation. Land invaders subsequently confronted police at Khayelitsha, near Cape Town. The occupations intensified pressure on the government to speed up land redistribution and the settlement of more than 50,000 outstanding land restitution claims related to apartheid-era forced removals.

d. *Social and Cultural Rights*

(1) *Women*

In response to calls for Sudan to play a more active role in preventing the abduction of women and children, the government supported the establishment of a special Committee for the Eradication of Abduction of Women and Children. The minister of justice also announced plans to set up a special office to prosecute those responsible for abductions. Although the number of abductions has decreased in recent months, the decline appears to be attributable to the improved capacity of the SPLM/A to defend villages against raiding parties. Government-sponsored Murahilin militias, composed largely of men from nomadic Arab groups, continued to be strongly implicated in the abductions and other assaults on civilians.

(2) *Children*

Human rights advocates report massive recruitment and use of child soldiers in the Congolese conflict. In March 1999, it was estimated that 20,000 children were directly involved as combatants in the conflict in eastern DRC. Since then, studies indicate that 20–30 percent of all new recruits have been children under the age of eighteen with a substantial number younger than twelve. The RCD-Goma rebel group has been cited as a prime offender, having twice failed to adhere to agreements to halt the practice. In April, the RCD-Goma promised to turn child recruits over to UN officials, but then reportedly allowed more than 1,800 child soldiers, aged 12 to 17, to graduate from one of its training camps. Children are also being recruited into the local defense forces used to protect specific towns, but they are also deployed in combat.

In December 2001, President Joseph Kabila demobilized 208 child soldiers from government forces. The action, taken in conformity with UN Security Council resolutions, was portrayed as a first step towards the demobilization of all of the estimated 6,000 child soldiers in Congo.

(3) *Lesbian and Gay People*

Namibian President Sam Nujoma told University of Namibia students the government would not tolerate homosexuals in Namibia. "Police are ordered to arrest you and deport you and imprison you," he said. Members of President Nujoma's Cabinet have reportedly argued that lesbian and gay people should

be “eliminated” from society. A few days later, he urged regional leaders to identify and arrest gays and lesbians.

In South Africa, constitutional challenges to existing laws seemed likely to clear the way for equal access to adoption rights and pension benefit for same-sex partners.

e. *Religious Rights*

Although religious discrimination is not officially sanctioned by any sub-Saharan African government, religious differences often become a factor in social conflicts in diverse societies.

Nigeria was rocked by a series of violent clashes fueled by religious, ethnic, and class tensions. In the predominantly Muslim north, the further entrenchment of Islamic Sharia law in ten states contributed to an atmosphere of intimidation of Christians, despite their exemption from the provisions of religious law. Some states have banned alcohol and gambling, and one has set up separate schools and taxis for women. Vigilante groups patrol communities, keeping an eye out for transgressions of Sharia rules.

In October 2001, a woman was condemned to death by stoning after she was convicted of having premarital sex. This followed the flogging of a teenaged girl in a neighboring state as punishment for a similar conviction—a sentence carried out in spite of the fact that an appeal was still pending. In another northern state, a 16-year-old boy was sentenced to have his hand amputated for stealing.

Both Jos and Kano in north central Nigeria witnessed sectarian violence during 2001. In Jos, at least five hundred people died in clashes between Muslims and Christians in September. But the conflict also has an economic dimension as religious differences become a lightning rod for the popular frustration generated by employment and poverty.

Ethnic tensions also flared in east central Nigeria during the year as fighting broke out between Tiv people and other communities. The violence left more than 250 dead and several thousand people displaced. Unexplained attacks on the Church of Christ in the Sudan among the Tiv appear to have been motivated by ethnic rivalry and a misconception that the church is exclusively for Tiv people.

Police and worshipers clashed in Khartoum, Sudan, after the government ordered an Easter rally to be moved to avoid conflict with Islamic groups. Riot police fired bullets and tear gas into All Saints Cathedral, injuring many. Fifty-six people were arrested and sentenced to be flogged.

The minority Christian community in Sudan has raised concerns about restrictions on religious freedom and the increasing dominance of Islam in education and public life. However, the UN special rapporteur for Sudan concluded recently that there was no systematic suppression of Christian churches in Sudan and the country’s long-running civil war should not be understood as a war of religious persecution.

3. *East Asia/Pacific*

The *Human Rights Update 2000–2001*, approved by the 213th General Assembly (2001), continues to witness to the ongoing human rights violations and concerns for members and governing bodies of the Presbyterian Church (U.S.A.). In most instances, the situation has remained either unchanged or minimally changed. The former material may be found at the church web site: [pcusa.org/oga/publications/human\\_rights2000-1.pdf](http://pcusa.org/oga/publications/human_rights2000-1.pdf).

#### 4. *Europe and Central Asia*

There is a large and growing body of legal standards against which human rights observance in Europe and Central Asia can be evaluated. These standards include the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the International Agreement on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; the Final Document of the Vienna World Conference on Human Rights; the Final Act of the (Helsinki) Conference on Security and Cooperation in Europe; the Framework Convention for the Protection of National Minorities; and the European Charter for the Protection of Regional and Minority Languages. The foregoing documents have all been adopted, ratified or initialed by many or, in some cases, all of the national governments in Europe and Central Asia. In general, these documents stipulate five categories of human rights: civil rights, political rights, economic rights, social and cultural rights, and religious freedom.

In terms of their compliance or noncompliance with the above covenants, conventions, charters, agreements, and documents, the nations of Europe and Central Asia fit naturally into four groups:

- Two countries, Belarus and Turkmenistan, both successor states of the former Soviet Union, consistently violated nearly every human right defined in the above listed agreements.
- Eight nations, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Ukraine, and Uzbekistan, were seriously deficient in three or more areas of human rights. Until December 31, 1991, all seven of these nations had also been part of the old Soviet Union. There have been wars or civil wars or guerilla conflicts in four of these nations.
- Nine countries or political entities were more or less functioning democracies but were still seriously deficient in at least two areas of human rights: Albania, Bosnia, Bulgaria, Kosovo, Macedonia, Romania, Russia, Turkey, and Yugoslavia.
- Thirty-one countries basically respected the human rights of all persons living within their borders even if there were, at times, significant failures by local authorities in most of these countries to protect the civil, political, social cultural and economic rights of persons of non-European background, Roma, Jews, gay people and members of certain religious sects: Andorra, Austria, Belgium, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. The Vatican State is not covered in this report.

##### a. *Civil Rights*

In 2001, the most prevalent patterns of civil rights violation in Europe and Central Asia concerned (a) police violence against non-white immigrants, failure by the police to protect non-white immigrants and citizens from racist violence and discriminatory application of immigrant laws in cases involving non-white immigrants; (b) police beatings and torture of political opponents in the course of interrogations as well as unwarranted arrests and jailing of political opponents; (c) beatings and attacks by police against Roma (also known as Gypsies) and quasi-legal efforts to evict Roma from certain neighborhoods and communities, (d) police abuse of gay men and lesbians and/or failure to protect gay people from anti-homosexual violence.

In 2001 there were numerous reports in almost every country in Europe of violence against people of African, Middle Eastern, and other non-European heritage. Even in Norway, long considered a relatively racism-free society, there was a racially motivated murder by Neo-Nazi young people of a fifteen-year-old youth of mixed Norwegian and Ghanaian heritage. Other non-Europeans living in Norway, including a thirty-year-old Iraqi Kurd, reported that they had been the victims of racially motivated violence by young Norwegian toughs. Although, according to the Oslo-based Institution Against Public Discrimination, police have harassed non-European immigrants for years, racially motivated violence per se in Norway had been either nonexistent or, at least, unreported. Numerous citizens' groups as well as Norwegian church bodies and the Norwegian government spent much of the second half of 2002 consulting about how to prevent further neo-Nazi and racist violence against people of non-European descent living inside Norway.

The number of racially motivated attacks in Norway, however, was somewhat smaller than elsewhere in Scandinavia and much smaller than the number of attacks reported in Austria, Britain, France, Germany, Hungary, Italy, Romania, Russia, and most other European countries. Germany, which keeps better records on Neo-Nazi and racist attacks than any other European country, reported that there had been approximately forty such attacks per day during the first nine months of 2001, an increase of about 30 percent over 2000.

In most of Europe in 2001 local police either actively inhibited racist attacks or at least intervened when they saw them taking place. However, in Austria, Belgium, Bosnia, Bulgaria, France, Germany, Italy, Spain, Switzerland, Slovakia, and Turkey, there were well-substantiated reports of instances in which police beat or tortured detainees or prisoners apparently because of their racial or national backgrounds. In at least one instance in all of the above-named countries, these beatings resulted in the hospitalization of the prisoner or detainee. Some police officers in Turkey were even promoted in rank after beatings of Kurdish and other prisoners in their custody had been publicized. In some cases, courts in France refused to investigate the conduct of the police after non-European detainees in their custody suffered violent deaths.

Persons of non-European backgrounds held for immigration offenses received indifferent or poor treatment in nearly every European country. Immigration detainees were held in unheated cells in Austria, even during the coldest months of the winter. Detainees at Frankfurt Airport in Germany were held in tiny cells for months while their cases were slowly processed by the German immigration courts. Some detainees actually died in Germany as a result of being too tightly constrained while they were in the process of being transferred to airplanes that would have carried them back to their countries of origin. Many deportees who had sought but not received refugee status in European countries were, in fact, arrested or beaten on arrival in their countries of origin. In one notorious case, a Kurd who had been deported to Turkey was arrested and tortured even while still in the Izmir airport. Ultimately a Turkish court released him from jail and he returned to Germany where the German courts again judged that he could not demonstrate that he was entitled to refugee status and ordered him to be returned again to Turkey.

The Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe reported that a number of opponents of the current government in Belarus were "disappeared" or remained "disappeared" in 2001. The "disappeared" include journalists, leaders of politically oriented youth groups, and opposition party leaders. In Ukraine, a journalist, Georgyi Gongadze, who wrote articles critical of Ukrainian president Kuchma, was murdered by persons unknown. When concerned citizens attempted to demonstrate their disapproval of Gongadze's murder, nineteen demonstrators were arrested and held for many months while awaiting trial. In several European and Central Asian countries, including Azerbaijan, Belarus, Turkey, Turkmenistan, and Uzbekistan,

opposition figures were charged in 2001 with serious crimes, which external observers believed they did not commit.

A report by the Norwegian Helsinki Committee detailed how the Russian military continued in 2001 to arrest, beat, torture, terrorize, bomb, and murder their own country's citizens in Chechnya under the guise of suppressing terrorism.

According to reports from local human rights groups, police in Albania, Azerbaijan, Belarus, Bulgaria, Georgia, Kazakhstan, Kosovo, Kyrgyzstan, Macedonia, Moldova, Romania, Russia, Tajikistan, Turkey, Turkmenistan, Ukraine, and Uzbekistan continued in 2001 to beat suspects as a routine part of interrogations during and immediately after arrests. The European Commission of the European Union reported that Turkey continued in 2001 to hold suspects incommunicado following arrest violating European Union standards that guarantee prompt access to a lawyer for all people detained by the police. Kazakhstan's president actually admitted that suspects were frequently beaten by the police. He did not, however, institute any steps to restrain police interrogation methods.

Police violence against Roma remained a serious problem in all central and southeast European counties.

There were well-attested reports in 2001 that gay youth were beaten while under police custody in Belarus, Italy, Kazakhstan, Moldova, Northern Ireland, Romania, Russia, Turkey, Ukraine, and Uzbekistan. Gay organizations additionally reported that in 2001 gay youths were harassed and beaten as they attempted to attend schools, use public conveyances, perform their jobs, attend rock concerts, or patronize nightclubs in every country in Europe except Iceland.

#### *b. Political Rights*

Most nations in Europe and Central Asia have ratified or adopted the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe, all of which describe the basic political rights of their citizens. In summary, these documents stipulate that it is the right of the permanent inhabitants of any country to decide by a free, fair, and secret vote who will govern that country. A necessary corollary to the right to a free and fair vote is the right to attempt to persuade (but not coerce or bribe) others to vote for certain candidates or parties.

In 2001, the right of voters to a free, fair, and secret ballot was impeded by ballot counting irregularities, police abuse, or media restraints in Albania, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Uzbekistan, and Turkey. An election in Belarus, held in September 2001, was judged by the Organization on Security and Cooperation in Europe to be hopelessly flawed. Belarus' dictator Alexander Lukashenko prevented some opposition groups from campaigning for alternative candidates, suppressed independent reporting on the candidates and issues, denied access to the media to opposition groups, coerced many voters into using an absentee voting process that was easier to miscount, and in many electoral precincts simply reported vote totals that did not correspond with the actual numbers of people who had voted.

Libel laws were used by the governments of Kazakhstan and Ukraine to silence journalistic reports on opposition viewpoints. Within forty-eight hours after Turkey amended its constitution to guarantee a number of human rights to its citizens, a journalist was sentenced to twenty months of imprisonment for reporting on opposition political activity, a book written in Kurdish was banned, and members of the Turkish Human Rights Association were arrested for making a public statement about the arrest of a journalist in Afghanistan. In one otherwise well-functioning democracy, Austria, libel laws were used in

2001 by the leaders of one political party, the Freedom Party, to inhibit press criticism of themselves. The chief government officer responsible for the administration of justice, also a member of the Freedom Party, was accused by press and human rights organizations of restricting the discretion of prosecutors on his staff in investigating allegations of criminal conduct on the part of these same leaders.

Journalists and politicians in Turkey were charged and convicted in 2001, and newspapers and television stations were closed for “incitement to religious or racial hatred” or “insulting the military” for making statements that in other countries would be part of normal civil discourse. The chilling effect on journalists, political leaders, and owners of media outlets was cited by the European Commission as a difficulty needing to be overcome before Turkey can join the European Union.

In 2001, police in Uzbekistan and Turkmenistan disrupted or closed every attempt to hold an independent political meeting in their countries.

*c. Economic Rights*

All European nations are signatories of at least one international agreement or treaty that defines basic economic rights. Most European and Central Asian nations are signatories of several agreements that deal with economic rights. Those agreements include the Universal Declaration of Human Rights (particularly Articles 4, 17, 23, and 24); the International Agreement on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; and the Final Document of the Vienna World Conference on Human Rights. Generally it is a basic human right to be able to work and, within reason, to choose which work one will do; to earn a fair wage from one’s work; to decide how and when one wants to spend one’s earnings; to save some of what one earns; to invest what one saves in order to produce future income; and to know that none of the foregoing rights will be compromised or abridged on the basis of race, ethnicity, creed, gender, or any other condition not related to one’s productive capacity.

Again in the year 2001, the worst violations of economic rights in Europe and Central Asia occurred in some of the former socialist nations. Collective bargaining still does not exist in Azerbaijan, Belarus, Turkmenistan, or Uzbekistan. In 2001, the Belarus government continued to suppress all efforts of legally unrecognized unions to report on their activities or grievances. Economic activity in Kazakhstan in 2001 was so corrupt that one international economic development organization simply closed its operations. Similarly in March 2001 the International Monetary Fund and the European Bank for Reconstruction and Development both quit business in Uzbekistan saying that economic development was impossible in a climate so compromised by cronyism and government interference in businesses owned by people not in official favor. The European Commission of the European Union reported in its so-called “Regular Report” on countries that are candidates for membership in the European Union where economic corruption and government favoritism for certain businesses remained a major problem in Turkey in 2001.

Women’s advocacy groups and local Helsinki committees report serious discrepancies in pay between men and women in most of Europe. Even though few governments in the former Soviet Union compile economic statistics in enough detail to allow a statistically meaningful breakdown by gender, many observers have the impression that women in those countries sometimes have greater access to relatively higher-income and higher-status jobs than women in central and southern Europe.

Roma remained legally unprotected against discrimination in most European nations that are not members of the European Union.

Employment discrimination against gay people continued in most of Europe during 2001. In much of Europe, including Belarus, Bulgaria, Greece, Moldova, Romania, Russia, Ukraine, and Yugoslavia, employees could be fired if employers discovered they were gay. Outside Scandinavia and the European Union, there is no statutory protection for gay people in employment decisions.

d. *Social and Cultural Rights*

Two major international agreements, the Framework Convention for the Protection of National Minorities (in Europe) and the European Charter for the Protection of Regional and Minority Languages, define the social and cultural rights that must be accorded to members of minority ethnic and national groups. Specifically these two agreements guarantee the right of any person to conduct his or her daily life in his or her native language, insofar, of course, as the linguistic capabilities of those with whom one wishes to communicate will allow it. These two international agreements guarantee to parents, moreover, the right to instruct their children in whichever language they choose. Those nations that have signed the European Charter for the Protection of Regional and Minority Languages are obligated further to offer instruction in minority languages at public cost, to give financial support for regular radio and television programming in minority languages, and to conduct, when requested, official government business in minority languages.

Although in 2001 government policies in Bulgaria, Greece, Kosovo, Macedonia, Romania, and Turkey were inimical to the social and cultural rights of minority ethnic and language groups. The Turkish government continued in 2001 to suppress use of the Kurdish language in public media, schools, business life, and public meetings. Public discussion in Turkey about the suppression of the Kurdish language focused on the danger that Kurds might pose for a unitary Turkish state if they were allowed to use their language freely.

Serb residents of Kosovo continued in 2001 to be mistreated by members of the Albanian majority population of that country. Use of the Serb language was actively discouraged in most areas of Kosovo. Ethnic Albanian citizens of Macedonia were subject to discrimination in public schools, media, and the work place. Albanian speakers were effectively unprotected against arbitrary firings or quasi-legal discrimination by units of local government in Greece. Although Hungarian speakers in Romania are more secure in their cultural and linguistic rights following an agreement between Romania and Hungary several years ago, they are still subject to disadvantages and unofficial discrimination in public education and in securing equal treatment from the government for their cultural and religious organizations. Ethnic Turks in Bulgaria continue to face unofficial discrimination in the workplace, in the rental and purchase of housing, and in dealings with local governments.

e. *Religious Rights*

The Universal Declaration of Human Rights describes the basic religious rights to which most European and Central Asian nations subscribe. According to the Universal Declaration, it is a basic human right to hold whatever religious beliefs one chooses or not to hold any. It is also a basic human right, according to the same declaration, to join together with religiously like-minded people if one chooses, to change one's beliefs, and as a consequence, to leave one religious community and join another or even to found a new religious community. Moreover, according to the same declaration, it is a basic human right to tell others about his or her religious beliefs, so far as they are willing to listen, or even try to get them to change their beliefs and join a different religious community.

In 2001, the worst violations of religious rights in Europe occurred in Azerbaijan, Belarus, Kazakhstan, Russia, Turkmenistan, Turkey, and Uzbekistan.



The Turkish Constitution establishes freedom of religion but in practice respects those rights only for those Sunni Muslims who cooperate with the Turkish State Directorate of Religious Affairs. Protestant (who number about 3,000) and Syriac Christians (of whom there are about 15,000) and Baha'is (who total 10,000) were occasionally arrested for holding unauthorized worship services. In the fall of 2001, at least one Protestant congregation in Istanbul was barred from holding worship in its rented space because it did not have the official recognition needed to hold a public worship service. A Syrian Orthodox priest was tried and acquitted of charges that he was inciting inter-religious enmity when he made statements concerning the genocide of the Armenians in the early years of the twentieth century.

The Turkish government continued in 2001 to prevent the Ecumenical (Orthodox) Patriarchate from educating new priests in Turkey. Prior to 1971, the Ecumenical Patriarchate had a seminary on the island of Halki in the Sea of Marmara, which the Patriarchate is seeking government permission to reopen.

In Turkey, which is 99 percent Muslim, even Muslims can attract prosecutorial attention if they are deemed by the government to be fundamentalist or reactionary. In 2001, the Turkish constitutional court dissolved a political party named curiously the "Virtue" Party (Fazilet in Turkish) because it judged that the Virtue Party was a threat to Turkey's secular and purportedly democratic state. The Turkish government also held that it is a threat to the state for a Muslim woman to wear a head covering. At least thirty Muslim women who chose to wear head coverings in observation of Islamic law were dismissed as nurses and teachers in state-supported hospitals and schools. A large but unknown number of female university students were also prevented from registering for classes during 2001 because they were not willing to forgo wearing head coverings.

Alevi Muslims, who number about twelve million in Turkey, accuse the Turkish government of discriminating against them in that it does provide for instruction on Alevi faith in public schools, as in contrast it does for Sunni Islam, and does not contribute financially for the costs involved in maintaining Alevi worship centers, as it does for approximately seventy thousand Sunni mosques and other Sunni religious sites.

Turkey provides Islamic religious instruction in all public elementary schools. Greek Orthodox, Armenian Orthodox, and Jewish children are exempted by law from this instruction, but Catholics, Protestants, and Syriac Christian young people are forced to take eight years of instruction in Sunni Islam.

All religious bodies in Azerbaijan were supposed to re-register during 2001 with the newly established State Committee on Relations with Religious Organizations. The chairperson of this committee made a public statement to the effect that at least some Protestant churches would have a difficult time re-registering. One of the state committee's first actions was to prosecute an Azeri Baptist congregation in Baku for spreading "anti-Muslim" propaganda, even though one Westerner who has attended the congregation for five years has never heard a word against Islam. Eight members of an unregistered house church in Ismailly were arrested in April 2001 but were released soon afterward. In January 2002, an Azeri Pentecostal pastor and one church member were arrested, tried, and sentenced to fifteen days imprisonment for having held a worship service in a private home.

The Belarus government continued in 2001 to grant special tax treatment as well as certain subsidies to the Belarus Orthodox Church, which claims the loyalty of 48 percent of all Belarus citizens. The Catholic Church, to which 22 percent of Belarussians belong, did not receive favored treatment of any kind from the government. Several Pentecostal and one Bulgarian Orthodox denominations even fared worse during 2001. They were denied official recognition and, without official registration, no individual congregation belonging to any one of those denominations would have been able to find a place where they could worship.

Kazakhstan police arrested and beat a Kazakh Baptist leader telling him to give up his church work. When the beating did not work, they rearrested him and sent him to a psychiatric hospital. He was released only when a visiting delegation sought to visit him in his city.

Russia dissolved the Salvation Army in that country because it allegedly has not been registered. A Pentecostal denomination, the Victory of Faith Full Gospel Church, was also dissolved. A Pentecostal congregation located in Moscow was evicted from a theater it had been meeting in as a result of government pressure.

As part of its campaign to keep Turkmenistan free from foreign influence, Turkmenistan tried in 2001 to deport all foreign Christians. A Baptist believer was tortured for not responding to a call to register for that country's military. Another Christian was given a four-year term for resisting that country's religious law. During 2001, he was beaten more or less continuously. He had been offered a pardon for his religious offenses if he would only take an oath of allegiance to the president of Turkmenistan and recite the Muslim creed from the Koran.

A Christian congregation in Tashkent, Uzbekistan, was entered by Uzbek police and twelve people were taken from the place and charged with participating in an unregistered religious group. *Human Rights Watch* reports that seven thousand (sic!) Muslims are currently jailed in Uzbekistan for possessing disapproved religious literature or for being disciples of imams judged to be politically dangerous by the Uzbek government.

In 2001, in the Czech Republic, a new law was adopted that gives the government jurisdiction over the opening of new churches and other houses of worship and that makes it illegal for churches to spend their income for civil or social purposes. The Czech Ecumenical Council, representing the eleven major Protestant denominations in the Czech Republic, and the Conference of Czech Catholic Bishops are suing in the Czech courts to have the new law declared unconstitutional. If the law stands as written, Czech churches will have a difficult time funding their diaconal ministry and will have to get government approval before they can initiate new church developments.

## 5. *South and Southeast Asia*

South and Southeast Asia, a combined region for purposes of Presbyterian Church (U.S.A.) partnership coordination, is actually two distinct regions characterized by a wide diversity of cultures, languages, religions and sects, political and economic systems. The vastness of the area and the breadth of its diversity almost defy human ability to give a definitive overview of the state of constant transition experienced by the countries encompassed by this huge and densely populated region. Problems of armed conflict, religious fundamentalism, persecution and violence, secularization, the prostitution of women and children, vast economic disparities resulting from the process of globalization compounded by widespread unemployment, child labor, and oppressive political regimes continue to be normative for the region.

The brief reports in the following areas of human rights do not purport to be comprehensive, but merely suggest some of the many concerns faced by our church partners throughout this vast area in which human rights and democracy are observed in varying degrees.

### a. *Civil and Political Rights*

It should be noted generally that throughout South and Southeast Asia, the application of some aspects of democracy in certain instances is not to be mistaken for true and substantive democracy as a fundamental and comprehensive system of governance.

Although there are human rights articles or clauses in the constitutions of states that have defined themselves as parliamentary democracies, such as India, Pakistan, Bangladesh, Sri Lanka, Malaysia, and Indonesia, numerous abuses, including extrajudicial killing, are continually reported. A few examples are as follows:

Abuses by police in Pakistan, especially against religious minorities, continue while people, in general, feel that law and order has been maintained far better under the military dictatorship of General Pervez Musharraf than under the previous democratic governments.

The national government in India is restricted in its ability to pursue those responsible for violence because of the limits on its ability to control state law enforcement, the primary mechanism to bring perpetrators of communal violence to justice. Federal statutory mechanisms designed to protect human rights, including the National Minorities Commission and the National Human Rights Commission, have been hampered by limited authority, lack of cooperation by state governments, and, in the case of the Minorities Commission, decisions of questionable objectivity. In addition, virtually all India observers point to grave deficiencies in the country's judicial and law enforcement infrastructure, suggesting that even a decision to take legal action against perpetrators would be hampered by gross shortages of law enforcement officials, lawyers, and judges.

In recent years in Indonesia, numerous serious and tragic conflicts have emerged, including disputes in which religion or religious freedom is a factor. In Aceh, hostility to the central government has resulted in a groundswell of support for holding a referendum on the region's political status, and an armed group has formed to fight for that aim. Nonviolent activists as well as armed rebels have been the targets of government forces. In Irian Jaya, called Papua since January 2000, an independence movement has gained ground, resulting in serious clashes with Indonesian security forces. In Kalimantan, ethnic Madurese migrants have been the object of attacks by the local Dayaks, who, frustrated by economic impoverishment they believe is caused by the migrants' presence, have rampaged against them. And in the Moluccas, severe sectarian fighting between Muslims and Christians on the islands has resulted in appallingly high numbers of casualties and refugees fleeing the violence.

b. *Economic Rights*

Throughout Southeast Asia, the devaluation of currencies has created severe financial crises, especially in Thailand and Indonesia.

In Thailand, according to the human rights reports published by the U.S. Department of State, the protection for individual economic interests provided by government regulations is often neutralized by the lack of transparency in bureaucratic decision-making and a gap between regulation and enforcement, which often leads to uneven commercial treatment for favored firms and institutions.

It is also reported that some areas of the government are subject to corruption and that an ingrained culture of corruption persists in many parts of the civilian bureaucracy. Routine demands for bribes undermine the rule of law and permit a climate of impunity for various illegal activities such as income tax evasion, gambling, trafficking, goods smuggling, and prostitution. The prostitution of women and children is perpetuated by cycles of poverty and despair in many rural communities in Thailand and other parts of Asia.

The United Nations estimates that four million people become victims of trafficking each year across borders, with the highest rates found in South and Southeast Asia. The smugglers and officials who control the trade make around \$7 billion in annual profits B more, according to the U.S. State Department, than the illegal weapons market.

The low status of women in many Asian countries adds to the problem. There are both “push” and “pull” factors: for example, violations of human rights by Burma’s (Myanmar’s) military regime led many women to flee and subsequently become victims of trafficking. As many as 1.5 million Asian women are currently working abroad, legally or illegally. Parallel to legal immigration and overseas work agencies in many countries are well-organized trafficking syndicates who take advantage of women seeking to stay afloat in the global economy.

A significant portion of human trafficking involves commercial sex work, whether voluntary or coerced. An estimated 225,000 women from Southeast Asia are sold into prostitution each year, with an additional 150,000 from South Asia. Many of these women, as well as both boy and girl children, end up in the lucrative and repulsive sex tourism market.

In some villages in Southeast Asia, there are few young women and girls left. Poorer countries, such as Bangladesh, Nepal, Cambodia, and Vietnam tend to be the primary sources of trafficking victims. Larger or slightly more developed societies, including India and Pakistan, are key destinations and transit points.

As many as 50,000 trafficked women and children come to the U.S. from Southeast Asia and the former Soviet Union, many willingly but unaware of the poor living conditions they will face as sweatshop workers or domestic servants. A recent Central Intelligence Agency report recounts the stories of women who came to the U.S. in response to ads for au pair, sales clerk, secretarial, or waitress jobs, only to find themselves taken prisoner and forced into prostitution or indentured servitude (“International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery”). Among six countries listed as major export sources for traffic into the U.S. are Thailand and Vietnam.

United States law currently gives comparatively light sentences (maximum of ten years in prison) for trafficking convictions. [See: *Asia Pacific*, Vol. 9, No. 2, a quarterly publication of the Presbyterian Church (U.S.A.) Washington Office]

In the aftermath of the tragic events of September 11, 2001, and with the growing recession in the United States, seven hundred to one thousand garment factories in Bangladesh alone have been shut down, throwing hundreds of thousands of young women workers into the streets without severance pay, without savings, and without unemployment insurance. These women, and others like them throughout South and Southeast Asia, now face desperate conditions.

Now that orders from the U.S. have slowed, these women are suddenly expendable. Multinational corporations want to turn the people in Bangladesh and across the developing world into the ultimate contingency workforce, which can be shed at a moment’s notice. Global corporations roam the world to find the lowest-paid and most vulnerable workers. As huge, powerful, and wealthy corporations and investors focus solely on short-term profits, the dehumanization of this new global workforce has emerged as the overwhelming moral crisis of the 21st century.

### c. *Social and Cultural Rights*

In a number of countries, women have continued to gain status and positions of leadership in society, including private business, academia, the professions, senior management, representation in parliament or national assemblies, senior diplomatic posts, cabinet ministries, and even the presidency (as in Indonesia), or prime ministry (as in Bangladesh and Sri Lanka).

At the same time, in some of these same countries, many women are still not permitted to apply for a passport or to travel without the permission or company of their husbands, or other related adult male.

Domestic violence continues as a prevalent problem throughout the region. “Bride burning” related to the illegal, but continuing practice of requiring dowries in India and Pakistan, along with “honor killing” (of a female relative for her perceived lack of chastity) is common, especially in rural communities, in many countries in the region.

Children’s welfare is often the stated commitment of the governments, but actual provision for their safety and welfare varies widely, and many families continue to be dependent on working children to augment family incomes or farm labor.

Public education is legislated in all countries, but its availability varies widely and is often virtually nonexistent in rural areas where teachers do not want to work, or report for work only sporadically. Many families cannot afford the cost of books and school supplies, and frequently withdraw girls from school after the primary grades.

Free immunizations, as one component of health care, are increasingly offered by public health programs and clinics, especially with the recent implementation of the UN “Decade of the Child.” Basic lack of clean water, however, continues to be the largest killer of children under the age of five.

Some progress has been made in a few countries with respect to the rights of disabled persons. A number of governments work closely with UN agencies and other nongovernmental organizations to increase public awareness and to design job-training programs for the disabled.

Special mention needs to be made of the plight of Dalits in India. According to a press release by the World Council of Churches in May of 2001:

Almost three years of lobbying . . . failed to place the issue of discrimination against Dalit people in India on the agenda of the United Nations (UN) World Conference Against Racism . . . The objection against its inclusion at the UN conference . . . has been led by the Indian government . . . The Council considers that, in its context, casteism is the same as racism. Victims of caste discrimination are forced to live in segregated housing and neighborhoods, suffer exclusion due to prohibition on inter-dining and intermarriage, untouchability, discrimination and denial of equal opportunity in public life.

An article in an Indian journal, *The Week*, of January 30, 2000, reported that, “Landless Dalit labourers live at the mercy of upper caste landlords who will tolerate no demands for a fair share of the wages or a piece of land. Besides, most victims of bonded and child labour and prostitution come from Dalit communities.”

#### d. *Religious Rights*

In 2001, the U.S. Commission on International Religious Freedom nominated Burma (Myanmar) and Laos as among the nine nations for designation by the State Department as “countries of particular concern,” subject to U.S. action under the International Religious Freedom Act of 1998 (USCIRF press release of August 16, 2001).

##### (1) *Laos*

“In Laos last year,” the commission wrote, “more than 95 Christians and their leaders from several provinces were arrested, detained (at times for months), and in some cases convicted of criminal offenses and imprisoned on account of their faith. Seven Laotian Christian church leaders and one church member were arrested in May 2001 (and subsequently released) for resisting government pressure to renounce their faith.”

(2) *Burma (Myanmar)*

In its “Memorandum of Justification” sent to Congress October 22, 1999, the State Department wrote the following:

The Government of Burma systematically violates the religious freedom of Buddhist monks and of ethnic minority Christians and Muslims. The military Government has promulgated and enforced laws that single out Buddhist monks for special restrictions on freedom of religion and association. Security forces restrict efforts by Buddhist clergy to promote human rights and political freedom, and detain monks for nonviolently expressing support for democracy and demanding increased independence of the clergy from the State. They looted, damaged, or destroyed a number of Buddhist monasteries in ethnic minority areas, evicting monks and arresting some. In November 1998, Mandalay police forcibly dispersed demonstrations of Buddhist monks and laypersons demanding the end of military rule, arresting about 60 monks. They reportedly tortured and killed several Buddhist monks over the last three years, and reports continue to trickle out of Burma of monks dying in prisons and labor camps over the past decade. Government authorities pressure Buddhists to resign from the leading opposition political party.

The Government of Burma coercively promotes Buddhism over other religions and violates the religious rights of people in some ethnic minority areas. Christians and Muslims experience difficulties in obtaining permission to build places of worship and in importing or printing indigenous-language translations of traditional sacred texts. Security forces have looted and destroyed churches and mosques in ethnic minority areas.

Government authorities use highly coercive means to induce members of the Chin ethnic minority to convert to Buddhism and to prevent Chin Christians from proselytizing. This included detentions and physical abuse of Christian clergy and religiously selective exemptions from forced labor. Government authorities restrict education, proselytizing, and building construction among minority religious groups.

In addition, commissioners noted that grave violations of religious freedom persist in India, Pakistan, and Vietnam. (The full text of the commission’s letter to the secretary, with accompanying attachments, is available on its Web site at [www.uscirf.gov](http://www.uscirf.gov), or can be obtained by contacting the commission’s communications office at (202) 523-3240, ext. 27.)

(3) *Vietnam*

In Vietnam, as one witness before the commission testified, “there is no freedom of religion, because the freedom of religion is controlled by the governmental authorities at all levels.” The preconditions of official recognition constitute the primary mechanism for this pervasive state control of religious communities and activities. The utilization of this mechanism as a means of control reportedly stems from the Vietnamese Communist Party’s fear, due in part to historical factors, that independent, organized religions, and religious communities could serve as alternative bases of loyalty, social organization, and political power. Hence, religion “is controlled by its incorporation as an organ of state and by denying it any autonomy.”

(4) *Pakistan*

Although the government of Pakistan does not appear to be engaged in a systematic effort to persecute religious minorities, it is clearly not doing enough to adequately protect the religious freedom of all of its citizens. Members of the Ahmadi religious community are prevented by law from engaging in the full practice of their faith. Religious minority groups (including Christians, Ahmadis, and Hindus) complain that they are politically marginalized by a system of separate electorates, and that this system exacerbates other religious-freedom problems. The criminal laws against blasphemy are abused, resulting in detention of and sometimes violence against religious minorities as well as the targeting of numerous Muslims on account of their religious beliefs. Finally, there is a substantial amount of sectarian violence, largely targeting Shiite Muslims, committed by organized groups of religious extremists.

General Pervaiz Musharraf, who took power in a military coup in October 1999, made some announcements early in his tenure that appeared to indicate that his government was going to begin to address some of these problems. Unfortunately, his government has, so far, failed to live up to many of the expectations that it had raised. Moreover, it has been criticized in Pakistan for capitulating to, and thus emboldening, political and other societal forces that advocate policies that are antagonistic to the protection of religious freedom for all Pakistanis and the equal citizenship of all religious communities. There appears to be widespread agreement among government officials, legal advocates, and leaders of many religious communities in Pakistan that the criminal provisions against blasphemy are being abused. The Pakistani Penal Code contains provisions dating from the British colonial period that punish words and acts intended to be injurious to religious feelings (of followers of any religion). During military rule under Zia ul-Haq, provisions were added that penalize defamation of the Prophet Muhammad (punishable by death), persons associated with the Prophet, and the Quran.

Numerous Ahmadis, Christians, Hindus, and Muslims have been charged under the blasphemy laws. There has reportedly been an increase in recent years in abuses of the blasphemy laws against Muslim religious targets, including Sufis and Muslim religious scholars. Blasphemy cases continue to be filed under the Musharraf government.

#### (5) *India*

In India there has been a disturbing increase in the past several years in severe violence against religious minorities. The violence is especially troubling because it has coincided with the increase in political influence at the national and, in some places, the state level of the Sangh Parivar, a collection of exclusivist Hindu nationalist groups of which the current ruling party, the Bharatiya Janata Party, or BJP, is a part.

India is religiously a very diverse country that generally respects religious freedom. India has a democratically elected government and is governed by the rule of law. However, although the BJP-led government may not be directly responsible for instigating the violence against religious minorities, there is concern that the government is not doing all that it could to pursue the perpetrators of the attacks and to counteract the prevailing climate of hostility, in some quarters in India, against these minority groups. Moreover, the increase of violence against persons and institutions based entirely on religious affiliation is an alarming development in India.

Although the law provides for religious freedom, enforcement of the law has been poor, particularly at the state and local levels, where the failure to deal adequately with intragroup and intergroup conflict and with local disturbances has abridged the right to religious freedom. In particular, some Hindu extremist groups continued to attack Christians during the year. In many cases, the government response was inadequate, consisting largely of statements criticizing the violence against Christians, with few efforts to hold accountable those persons responsible or to prevent such incidents from occurring (see Section 5). Throughout the year, the government generally described the violence and attacks as a series of isolated local phenomena, in some states calling for a national debate on conversions, which Hindus had advocated being banned.

#### (6) *Indonesia*

The Constitution of 1945 established an Indonesian state philosophy called Pancasila. There were groups at the time that wanted an ethnically and religiously narrower definition of Indonesian identity, but “the framers of the Pancasila insisted on a culturally neutral identity Y overarching the vast cultural differences of the heterogeneous population.” According to the website of the Indonesian Embassy in Washington, “Pancasila comprises five principles: belief in the one and only God; a just and civilized

humanity; the unity of Indonesia; democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives; and social justice for the whole of the people of Indonesia.”

Constitutional guarantees of religious freedom apply to the five religions recognized by the state, namely Islam, Protestantism, Catholicism, Buddhism, and Hinduism. Confucianism, though “embraced” by the government, is not included on this constitutional list. The practice of Confucianism was restricted by legislation passed in 1967, though in January 2000 then President Wahid revoked that law. In some remote areas, animism is still practiced. Though the Constitution officially recognizes only these religions, it also states that other religions, including Judaism, Zoroastrianism, Shintoism, and Taoism are not forbidden, and the practices of other religions are permitted. The law allows for conversions between faiths. Some faiths, however, are banned, including Jehovah’s Witnesses and some Islamic groups that are deemed to be unorthodox. The Baha’i faith was officially banned in 1962 and its adherents have experienced considerable persecution, including incarceration. However, the ban was revoked by President Wahid in the same January 2000 decree that abolished restrictions on Confucianism. In addition, according to the ideology of Pancasila, all Indonesians must believe in one God, making atheism technically forbidden.

#### 6. *The Middle East*

The *Human Rights Update 2000–2001*, approved by the 213th General Assembly (2001), continues to witness to the ongoing human rights violations and concerns for members and governing bodies of the Presbyterian Church (U.S.A.). Except in the cases of Egypt and Palestine, the situation has remained either unchanged or minimally changed. This material can be found at the church web site: [pcusa.org/oga/publications/human\\_rights2000-1.pdf](http://pcusa.org/oga/publications/human_rights2000-1.pdf).

#### 7. *Central America, Mexico, and the Caribbean*

The president of the Inter-American Commission on Human Rights (IACHR) noted that there are still serious problems in upholding human rights in the region although progress has been experienced compared to years when dictatorial regimes were terrorizing people. Those most vulnerable today are indigenous, children, and women. Domestic violence is a persistent abuse in the entire region. The legacy of the past and lack of resources to combat abuses cause some serious problems.

##### a. *Civil Rights*

##### (1) *Civil Rights Leaders and Journalists*

Threats and assassinations of civil rights leaders and journalists were prevalent during the year 2001. The most prominent of these violations was the assassination of Digna Ochoa y Plácido who was killed in October 2001 in her Mexico City office. Three months after the assassination there was little progress in the investigation of the culprits. Human rights advocates are disturbed about this because the government official in charge of the case has been in conflict with Ochoa’s charges of abuse by the Mexican military. She represented difficult cases involving torture or murder by Mexico’s military and security forces. A prominent case of Ochoa’s was the arrest of two peasant environmentalists in the State of Guerrero who opposed the illegal logging in their communities. Both were released after the assassination of Ochoa. They were arrested on trumped-up drug and weapons charges. A note found on Ochoa’s body warned other human rights workers of the same fate if they did not discontinue their work. And, in fact, threats against human rights defenders have continued. In November 2001, the IAHCR presented an ultimatum to the Vicente Fox government to free General José Francisco Gallardo who was imprisoned eight years ago after he proposed the creation of a human rights ombudsman for the military.



Reporters Without Borders (RWB) announced their concern for prison sentences for press offenses in Central American countries. They see this as the biggest hurdle to freedom of the press that curbs the development of democracy in the region. Pedro Marchetti, a Jesuit priest and station research director of Radio Progreso in Honduras, is in hiding due to death threats for supporting a land takeover by peasants near the northern coast of the country. Sixty Guatemalan journalists have slander cases pending against them and, in quiet Costa Rica, Parmenio Medina of Radio Monumental was shot outside his home. Medina was known for humorous criticism and investigative reporting of corruption cases. In early December 2001, a radio journalist was killed in Haiti supposedly by supporters of President Jean-Bertrand Aristide's Lavalas party. Furthermore, no action has been taken on the assassination of a prominent journalist killed in the year 2000 linked to a senator of the ruling party.

(2) *Justice in Guatemala*

Three years after the murder of Bishop Juan Girardi, who spearheaded a report on details of murders and massacres by government military and guerilla forces during the thirty-six-year civil war, the Third Criminal Court of Guatemala City found four of the five defendants guilty of the execution. This was a historic conviction against the military men and a priest. Since the investigations began, two prosecutors, two judges, and nine witnesses fled the country due to death threats. The special prosecutor who won the conviction left after the trial. The defendants are pursuing an appeal process. Two hundred thousand people disappeared and were killed in Guatemala between 1960 and 1996 during the military rule. The Truth Commission coming out of the 1996 Peace Accords said 93 percent were done by the military and 83 percent of those violated were of Mayan descent. Cases against the perpetrators were presented to a court in Spain. A December 2001 ruling from this court stated that there is no Guatemalan legislative impediment that would prevent the cases from being heard in Guatemala. In the thirty-six-year period, only one lieutenant has been sentenced. He was given a five-year sentence for a massacre of thirteen people. A loss of confidence in the judicial system has spurred Guatemalans to take justice into their own hands. By October 2001, seventeen people were lynched by villagers.

b. *Political Rights*

(1) *Mexico*

President Vicente Fox overturned the sixty-year rule of the Institutional Revolutionary Party (PRI) in July of 2000. His campaign promises to do away with corruption has not been as swift as the Mexican people would like. The case of Digna Ochoa mentioned above and the Indigenous Rights Laws seem to fall into the same quagmires as those of the previous regime.

(2) *Nicaragua*

The Liberation Constitutional Party (PLC) candidate Enrique Bolaños won with a 56.3 percentage over the Sandinista National Liberation Front (FSLN) candidate Daniel Ortega in a 92 percent voter turnout. The presidential race was quiet with no major report of violence. A discrepancy between the two parties had to do with the distribution of National Assembly seats. The final decision by the Supreme Electoral Council gave the PLC enough seats so that it can make decisions without having to work with representatives from other parties. The new president will take over a country \$6.5 billion in debt, 70 percent of the population living in poverty, and an approximately 50 percent unemployment rate. The estimate of corruption of the previous administration is the loss of around \$5 billion over a ten-year period. Approximately two thousand indigenous people living near the Coco River on the Nicaraguan northeastern border were not voting because of lack of documents. Birth certificates for people in the region cost approximately \$500 a piece due to the distance they need to travel to obtain them. The Council of Evangelical Churches (CEPAD) wrote a pastoral letter to the people of Nicaragua to

participate in the electoral process, to avoid being provoked by members of different parties and to respect the newly elected authorities so that the economy, laws and values of the country can be rebuilt.

(3) *Haiti*

President Jean-Bertrand Aristide was elected president in the 2000 elections. The president and his opponents are deadlocked over the outcome of these elections and how to work together to get all involved in the political process. Opponents who did not take part in the 2000 elections are now trying to develop a process that will have some new elections.

In December 2001, commandos stormed the presidential palace in the early morning hours in an attempted coup. They were overthrown after several hours of confrontation. World leaders, including the general secretary of the World Council of Churches, urged the political parties in Haiti “to do everything possible to bring the political agreement being negotiated to a successful conclusion” (WCC Press Release, December 21, 2001).

c. *Economic Rights*

The Human Development Index (HDI), an indicator of life expectancy, health care, education, and women’s participation, is calculated every year by the United Nation’s Development Program. Latin America’s development is hampered by “the income gap, lack of technological progress and economic stagnation” (*Latin America Press*: vol. 33 #27, July 23, 2001). Haiti moved up from 150 to 134 in the world. According to the report, Latin American and Caribbean countries are among those with the greatest income inequality in the world. Poverty can only be reduced if there is greater economic growth and if that growth benefits the poor. The school systems in the region do not address all the children. Without training and education, the income gap will continue and the region will not be able to participate in the economic world. In order to make the Caribbean more unified, a Caribbean Single Market and Economy will be developed. This will provide the opportunity for free movement of people, products, capital, and services among the nations. The Central American Leaders and Consultative Group for Transformation and Modernization of Central America is working toward regional economic integration. Disasters and a world decrease in the price of bananas, sugar, and coffee have wrecked havoc on the economies of all the countries. The depressed market in the United States has had an effect on the economies. Tourism and business in the free trade zones have cut numerous jobs. Workers continue to struggle to get representation on decision-making bodies as in the Costa Rican Coffee Board and Guatemalan women forming a union in the maquiladora factory.

d. *Social and Cultural Rights*

(1) *Children*

A memorial service was held in Tegucigalpa in December 2001 for the one thousand children and youth under 23 years of age violently slain in Honduras since January 1, 1998 (*Mesoamerica*; Vol. 20 #12, December 2001). Little has been done by government officials to address the situation of street children or to look for and punish the perpetrators of the murders. Some of those responsible are reported to be police officers. Youth gangs have been growing in the region since the early 1980s. Governments and private organizations have been slow to respond to the phenomenon. In Honduras and Guatemala, police violence against the young people makes the situation worse. Gang members see the police as an opposing gang. Governments have not investigated why youth join gangs or what would lure them away. In El Salvador, gang members were involved in community aid and reconstruction efforts after the earthquakes. In Honduras there is broad support for a youth law that will create a development program for young people.

The National System for Integral Development of the Family (DIF) says there are 3.5 million youth between the ages of twelve and seventeen in the workforce in Mexico. Minors work up to eleven hours seven days a week for a wage that barely covers food. Fifty-two percent of these children do not go to school. According to a report entitled "Child and Adolescent Workers in Mexico City" there are 130,000 street children and the number increases 17 percent each year. Forty-six percent of Guatemalan children are malnourished and 67 percent of these 46 percent are indigenous. These children will not be helped by the Guatemalan government's decision to reduce money to the Development Fund of Indigenous Guatemalans.

## (2) *Women*

In Nicaragua only about 20 percent of girls finish primary education. More than half of Nicaraguan women live with domestic violence. According to women in a technical workshop offered by the Council of Churches (CEPAD), many women feel domestic violence is something that needs to be endured for the sake of the children. Women account for 25 percent of HIV cases in Latin America and 35 percent in the Caribbean. According to the United Nations, the number of cases is rising among women, especially girls and adolescents. Most women have been infected by their husbands or partners. Girls and adolescents are infected through sexual abuse or prostitution. Most cases of abuse occur in the victim's home. Many women with HIV/AIDS do not receive adequate treatment in hospitals during childbirth. International women's groups are searching for ways to prevent HIV/AIDS among women but little is being done on the local level.

Women have suffered from the erosion of labor laws over the past ten years. It is feared that maternity leave could disappear if women do not struggle to keep it. Jobs for women are often on contract basis. With this hiring practice, no benefits are included. The United Nations Development Fund for Women (UNIFEM) works to achieve gender equity in the work place. In Mexico the gap increased in the year 2001 but it shrank in Costa Rica, Guatemala and Honduras. Because 30 percent of Costa Rican children are not officially recognized by their fathers at birth, a new law was passed in which the mother can name the father of the baby. If a DNA test proves the patrimony, the father becomes responsible for the baby. Many pregnant women opt for abortions. In most countries this practice is illegal and clandestine abortions have repercussions both economically and health wise. Reproductive health specialists feel education is very important including dialogue and debate about contraceptives and abortion. They are joining in with those in the United States to protest restrictions the United States government puts on organizations that receive U.S. AID funding.

## (3) *Indigenous*

Indigenous representatives to the 2001 World Conference on Racism in Durban, South Africa, rejected the final declaration of the conference. Disputed paragraphs of the declaration declared the rights of indigenous people, but included so many conditions and limitations that it appeared that the indigenous were being taken care of by the governments. Guatemalan Rigoberto Menchú felt the text denied the rights of the indigenous and gave the state a guardian role over them. In the State of Chiapas, Mexico, the Emilio Zapata National Liberation group (EZLN/Zapatistas) are experiencing the same reaction concerning the Indigenous Rights Law. This law comes out of the Peace Accords signed by the Zapatistas and the federal government in 1996. Since that time the Zapatistas have worked to develop a bill to go to the Mexican Congress; have been talking with Mexican citizens and with congress people. In February of 2001 they marched to the capitol to present their case in front of the congress. The congress took the bill and changed it so drastically that the Zapatistas, and other indigenous groups in Mexico, find it unacceptable. Instead of bringing peace to the nation it has caused great consternation and unrest. It is obvious that internationally and in particular in Mexico the tension between indigenous rights and national governments will exist for years to come.

e. *Religious Rights*

In September 2001, Catholic and Protestant indigenous in the Tzotzil communities in the State of Chiapas, Mexico, gathered to help reinstate sixty-two Tzotzil families who had fled the violence in the area in the mid 1990s. Representatives of each group asked for forgiveness of wrongs done and stated openness to forgive those that were done against them. The Council of Evangelical Church (CEPAD) is working in the State of Chiapas, Mexico, with the organization SIPAZ, the Presbyterians, and the Bees (Las Abejas) in a peace-building exchange project. The Abejas and Presbyterians from communities near the Abejas were part of the 1997 massacre. The peace-building program is an attempt to bring the two groups to a point of forgiveness and reconciliation and to have skills that will allow them to live in diversity. Clashes in Indigenous communities in Chiapas between traditional Catholics and Evangelicals have diminished but have not completely stopped. Twenty-five Adventist families in the town of Justo Sierra were forced to leave their homes in 2001. A mob attacked them during a worship service. Some were beaten and left with severe wounds.

8. *South America*

The *Human Rights Update 2000–2001*, approved by the 213th General Assembly (2001), continues to witness to the ongoing human rights violations and concerns for members and governing bodies of the Presbyterian Church (U.S.A.). Except in the case of Columbia, where the situation has gone from bad to worse, the context has remained either unchanged or minimally changed. This material can be found at the church web site: [pcusa.org/oga/publications/human\\_rights2000-1.pdf](http://pcusa.org/oga/publications/human_rights2000-1.pdf).

**A STUDY GUIDE ON HUMAN RIGHTS**  
Correlated with the  
Human Rights Update 2001–2002  
to the 214th General Assembly (2002)  
Presbyterian Church (U.S.A.)

**PURPOSE**

This study guide has been developed to assist groups and individuals in congregations to

1. engage and focus on human rights;
2. provide guidance for reflecting both biblically and theologically on the church's responsibility toward human rights; and
3. stimulate congregational support, personal involvement, and action for human rights concerns.

**ORGANIZATION FOR THE STUDY**

This guide provides a process for four sessions. Most of the resources needed for the study can be found in the *Human Rights Update 2001–2002*, and its appendixes. Further action and study suggestions are included as well as human rights and church organizations the study group may contact for more information. It is suggested that all members of the study group receive a copy of the *Human Rights Update 2001–2002* or have access to it on the Web (See the inside cover of this document for the Web address).

**A WORD ABOUT THE EDUCATIONAL DESIGN OF THE STUDY GUIDE**

This study guide was designed on the basis of the following assumptions:

1. Churches often schedule study sessions on Sunday mornings, or in the evening, allowing one and a half or one hour per session.
2. Adults and youth find more meaning and satisfaction when the study connects in some way with their personal lives.
3. Participants bring information from other learning experiences that they like to contribute to their study.
4. Group members appreciate interaction with those who join them in the study, sharing different perspectives or forming common causes.
5. More material is provided for each session than can be used. Choose the parts most helpful to your group or expand to further sessions as desired.
6. A facilitator should be identified to lead each study session.

## **SUGGESTED RESOURCES FOR USE WITH THE STUDY GUIDE**

In addition to the *Human Rights Update 2001–2002* report, the following resources are suggested for use with this Study Guide:

*Bible*

*The Book of Confessions*

*Book of Order*

*Human Rights Watch World Report 2002*

*Resolution on Transformation of Churches and Society Through Encounters with New Neighbors*

*The Mission Year Book for Prayer & Study 2003*

“General Assembly 2002,” *Church & Society*, July/August 2002

Local, national, and international newspapers

## SESSION ONE

### DISCUSSION SUGGESTIONS

1. Open with prayer.
2. Scripture: Isaiah 42:1 (NRSV): “*Here is my servant, whom I uphold, my chosen, in whom my soul delights; I have put my spirit upon him; he will bring forth justice to the nations.*”
3. What is a human right? What does it mean when human rights are violated?
4. In what ways does the work of the United Nations (UN) seek to bring forth justice to the nations, especially with regard to human life?
5. In light of the terrorist attacks that took place on September 11, 2001, in the United States of America, has your attitude changed regarding the community of faith’s and the nations’ support or lack of support for the UN’s efforts in dealing with terrorism? If so, how?
6. Discuss ways in which issues in this year’s global update section impact you or your congregational efforts to advocate for the human rights of all people.
7. Close with prayer.

### IDEAS FOR FURTHER STUDY AND RESOURCES

1. Review the Universal Declaration of Human Rights (Appendix One).
2. *Mission Year Book for Prayer & Study*. [Published by the Congregational Ministries Division (CMD), available from the Presbyterian Distribution Service (PDS) 1-800-524-2612.]
3. *Resolution on Transformation of Churches Through Encounters with New Neighbors (Minutes, 1999, Part I, pp. 28, 30, 32, 353–71)*; or you may obtain a copy of this document by contacting the Presbyterian Distribution Center (PDS) at 1-800-524-2612. Please specify PDS order #OGA-99-029.
4. “The Church in U.S. Society” section of *Church & Society*, July/August 2002 issue. [Published by the National Ministries Division (NMD), available from the Presbyterian Distribution Service (PDS) at 1-800-524-2612, Order # PDS 72630604.]
5. *The Globalization of Economic Life: Challenges to the Church* by Gordon Douglas. [A churchwide study document published by the Advisory Committee on Social Witness Policy (ACSWP) 2001, available from the Presbyterian Distribution Service (PDS) 1-800-524-2612, Order #68-600-01-002.]
6. *The Employment Effects of Free Trade and Globalization* by the International Labor Rights Fund. [A churchwide study document published by the Advisory Committee on Social Witness Policy (ACSWP), available from the Presbyterian Distribution Service (PDS) 1-800-524-2612, Order #68-600-01-003.]

## PREPARATION FOR SESSION TWO

1. Read the North America regional update.
2. Read the United States section of the *Human Rights Watch World Report 2002* (<http://www.hrw.org>).
3. Review a local and national newspaper.



## SESSION TWO

### DISCUSSION SUGGESTIONS

1. Open with prayer.
2. Scripture: Ecclesiastes 3:1 (NRSV): “*For everything there is a season, and a time for every matter under heaven.*”
3. Describe ways in which the biblical passage above informs your understanding of your individual role, the church’s role, and society’s role in addressing the human rights’ concerns addressed in this year’s North America regional update, as well as the issues raised in the *Human Rights Watch World Report 2002* United States update.
4. The General Assembly of the Presbyterian Church (U.S.A.) (and its predecessor bodies) has gone on record in opposition to the death penalty on the ground that “as Christians, we must seek the redemption of evildoers and not their death” (*Minutes*, UPC, 1959, Part I, p. 383). In light of this policy, describe some of the ways the Presbyterian Church (U.S.A.) can enter in the current conversations regarding the death penalty for those persons who may be found guilty for their roles in the 9/11 attacks on the United States of America.
5. Discuss which issues in this year’s North America update you found the most helpful or least helpful in your individual and congregational efforts to advocate for the human rights of all people.
6. Close with prayer.

### IDEAS FOR FURTHER STUDY/AND RESOURCES

1. Review the Universal Declaration of Human Rights (Appendix One).
2. Contact a Human Rights Presbyterian Church (U.S.A.) Group (Appendix Four).
3. Contact a Human Rights Organization (Appendix Five).
4. Review “The Church in Global Society” section of *Church & Society* July/August 2002 issue. [See Section One for order information.]

### PREPARATION FOR SESSION THREE

1. Read the *Human Rights Updates 2001–2002* international regional updates.
2. Review the international section of a national newspaper (e.g., *The New York Times*) and other national publications (e.g., *Human Rights Watch World Report 2002*).

## SESSION THREE

### DISCUSSION SUGGESTIONS

1. Open with prayer
2. Scripture: Ephesians 2:19–21 (NRSV): “*So then you are no longer strangers and aliens, but you are citizens with the saints and also members of the household of God, built upon the foundation of the apostles and prophets, with Christ Jesus himself as the cornerstone. In him the whole structure is joined together and grows into a holy temple in the Lord;*”
3. Discern how the biblical passage calls you as an individual, as a congregation, as a presbytery, as a synod, and as a General Assembly to join hands in solidarity with the international partner churches of the Presbyterian Church (U.S.A.) in efforts to secure the civil, political, economic, social and cultural, and religious rights for all people.
4. In light of the global violence that is taking place in the world, what are some of the ways Christians, Jews, and Muslims and other faith traditions might use their resources jointly to “just say no” to all forms of human rights abuses?
5. Discuss which issues in this year’s global updates you found the most helpful or the least helpful in your individual and congregational efforts to advocate for the human rights issues of the members of the household of God?
6. Close with prayer.

### IDEAS FOR FURTHER STUDY/AND RESOURCES

1. *The Mission Year Book for Prayer & Study*. [See Section One for ordering information.]
2. “The Church In Its Own Life” section of *Church & Society*, July/August 2002 issue. [See Section One for ordering information.]

### PREPARATION FOR SESSION FOUR

Reread the entire “Human Rights Update 2001–2002.”

## SESSION FOUR

### DISCUSSION SUGGESTIONS

1. Open with prayer.
2. Scripture: Philippians 4: 4-6 (NRSV) “*Rejoice in the Lord always; again I will say, Rejoice. Let your gentleness be known to everyone. The Lord is near. Do not worry about anything, but in everything by prayer and supplication with thanksgiving let your requests be made known to God*”
3. List the domestic and international developments as reported in the *Human Rights Update 2001–2002*, a local or national newspapers, or other source that makes you want to “rejoice in the Lord!” What conditions or actions by individuals or groups brought about the positive development?
4. List concerns that you or your congregation can study more deeply, monitor through the year, and do advocacy in order to make a difference?
5. Reflecting on the Philippians passage above, how can you individually and with your local congregation keep the significant human rights issues raised in this year’s *Human Rights Update* in your requests to God?
6. Close with prayer.

### IDEAS FOR FURTHER STUDY/AND RESOURCES

1. Read *Hope for a Global Future: Toward Just and Sustainable Human Development*. [Published by the Office of the General Assembly (OGA), available from the Presbyterian Distribution Service (PDS) 1-888-728-7228.]
2. Contact a human rights organizations (e.g. See Appendixes Four and Five) to learn more about domestic and international human rights concerns.
3. Consider hosting a church or community event in celebration of the annual Human Rights Day on December 10.

## APPENDIX ONE

### UNIVERSAL DECLARATION OF HUMAN RIGHTS

[Adopted and proclaimed by General Assembly of the United Nations resolution 217 A(II) of 10 December 1948.]

#### Preamble

*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

*Whereas* disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

*Whereas* it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be projected by the rule of law,

*Whereas* it is essential to promote the development of friendly relations between nations,

*Whereas* the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

*Whereas* Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Whereas* a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

*Now, therefore, THE GENERAL ASSEMBLY proclaims*

This Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

#### *Article 1*

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

*Article 2*

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

*Article 3*

Everyone has the right to life, liberty and security of person.

*Article 4*

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Article 5*

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Article 6*

Everyone has the right to recognition everywhere as a person before the law.

*Article 7*

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

*Article 8*

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

*Article 9*

No one shall be subjected to arbitrary arrest, detention or exile.

*Article 10*

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

*Article 11*

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

*Article 12*

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

*Article 13*

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

*Article 14*

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

*Article 15*

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

*Article 16*

1. Men and women of full age, without any limitations due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

*Article 17*

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

*Article 18*

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

*Article 19*

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

*Article 20*

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

*Article 21*

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access of public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

*Article 22*

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Article 23*

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

*Article 24*

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25*

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

*Article 26*

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

*Article 27*

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

*Article 28*

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

*Article 29*

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and



freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

*Article 30*

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

[This information copied from *The International Bill of Human Rights*, Department of Public Information (United Nations: New York, 1985) pp. 4–9].

## APPENDIX TWO

### 214TH GENERAL ASSEMBLY (2002) ACTIONS ON HUMAN RIGHTS

[All references can be found in the *Minutes*, 2002, Part I.]

*Human Rights Update 2001–2002* [*Minutes*, 2002, Part I, p. 669].

“Affirm the *Declaration of Debrecen* and Encourage Study of *Hope for a Global Future*” [Ibid., p. 392].

“Call for a Study on Violence and Terrorism” [Ibid., p. 711].

“Commitment to Peacemaking” [Ibid., pp. 728, 731].

“Comprehensive Strategy for Ministry with Native Americans” [Ibid., p. 559].

“Cultural and Linguistically Appropriate Services in Healthcare Standards (CLAS)” [Ibid., p. 644].

“Guiding Principles for Decisions Concerning Religious Freedom Around the World” [Ibid., p. 666].

“Recommendation Directing the GAC to Post a Directory of Websites and Publications of Resources for Ministry with Gay, Lesbian, Bisexual, and Transgendered Persons on the PC(USA) Website Rather Than Publish a Printed List of Resources” [Ibid., p. 491].

“Recommendation That *Commissioners’ Resolution 01-29. On the Klamath Basin Drought* Be Referred to ACSWP in Consultation with ACL for Clarification and Report to 215th General Assembly (2003)” [Ibid., p. 571].

“Recommendation to Delay Implementation of *Commissioners’ Resolution 01-22. On Churchwide Dialogue on End of Life Issues* Until Sufficient Funding is Provided” [Ibid., p. 654].

“Response to Referrals on Post-Viability and Late-Term Abortion Issues” [Ibid., p. 628].

“Resolution on Advocacy on Behalf of the Uninsured” [Ibid., p. 633].

“Resolution on Challenges to Global Security: Threats to the International System Controlling Arms and Their Development” [Ibid., p. 706].

“Resolution on Restorative Justice” [Ibid., p. 576].

“Sisters of Mercy, Daughters of Grace: Presbyterians and Prostituted Women” [Ibid., p. 604].

“Striving together in Dialogue: A Muslim-Christian Call to Reflection and Action” [Ibid., p. 394].

“Support Efforts to Enact State Religious Liberty Protection Acts” [Ibid., p. 597].

“United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerances” [Ibid., p. 711].

“We are What We Eat Recommendations and Report” [Ibid., p. 533].

“2001 Referral of *Commissioners’ Resolution 01-25. On Affirming Civil Rights and Nondiscrimination of All Persons Regardless of Sexual Orientation*” [Ibid., p. 575].

*Overture 02-2. On Affirming the Document “Hope in the Lord Jesus Christ” and Commending It to the Church in Accordance with G-13.0103p and q—From the Presbytery of Redstone* [Ibid., p. 423].

*Overture 02-4. A Plan of Christian Compassion to Ameliorate the HIV/AIDS Crisis in Africa—From the Presbytery of New Castle* [Ibid., p. 663].

*Overture 02-39. On Amending Standing Rule B.12 to Make the General Assembly Subject to the Document “Forming Social Policy”—From the Presbytery of Baltimore* [Ibid., p. 178].

*Overture 02-41. On Endorsing the Creation of a United States Department of Peace—From the Presbytery of Greater Atlanta.*[Ibid., p. 726].

*Overture 02-44. On Farm Worker Justice—From the Presbytery of Tampa Bay* [Ibid., p. 571].

*Overture 02-45. On Urging the USA to Become a Signatory to the Ottawa Convention to Take the Global Lead in Banning Land Mines—From the Presbytery of Southern Kansas* [Ibid., p. 704].

*Overture 02-51. On Developing a Social Witness Policy on “Takings”—From the Presbytery of Baltimore* [Ibid., p. 595].

*Overture 02-52. On Pastoral Resources for Women Who Have Experienced Abortion—From the Presbytery of Donegal* [Ibid., p. 654].

*Overture 02-55. On Renewing the Call for the President to Sign the Convention on the Prohibition of the Use of Anti-Personnel Mines—From the Presbytery of Mission* [Ibid., p. 729].

*Overture 02-57. On Revising the Denominational Policy on the Issue of Energy—From the Presbytery of Susquehanna Valley* [Ibid., p. 596].

*Overture 02-58. On Travel in the Middle East—From the Presbytery of Northern New York* [Ibid., p. 729]

*Commissioners’ Resolution 02-4. On Cleaning up Power Plant Pollution* [Ibid., p. 598].

*Commissioners’ Resolution 02-5. On Urging Sustainable Peace Between Israelis and Palestinians* [Ibid., p. 732].

*Commissioners’ Resolution 02-7. On Concern and Justice for East Timor* [Ibid., p. 736].

*Commissioners’ Resolution 02-8. On Honoring the 100th Anniversary of the Working Men’s Department* [Ibid., p. 604].

*Commissioners’ Resolution 02-10. On Affirming the Church Growth Strategy Report* [Ibid., p. 565].

*Commissioners’ Resolution 02-16. On Preventing War Between the U.S. and Iraq* [Ibid., p. 737].

*Commissioners' Resolution 02-17. On Supporting High Public Science Education Standards* [Ibid., p. 495].

*Commissioners' Resolution 02-19. On United States' Funding of the United Nations Population Fund* [Ibid., p. 739].

*Commissioners' Resolution 02-20. On Openness in Cases of Sexual Misconduct with Children* [Ibid., p. 318].

*Commissioners' Resolution 02-21. On Assisting People of Lowndes County, Alabama* [Ibid., p. 601].

*Commissioners' Resolution 02-23. On the Response of the Presbyterian Church (U.S.A.) to the Events and Aftermath of September 11* [Ibid., p. 602].

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**APPENDIX THREE**

## Human Rights Updates 1989–2001

[Copies of the 1989–2000 updates may be accessed via the *Minutes of the General Assembly* or you may purchase a copy from the Presbyterian Distribution Center (PDS) 1-800-524-2612. Please specify the PDS order number when you place your order. The 2000–2001 update can be accessed on the web @[http://www.pcusa.org/oga/publications/human\\_rights2000-1.pdf](http://www.pcusa.org/oga/publications/human_rights2000-1.pdf)]

*Human Rights Update 1989–90, Minutes, 1990, Part I, pp. 111, 119, 593–99; PDS order #OGA-90-014.*

*Human Rights Update 1990–91, Minutes, 1991, Part I, pp. 129, 133, 806–10; PDS order #OGA-91-020.*

*Human Rights Update 1991–92, Minutes, 1992, Part I, pp. 74, 78, 729–39; PDS order #OGA-92-019.*

*Human Rights Update 1992–93, Minutes, 1993, Part I, pp. 56, 57, 745–58; PDS order #OGA-93-018.*

*Human Rights Update 1993–94, Minutes, 1994, Part I, pp. 93, 96, 296–306; PDS order #OGA-94-015.*

*Human Rights Update 1994–95, Minutes, 1995, Part I, pp. 84, 89–91, 442–59; PDS order #OGA-95-013.*

*Human Rights Update 1995–96, Minutes, 1996, Part I, pp. 99–100, 497–521; PDS order #OGA-96-012.*

*Human Rights Update 1996–97, Minutes, 1997, Part I, pp. 42, 46, 592–616; PDS order #OGA-97-006.*

*Human Rights Update 1997–98, Minutes, 1998, Part I, pp. 77, 80, 480–501; PDS order #OGA-98-007.*

*Human Rights Update 1998–99, Minutes, 1999, Part I, pp. 51, 440–72.; PDS order #OGA-99-030.*

*Human Rights Update 1999–2000, Minutes, 2000, Part I, pp. 36, 281–315; PDS order #OGA-00-046.*

*Human Rights Update 2000–2001, Minutes, 2001, Part I, pp. 56, 292–331. Also at the World Wide Web: [http://www.pcusa.org/oga/publications/human\\_rights2000-1.pdf](http://www.pcusa.org/oga/publications/human_rights2000-1.pdf)*

## APPENDIX FOUR

### HUMAN RIGHTS—PRESBYTERIAN CHURCH (U.S.A.) GROUPS

The following ministry areas can be contacted through the Presbyterian Church (U.S.A.) for information on action strategies and/or research on human rights violations.

- Jennifer Butler, Associate for Global Issues  
*Presbyterian United Nations Office*  
777 United Nations Plaza, 12th Floor  
New York, NY 10017  
Phone: (212) 697-4568  
Fax: (212) 986-3002  
E-mail: [jenbutler@presbyun.org](mailto:jenbutler@presbyun.org)
- Elenora Giddings Ivory, Director  
*Presbyterian Washington Office*  
110 Maryland Avenue NE  
Washington, DC 20002  
Phone: (202) 543-1126  
Fax: (202) 543-7755  
E-mail: [eivory@ctr.pcusa.org](mailto:eivory@ctr.pcusa.org)
- Belinda M. Curry, Associate  
Policy Development and Interpretation  
*Advisory Committee on Social Witness Policy*  
Editor, *Human Rights Update*  
Presbyterian Church (U.S.A.)  
100 Witherspoon Street  
Louisville, KY 40202-1396  
Phone: 1-888-728-7228, ext. 5813  
Fax: (502) 569-8034  
E-mail: [bcurry@ctr.pcusa.org](mailto:bcurry@ctr.pcusa.org)

Ecumenical Partnership  
Worldwide Ministries Division  
Presbyterian Church (U.S.A.)  
100 Witherspoon Street  
Louisville, KY 40202-1396  
1-888-728-7228, ext. 5347

Area offices and coordinators include:

*Central/West Africa*  
Doug Welch, ext. 5353  
[dwelch@ctr.pcusa.org](mailto:dwelch@ctr.pcusa.org)

*Latin America/Caribbean*

Maria Arroyo, ext. 5315

[marroyo@ctr.pcusa.org](mailto:marroyo@ctr.pcusa.org)

*Southern/East Africa*

Jon Chapman, ext. 5352

[jchapman@ctr.pcusa.org](mailto:jchapman@ctr.pcusa.org)

*Europe*

Duncan Hanson, ext. 5313

[dhanson@ctr.pcusa.org](mailto:dhanson@ctr.pcusa.org)

*Middle East/Southern Asia*

Victor Makari, ext. 5314

[vmakari@ctr.pcusa.org](mailto:vmakari@ctr.pcusa.org)

*East/South East Asia/Pacific*

Insik Kim, ext. 5354

[ikim@ctr.pcusa.org](mailto:ikim@ctr.pcusa.org)

## APPENDIX FIVE

### HUMAN RIGHTS ORGANIZATIONS

The following organizations provide action strategies and/or research information on human rights violations. This list highlights a few of the best-known organizations, but it does not pretend to be exhaustive. Survey the members of your study group or congregation. You will probably discover that some of them are already affiliated with human rights organizations in your region or community. We encourage you to learn more about all those groups and consider which ones may be most helpful to you as you carry on your concerns of human rights.

#### ***Amnesty International U.S.A.(AIUSA)***

AIUSA is a volunteer organization that seeks to secure the release of prisoners of conscience, advocates for fair and prompt trials for all political prisoners, and opposes cruel, inhuman, and degrading punishment, particularly the use of torture and the death penalty.

For membership and community group information, contact the regional office for your state. For Urgent Action notices on cases about which you may write appeals, contact the Urgent Action Network Office in Nederland, Colorado. For information on national legislation and diplomatic contacts, contact the Washington Office.

For other information contact the National Office in New York City. Annual national membership \$25 (\$15 for students, senior citizens, and low income).

Amnesty International. U.S.A.—National Office  
322-8th Ave.,  
10th Floor  
New York, NY 10001  
(212) 807-8400  
Community Action Bulletin (an action/information bulletin for the religious community)

#### ***Center for Human Rights***

Center for Human Rights  
New York Office 2-2914  
United Nations  
New York, NY 10017  
(212) 963-5930

This office is an excellent resource for information on a wide variety of human rights concerns and for information on United Nations' efforts to address human rights violations through investigations, conventions, etc. They publish occasional materials and have a series of fact sheets on various aspects of human rights. Most of their publications are free of charge.  
Department of State



### ***Country Reports on Human Rights Practices***

Country Reports on Human Rights Practices  
Superintendent of Documents  
P.O. Box 371954  
Pittsburgh, PA 15250  
(202) 512-1800

The U.S. Department of State submits an annual report on human rights practices around the world to the U.S. Senate Committee on Foreign Relations and the U.S. House of Representatives Committee on Foreign Affairs. The report is usually available at the end of January of the year following the year about which the report is made.

### ***Human Rights Office, National Council of Churches***

Human Rights Office, National Council of Churches  
475 Riverside Drive  
New York, NY 10115  
(212) 870-2424

The Human Rights Office at the NCCC provides an annual packet of materials for a service of worship on Human Rights Day, December 10th. The office monitors human rights situations particularly as they concern partner churches around the globe. The office participates in any emergency response network and advocates for human rights concerns at the United Nations and other international forums.

### ***Human Rights Watch***

Africa Watch  
Americas Watch  
Asia Watch  
Helsinki Watch  
Middle East Watch

485-5th Ave.  
New York, NY 10017  
(212) 972-8400

The Human Rights Watch organizations conduct systematic investigations of human rights abuses in some sixty countries around the world, of all political stripes, of all geopolitical alignments. In wars—such as those in Afghanistan, Angola, Cambodia, and El Salvador—they document abuses by all parties. They defend freedom of thought and expression, due process of law, and equal protection of law. They denounce murders, disappearances, torture, arbitrary imprisonment, exile, psychiatric abuse, censorship, and other abuses of internationally recognized human rights.

The Human Rights Watch organizations publish an annual report that is available free of charge. They also regularly publish reports on particular countries that are available for purchase from the publication office at the above address.

***Lawyers' Committee on Human Rights***

Lawyers' Committee on Human Rights  
330-7th Ave., 10th Floor  
New York, NY 10001  
(212) 629-6170

The Lawyers' Committee on Human Rights addresses international human rights violations and refugee law. They prepare reports on human rights violations around the world with particular reference to human rights violations and the legal system.

A publications catalogue of country and issue reports is available from the above address. They also publish an annual critique of the U.S. Department of State "Country Reports on Human Rights Practices."