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Center for American Progress

SPECIAL PRESENTATION

**SAMUEL DASH CONFERENCE ON HUMAN RIGHTS:
THE FUTURE OF HUMAN RIGHTS**

**“HOW THE U.S. SHOULD DEAL WITH HUMAN RIGHTS
ABUSES OF ALLIES AND PARTNERS”**

**MODERATED BY:
BRIAN KATULIS, SENIOR FELLOW,
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**FEATURED PANELISTS:
STEVE COLL, PRESIDENT AND CEO,
NEW AMERICA FOUNDATION**

JAMES SASSER, FORMER U.S. AMBASSADOR TO CHINA

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FOUNDATION; FORMER ASSISTANT SECRETARY OF STATE
FOR DEMOCRACY, HUMAN RIGHTS AND LABOR; AND
FORMER U.S. AMBASSADOR TO THE CZECH REPUBLIC**

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**10:35 AM – 12:00 PM
TUESDAY, APRIL 8, 2008**

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MR. WILLIAM SCHULZ: About 50 years ago, the late George Plimpton took the poet Marianne Moore to a baseball game at Yankee Stadium to see the Yankees play the Brooklyn Dodgers. Ms. Moore's observations were priceless. As Junior Gilliam walked up to the plate to bat, she said, he is simulating sangfroid, which Plimpton later observed was no doubt, the only time the word sangfroid has ever been uttered within the confines of Yankee Stadium. Of the double play, Ms. Moore said, it is a cruel, but necessary thing.

Well, we don't have Marianne Moore with us this morning, but we do have an outstanding group of speakers who will, with no doubt equal creativity, be tackling one of the toughest topics before us. How does the U.S. leverage its power to get its allies and others to respect human right when it has a whole host of other interests at stake in those relationships? Human rights are almost never the only, and rarely, the principal nexus of bilateral relations; yet they often have profound implications for other strategic interests like security, trade, environmental hazard.

Now, our panel is going to sort all of this out for us today, starting with the moderator, Brian Katulis, a senior fellow at the Center for American Progress who specializes in national security policy in relationship especially to the Middle East, Iraq and Pakistan. Brian has just co-authored with Nancy Soderberg a new book entitled *The Prosperity Agenda*, which will be published this summer by John Wiley & Sons.

MR. BRIAN KATULIS: Thanks, Bill. Thank you all for coming this morning. I want to thank our co-host, the Georgetown University Law Center. For the past four and a half years, the Center for American Progress has worked to tackle some of the toughest policy challenges our country faces. And under John Podesta's leadership, we've gathered some of the most innovative thinkers to address head-on some of the most difficult national security, economic and domestic policy challenges. Today's conference is a continuation of this tradition... And I'd like to congratulate Bill Schulz and his co-authors on the publication and launch of their new book *The Future of Human Rights*.

We have an ambitious agenda in the next hour and a half in this morning's panel. The central question is how should the United States deal with the human rights abuses of partners and allies in countries where the United States has other strategic interests, whether it's security interests, like addressing the threat posed by global terrorist networks, or economic interests, such as trade ties or oil?

Our aim this morning is to be pragmatic. We hope that the discussion will produce concrete recommendations for the next administration, as difficult and challenging as these issues are with the countries that we're addressing.

It's tough for me to think of a more experienced and knowledgeable group of experts to have today. What we're going to do is spend about ten minutes each drilling down on three specific countries: China, Pakistan and Egypt. I'll introduce our four

speakers. They'll give introductory remarks for about seven to ten minutes each. We'll have a conversation, and then we'll open it up to your questions.

Our first speaker is Ambassador James Sasser. Ambassador Sasser served as senator from Tennessee for eighteen years from 1976 to 1994. And from 1996 to 1999, he served as the U.S. ambassador to Beijing. He's going to start out our discussion this morning by focusing his remarks on China.

Then we'll head west to Pakistan where Steve Coll, the president and CEO of the New America Foundation, will focus his remarks on the challenges that the U.S. faces in Pakistan, particularly related to human rights. Steve is the staff writer at the *New Yorker* magazine, and he's the author of numerous books, including the most recent *The Bin Ladens: An Arabian Family in the American Century...*

Jennifer Windsor will take us to Egypt... Jennifer is the executive director of Freedom House; has served in that role since January of 2001. And prior to Freedom House, Jennifer worked in the Clinton administration at the U.S. Agency for International Development on Democracy and Governance.

And finally, in the tough role of cleanup, and trying to draw all these threads together with me, is Ambassador John Shattuck, who is currently the chief executive officer of the John F. Kennedy Library Foundation. He's also a senior fellow and lecturer at the College of Citizenship and Public Service at Tufts University. He has a long and distinguished career in public service. He served as U.S. ambassador to the Czech Republic from 1998 to 2000, and prior to that, he was assistant secretary of state for Democracy, Human Rights and Labor. Ambassador Sasser?

MR. JAMES SASSER: Well, thank you very much...I'll try to confine myself to the ten-minute limit here. That's going to be difficult for a former senator. You know, a senator can hardly clear his throat in 10 minutes. (Laughter.) After years and years of filibustering, it takes a while to get your thoughts condensed.

Let me just say this at the outset, talking about human rights... I think we can all understand that the United States – our stature with regard to discussing human rights worldwide and our credibility has been, I think, somewhat diminished over the past few years as a result of things like Abu Ghraib, Guantanamo and perhaps one or two other incidents.

Others may question us, particularly the Chinese – although they may be polite enough not to raise it to our face – would think that our views on human rights are somewhat jaundiced in the sense that we apply human rights criteria to them but perhaps are not so strict in applying it to ourselves.

During my tenure in China and during my years of interest in...Sino-American relations, I think I've seen the emphasis, at least at the highest levels of our government, on human rights decline considerably in bringing it up, for example, in the dialogue with

the Chinese and also putting it as one of the principal tenets of our policy towards the Chinese.

I well remember when President Bill Clinton was running for president in 1992, one of the things he talked about fairly often was denouncing the Chinese record on human rights and describing them, some of them, as the “butchers of Tiananmen.” During the course of his administration, as John Shattuck, I think, will attest to, we very often brought up the question of human rights with the Chinese. And during my tenure in China, I saw it decline it more and more and more in our dialogue with the Chinese, that is, it declined in importance, and saw the economic relationship and the economic dialogue become more and more important.

And I think even now with the six-party talks in Asia, security interests are becoming more and more important in the dialogue, as the Chinese have been instrumental in advancing the discussions with the People’s Republic of North Korea and trying to discourage them from making any further advances in the nuclear field.

But I well remember when President Clinton came to China in a historic visit. I think it was 1998 or ’99. I’m not sure which. But there was a lot of discussion about whether or not he should be greeted, or allow himself to be seen being greeted, in Tiananmen Square. The Great Hall of the People, where the opening ceremonies were to be held between the two heads of state, was on the edge of Tiananmen Square. And we thought at that time it would be a great political liability perhaps for President Clinton to be seen on the edge of Tiananmen Square with the history of that place. But now I think that would not be the case.

We see that the Bush administration is not considering, at least outwardly as far as I can discern, any sort of retribution or any repercussions directed against the Chinese as a result of what’s happening in Tibet. Our government is not discussing at all the question of whether or not we should even boycott the opening ceremonies to the Olympics.

So I say that by way of indicating to you that over a period of a decade, or maybe a decade and a half, what we’ve seen is the emphasis on human rights...vis-à-vis the Chinese has declined very considerably. And the emphasis I think now is on economic ties, and to a lesser degree, the dialogue is about security interests. And as evidence of the fact that economic matters are taking the lead, the Secretary of the Treasury now has instituted a policy of every three months the top commercial leaders of the U.S. government meet with the top commercial leaders of the Chinese government and they alternate between Beijing and Washington.

Now, what’s to be done about moving the Chinese more in the direction of respecting human rights? Well, the fact is that we can’t do very much. As we see now in Tibet, there’s a lot of discussion here in the United States, and discussion worldwide, but almost no movement on the part of our government in trying to drive home the view that Tibetans should have more individual rights and that their cultural and economic interests should be respected by the Chinese.

As we have become more interdependent with the Chinese government, as they now own about \$400 billion worth of U.S. government securities, and are helping finance our indebtedness, our international indebtedness, we have lost, I think, a considerable amount of our leverage and we have also lost some of our moral leverage, as I said earlier, with regard to our actions over the past few years.

So what I would advise the next administration to do with regards to human rights and advancing human rights in China is to continue to have a dialogue with the Chinese on the question of human rights and to ally our dialogues with the Chinese on human rights with the European Union. And we should come at it, I think, as a united group.

The Chinese very much want to be respected on the world stage. They very much want to be “players.” And as a result of that – as evidence of that, you can see their interest in trying to garner the Olympics and the gargantuan efforts they’ve made to try to make this Olympics a success, the billions and billions of dollars they’ve spent for remodeling Beijing to...put their best foot forward to the world as far as the Olympics are concerned.

So I think if the next administration could take a unified approach with the European Union and others, and put human rights back in as an important part of the dialogue and not try to do it by ourselves, I think that would be the most persuasive effort we could make with the Chinese, but we would have to realize that...leverage is very, very limited.

We’re now dealing with a country which is becoming an economic power, has become an economic power on the world stage; now the third largest economy in the world; is becoming a strategic diplomatic country, as evidenced by their leverage in North Korea. And we’re dealing...more and more everyday almost on the basis of equals. So friendly persuasion is about all we have left, I think, as far as the Chinese are concerned and we need to have a united effort in going forward.

MR. KATULIS: Thank you, Ambassador. Steve, friendly persuasion? Is there more that we can do with Pakistan than friendly persuasion? We seem to have many points of leverage and a lot of contact...

MR. STEVE COLL: Thank you. Yes, I do think the leverages are different and may be more promising, though certainly not anything like a sure success. And just to briefly set the recommendations that I’ve sketched in context, I think it’s important to start with the observation that in Pakistan, despite the headlines and the rhythm of crisis that we’re all familiar with, a constitutional democracy does not need to be invented. It just needs to be revived and supported.

Pakistan was born as a constitutional democracy and it has struggled to achieve the ideals of its founders, but there is a great national investment and a pluralistic national investment in those ideals that is still present today. And ultimately human rights in Pakistan is a question that will be managed, and I think optimistically, successfully

managed, by Pakistanis within the framework of those constitutional ideals. And I think that's important to observe because American policy is often, and has recently been, out of alignment with that essential observation about Pakistan's history and potential.

In recent years, this problem has been particularly acute because of the crisis of political violence in Pakistan and the responses of the state to that violence. Essentially, the election – the year 2007 was one of the most tumultuous in recent Pakistani political history. We reached the first end of the first quarter of 2008 in a calmer time where that narrative has more or less played itself out, culminating in a successful election earlier this year.

But the election occurred almost in a context of insurgency and crisis and was itself advertised as a mechanism of counterinsurgency. And I think in Washington the election was embraced not so much because there had been a change of view about the role of democracy and human rights in the creation of a stable Pakistan, but because in desperation the administration was persuaded that an election might be a form of counterinsurgency superior to those that they had pursued earlier.

And that takes us to another important framework in Pakistan, which is this continual tension between security and human rights. And of course, it's a very real dilemma. It's not an invented problem. But as with many such dilemmas in other countries, while there are genuine sources of emergency in Pakistan that require emergency measures, it is also true that the use of the emergency is often false and creates a false construct of security versus human rights. And without going into too much detail, because of the time we have, I just wanted to give one example.

Quite a lot of the public crisis in 2007 that led to the state of emergency that [President] Musharraf imposed, and then the pressure on him to lift that state of emergency and the elections, and quite a lot of the decision that Musharraf made to overthrow the independent judiciary, was located in the judiciary's decision to insist on reviews about detentions. And the Americans were particularly supportive of the Army's refusal to participate in these reviews of detentions because the Americans argued "Al Qaeda in Pakistan is as great an emergency as we face globally; requires extraordinary measures. In a perfect world, we wouldn't wish to have these kinds of detentions, populations in the hundreds with no review – essentially, a population of disappeared. We regret it but the emergency is that severe." That was essentially the administration's attitude and that was the [Pakistani] Army's attitude.

And it was to defend these detentions that Musharraf essentially sacked the Supreme Court. Also to preserve his own power. Well, it turns out that the population of the detained was not primarily Islamist. The population of the detained was primarily... secessionist and essentially the Army had used its own – the construct of the U.S. emergency to go after what it perceived to be a series of domestic secession and political problems of long standing.

So anyway, this is just one example among many about how this construct [of emergency] is misused and sort of falsified. So what could the United States do? I had

one sort of strategic framework I wanted to suggest, and then four small suggestions--really just sketches.

The strategic framework is probably the most important thing. The United States ought to pursue a stable, peaceful, modernizing, democratic Pakistan that is at peace with itself and its neighbors and that is in pursuit of its own ideals of constitutional democracy. This is an achievable project over twenty-five to fifty years.

It is achievable primarily because India, next door, which already possesses such a constitutional order, is on the verge of a transformation in society, wealth, prosperity and middle-class formation. And the only strategic obstacle to India's generational success is failure in Pakistan. And on the other hand, if Pakistan can settle down and provide even a modicum of stability, it will benefit from this transformation [in India]. It will ride on these coattails, as well as those of the Gulf, into its own middle-class based future.

So that framework is achievable, but it can only be achieved inside a democratic order. The U.S. has significant but limited leverage to participate in this project. One is to rebalance its aid. Since 9/11, of the \$10-billion-plus in overt aid, and another two or three probably in covert, ninety percent has gone to the military. This is not helpful to this project. And the rebalancing of aid should be directed towards civil society and free media, human rights groups.

The biggest funders of Pakistan's courageous human rights networks today are the Norwegians and that is a position that the United States should not be ceding in this way. I think too the United States should develop a sustainable approach to the [Pakistani] Army's role in the constitution and create a context for a professional military that sees the Geneva Accords in its own version of [a] uniform code of military justice as the basis of its action. This is also achievable.

Third, human rights in Pakistan and everywhere else are located in the experiences of the civilian population. It's important to emphasize that those rights can be violated not only by the state but by militia groups, as happens all the time in Pakistan. And in fact, al Qaeda's popularity in Pakistan has collapsed because it has targeted civilian populations in the country.

And finally, the United States does have the ability to try to reduce the frictions that give rise to state violence and state abuse in Pakistan, and those are primarily located in Kashmir and Afghanistan. The militarization of Pakistani society, and its role in disrupting the constitution, is partly attributable to the actual threats that the Pakistan military perceives from its neighbors and from the geopolitical context in which it sits. And the United States should be able to play a role and ought to try to play a role to reduce those frictions.

MR. KATULIS: Great. Thank you, Steve. Jennifer, you've served in the trenches, both in government and in nongovernmental organizations, trying to push forward democracy and human rights. And though you currently have a global focus,

you have a great deal of experience in Egypt, which has been an interesting country for a long period of time, but particularly over the last couple of years, as relates to human rights and democracy. I thought maybe you could add to the discussion by talking about your experiences there.

MS. JENNIFER WINDSOR: Great. Thank you. And thank you for including me. President Mubarak of Egypt has ruled under a military state of emergency for almost three decades. During that time, he has received billions of dollars of U.S. assistance and has been lauded as a key ally and even a democrat.

Today, as we speak, the Egyptian people are indicating their dissatisfaction with his government. After a call to action from a Facebook group, a general strike has been ongoing to protest the rising cost of living within Egypt. Some people stayed home but did not buy certain commodities. Others demonstrated in illegal action in Egypt. Security forces were out en masse and, while demonstrations in Cairo were largely peaceful, in other parts of the country clashes turned violent. And reportedly a number were killed, including a nine-year-old boy. Over 100 people were arrested. The demonstrations continue today and a new strike is to be called for early May.

Today Egypt is holding local elections. The turnout is low. The Muslim Brotherhood decided to boycott the elections after the government arrested hundreds of members, including forty leaders, and systematically denied the opportunity for the majority of candidates to run. In past elections, once secular liberal opposition groups began to present genuine challenges to the NDP's monopoly of power, they were subject to intimidation and arrest.

The most visible case, of course, is Ayman Nour. When he was arrested in January of 2005, Secretary [of State] Rice, in an unprecedented action, cancelled a trip to Egypt in protest, eventually resulting in Nour's release. He has now been imprisoned since then and in the last month his final appeal to be released because of his serious health condition was turned down.

In this case, Secretary of State Rice did not publicly show her displeasure. In fact, she recently waived congressional conditions on improvements on human rights and rule of law, conditions which were imposed on a paltry sum--\$100 million out of the \$1.3 billion worth of military assistance that the U.S. provides. The government of Egypt didn't hesitate to make it clear that they saw this as a PR victory.

Thanks to Egyptian journalists, especially bloggers who have refused to observe the red lines that had previously restricted their work, freedom of expression has expanded in Egypt, but serious threats remain. Two weeks ago, a prominent independent journalist and editor of *Al-Dustour* newspaper was charged with spreading false news about the president's health to harm the national economy.

In Egypt, freedom of association and assembly are heavily restricted and force is used as necessary, as we can see in recent events. But more subtle forms of intimidation and repression are also in place. Egyptian laws regulating NGOs have become worse

over the years, not better. Again, the high profile cases of Dr. Saad Eddin Ibrahim, who remains in self-exile with dozens of legal cases against him and others, because he discussed aid conditionality with President Bush during the Prague conference last year, but many other individuals and groups whose names are not so famous, have, like Dr. Ibrahim, suffered for crossing the line.

In June 2005 at [American University] in Cairo, Secretary Rice spoke on democratic reform, quote: “The day is coming when the promise of a free and democratic world, once thought impossible, will also seem inevitable. The people of Egypt should be at the forefront of this great journey. So together, let us choose liberty and democracy.” The Bush administration’s action during the 2003 to (2008?) period, including the withholding of \$30 million of assistance, the delay of Rice’s trips and direct aid to a number of human rights groups, did lead to a package of modest reforms on the part of the Egyptian government. And civil society journalists, political leaders and human rights activists have responded by pushing the envelope.

Unfortunately, since that time, critical public statements have virtually stopped, although Secretary Rice and other administration officials assure us that they are raising issues in private. And Secretary Rice, to her credit, continues to meet with Egyptian civic activists. But the Bush administration’s clear retreat from its forward-leaning policy in the last two years has given the Mubarak regime an opening to renew its repression throughout the country and has left Egypt’s would-be reformers exposed and disillusioned on their journey to liberty and democracy.

But let us be clear. The Bush administration’s policy was a step forward from the past. The Clinton administration was virtually silent about human rights abuses in Egypt. And in fact an individual was rendered to Egypt and suffered torture at the hands of the Egyptian government during that time.

Successive U.S. administrations have continued a bilateral agreement which effectively allowed the Egyptian government to determine which NGOs received assistance and eliminated any leverage to pressure the Egyptians to respect fundamental human rights. Security, stability and other interests have always prevailed in U.S. policy towards Egypt.

But have those policies actually advanced U.S. interests? Let us answer honestly. What has the Bush administration gotten for its recent silence and for billions of dollars? A successful peace process in the Middle East? Have past U.S. policies really led to stability and security in Egypt? I think not. If there is no peaceful, effective way to voice opposition, or to choose a successor to Mubarak, then the people will find an outlet. Repression empowers extremists. It does not eliminate them. It is extremists, not elections, that endanger our security.

The adherence to democratic principles and respect for human rights cannot, and should not, always be the sole foreign policy goal for the U.S. in its bilateral relations with Egypt or any authoritarian ally. But issues of human rights have to be on the table more consistently and high-level advocates for those positions should be present to make

the case to decision-makers in the White House. In fact, all parts of the U.S. government, not just State or USAID, but the Defense Department, USTR [U. S. Trade Representative], even the intelligence agencies, should be asked to evaluate their actions and policies in terms of their potential to negatively or positively impact human rights.

Assistance, trade and security relationships should be leveraged to encourage the opening of political space and respect for human rights. And the U.S. should be a consistent voice for the right of all individuals to enjoy fundamental freedoms and not say that governments are, quote, "on a democratic path," when they clearly are not.

We should back Egyptian civil society and human rights defenders, especially now as they test the waters and take risks. That support needs to be shown through diplomatic interactions, including public as well as private conversations. Sufficient resources for those on the front lines should be made available in a way that does not endanger those who need it. We need to be willing to speak out when civic and human rights advocates and activists are repressed--immediately and forcefully.

And we need to provide legal and other emergency assistance to victims and their families, providing them safe transport and asylum, if necessary. If the next administration can make that vision a reality, then indeed we will have transformed U.S. foreign policy and sent a signal that the U.S. is genuinely committed to freedom and human rights for all.

MR. KATULIS: Thank you, Jennifer. Ambassador Shattuck, you've served at the most senior levels of the State Department. And after listening to our first three speakers, I'd love for you to reflect on what you think are the most important things a new administration can do to elevate human rights on its agenda?

MR. JOHN SHATTUCK: ...It is a daunting situation that we face and I think what we've seen in this three-country review, particularly with respect to Egypt and Pakistan, is the sort of false construct between security and human rights...that has gripped our own country for some time now, which is not in any way to diminish the security crisis that we face and that the world faces.

But I think the top agenda item for the next administration is frankly, going to – on human rights – is going to be getting our own house in order. We're obviously living in a very paradoxical situation where the United States has unparalleled economic and military power but, paradoxically, probably has the lowest standing in the world that it's had for many, many years.

The global statistics in terms of the polling data are really extraordinary. If you go back to 1999, the U.S. had a relatively favorable rating across a wide variety of countries: Indonesia, seventy-five percent; Turkey, fifty two percent; European countries, generally high; and then plummeted in 2007 so that now only twenty-nine percent of eighteen countries that were surveyed by the BBC had a favorable view of the U.S. role in the world, and sixty-seven percent saw the U.S. as a violator of human rights.

This is no longer news for us but I think it's very important for us to absorb this as we look at what the next administration is going to have to do. The result is obviously a drastic loss of what my good friend [Harvard Kennedy School Professor] Joe Nye called "soft power," which is really the power to advance a human rights and democracy agenda through means other than coercion. And I think there are...three fundamental rules that have been violated, which now need to be followed by the next administration.

First is to practice what we preach. If we're going to issue a human rights report annually on countries around the world, as we do and have done for many years, we're certainly going to have to make sure that our own behavior on issues of interrogation and detention and the like is in compliance with our own views of what other countries ought to be doing.

We have to obey the law. It's a very simple statement, but nonetheless, one that I think we often forget with respect to basic elements of law that have been incorporated into our own law, the Geneva Conventions, the International [Covenant] on Civil and Political Rights and a variety of other international matters.

So what we have is, unfortunately, a severe under-cutting of our own capacity to advance foreign policy objectives generally across the board in a wide variety of areas as a result of our own record on human rights... And let me just put forward a very straightforward agenda for what the next president might do almost immediately to begin to send signals that the United States is back in the business of promoting, in its own context, to say nothing of around the world, human rights.

We should certainly close Guantanamo and address the issues of interrogation, restore *habeas corpus*, comply with the Geneva Conventions...and it's very good to see that all three presidential candidates have generally agreed on this proposition. So I think that's an important point to put forward to begin with.

We need to restate our commitment to human rights treaties and conventions that we have already ratified, like the International Covenant on Civil and Political Rights. We should re-sign the International Criminal Court Treaty, which was signed by President Clinton, and then begin to be able to shape that institution in a way that will indeed be consistent with U.S. security interests, and not simply stand outside of it.

We should recommit ourselves to the responsibility to protect, which was an international doctrine developed a number of years ago in the United Nations with the United States very much behind it, which is really the essential tool internationally for addressing crises like the one in Darfur....

And then finally, I think we need to revamp – and this goes to many of the points made by my colleagues here – our ways of approaching democracy and human rights assistance. We need to lower the rhetoric significantly and increase the expertise and local appeal of particular forms of democracy and human rights assistance so that it's consistent with what people actually are doing on the ground.

We need to build local alliances with the civil society elements. And we certainly need to focus on how we might work with countries to reform particular sectors, say, the security sector, for example, as a way of developing more cross-sectoral influence in broad human rights areas such as the rule of law and the judiciary and police and the like. We certainly need to reorganize our own government agencies that are involved in the delivery of this kind of assistance.

When we had this during the Clinton period, and it certainly persists today very much in the Bush era, a plethora of agencies that are often inconsistently addressing such basic elements as providing police training assistance and other forms of assistance that are so basic to all of this.

Just a few words on each of the three countries, and then we'll go to your questions. I agree very much with Jim Sasser's analysis that we know what doesn't work and hasn't worked particularly well with respect to China and that's a variety of different forms of attempted unilateral coercion. This was certainly attempted during the Clinton period with the most favored nation status effort to link human rights improvements to a unilateral approach toward China.

What's needed is a very multilateral connection on basic issues. I think the using of the Olympics today, and working with the Europeans that have comparable concerns about what's happening in Tibet, as a way of drawing attention to some of the situation of human rights in China, and being honest in the presentation in facts. I think I was very disappointed to see this administration has basically backed away from its characterization of China as a major human rights violator. And that happened in the [U. S. State Department] Human Rights Report this year, just before the Tibet crisis broke, and we all know what kind of hypocrisy that also indicates in terms of a failure to be honest.

So there are ways in which one can address the issues of human rights with a multilateral framework and particularly working with other trade partners within China and I think the effort to assist on the rule of law. China is very interested in improving its own legal institutions and finding ways and means of doing that.

I think Pakistan, as Steve Coll has quite rightly pointed out, probably is the most dramatic example of the false dichotomy between a construct of security versus human rights, because I think here what you have – and I'm by no means an expert on Pakistan – but taking his analysis, what you have is a situation where we have, as a result of coming down very hard on the security side, and shortchanging those internally who are engaged in reform, we've created an isolation of our own policy so that it isn't a part of what ultimately will be a connection between the stability of Pakistan long term and its developing democratic process. So we need to rebalance our assistance.

And the same is certainly true with respect to Egypt in terms of much more effectively using that extraordinary amount of assistance that goes to Egypt from the United States to support those who are engaged in the efforts to change the situation on the ground with respect to democracy and human rights.

So let me just stop there and there's a large world out there that I'm sure everybody else is going to want to talk about as well.

MR. KATULIS: Great. I wanted to start out our discussion with a couple of questions. I think one common thread in all of the presentations is the notion that actions speak louder than words, that what we can do practically matters a lot. But I do want to ask about words. I'd love to hear from the ambassadors or from the other panelists what their advice would be to the next president and other senior officials about how they talk about human rights and democracy, because...under President Bush it's hard to find a national security speech that he's given that does not mention the Forward Freedom Agenda, or the promotion of democracy.

And Jennifer, you talked about Secretary Rice's speech in Egypt. And I want to raise this, not because it's as important as the actions that we undertake, but how would you advise...that we need to correct some of these mistakes? How should the next administration, its leadership, talk about these issues? Should they talk about it as much as the Bush administration did?

Ambassador Shattuck, you said we should lower the rhetoric. What exactly does that mean in each of these countries? And is it useful in certain instances to have senior officials calling out some of the most important abuses because I think it's a difficult question for the next administration to address?

MR. SHATTUCK: Well, let me take a first stab at this. I think it is a difficult question, but it's a question that could be answered because there are various ways of using diplomatic pressures, including reports of the kind that the United States and other government have issued on human rights, and making those publicly, and honestly assessing the facts.

I remember very much when the decision was made to de-link human rights from most favored nation status. I and Winston Lord in the State Department fought very hard and won internally the battle to make sure that we called the situation exactly what it was; in other words, that President Clinton and others in announcing this de-linkage were not changing the analysis of the facts that we had analyzed about how bad the situation was in particular areas on human rights.

On the other hand, there are times when you can be much more effective working behind the scenes and I think you can operate with diplomatic pressures which are that much stronger because they are not being made public in some situations. But in the public broad context, what would a president say and what would the speech look like?

I think the speech that I would have the next president deliver would start, and in fact, go all the way through the international framework of human rights that the United States is working. And this is not a unilateral matter. This is not something that the United States is pursuing in its own self-interest, although we certainly have a strong self-interest in pursuing human rights.

But there is a framework, which I think we have abandoned, particularly over the last eight years, but to some extent, we haven't adequately embraced it over all presidents. And it's a framework of international law and a framework of multilateral action and a framework of international institutions. And it's within that framework that there should be an understanding of the U.S. commitment to human rights. And we ourselves, of course, need to comply, as I said in my remarks, with many of the legal requirements of that framework.

MS. WINDSOR: Well, I would just say that presidential proclamations on democracy, human rights and freedom are fundamentally important and I think that President Bush should be congratulated for that. And just because he...did that, doesn't mean that the next president should not. Let's raise the bar, not lower the rhetoric. The signal that it sends to people all over the world, no matter what the anti-American sentiment is, is very, very important. And I've heard that from all over the world.

But also, let's be careful with the language in the sense that let's not laud elections as democratic breakthroughs; let's not call people "democrats" when they're not. I also think it's very critical on the issue of providing assistance that we understand that a lot of these groups cannot publicly say they want any assistance. They will, in fact, very, very outspokenly denounce assistance and we should not make the determination for them that we are endangering them. We should work to make sure the mechanisms are good ones and that we consult with them on the best way to do so.

Finally, on the issue of the international framework, I couldn't agree more. However, we have to be very aware that right now the international framework on human rights is under more attack now than ever before. And, yes, the U.S. government plays a role in that but the real perpetrators--those that are trying to actually turn back decades of agreement on what international human rights laws are and the universality of those laws, such as freedom of expression--it's not the U.S. The U.S. is unfortunately not at the table, but it's the Russians, it's the Pakistanis, it's the Egyptians.

The [U. N.] Human Rights Council has just recently passed restrictions on freedom of expression that are mind-blowing in the name of the protection of religious diversity. But we're not even at the table and if the next administration does not address this, we're going to be sitting here in ten years and talking about actually how multilateral institutions are not the answer. They're the weapons of the dictators.

MR. KATULIS: Thanks, Jennifer.

MR. COLL: Just two quick comments. One is, I think, as John said, it's very important to de-Americanize the language and the rhetoric about human rights because the aspirations that the United States can and should support, particularly in the South, are no longer seen by those aspirants as American in character or even Western in character. They're seen as Southern in character in the North-South context. And the United States ought to find language that advances emphatically its own ideals but

recognizes that those are not sort of fundamentally American in character. I think that's a real weakness of the current administration's language.

And the other point that I would make is that the United States talks-- and certainly, this administration emphasizes-- freedom over justice in its rhetorical choices, and I think that's a correctible error, that for the experience of the conditions that we might associate with the Freedom Agenda are often experienced, particularly in troubled societies, as issues closer to justice than choice.

And the United States has not been able to develop an international language about the quality of access and freedom from state violence that is recognized by the listeners to such rhetoric as consistent with their own justice agenda and I think that's something that the next president can find language to do.

MR. SASSER: Well, I'd just like to echo what Steve just said. I think that this business of always talking about freedom really goes back -- that's an old saw that goes back before the Cold War, and it really, I think, has not resonance now. And we ought to be talking about justice and equity and not so much about freedom, and I think the next president should enunciate a strong position on human rights but I do not think it ought to be directed specifically at any particular government.

Now, for example, in my view, you make a lot more progress, based on my experience with the Chinese, by not humiliating them with what they perceive to be humiliation publicly. Enunciate a doctrine that does not go directly to any particular country but then diplomatically, discreetly, discuss these matters with the offending government.

Now in my experience with the Chinese, I found that they very much wanted to have international prestige and they want to conform to what they perceive to be certain international standards. The leaders of China are very sensitive, at least in my experience, in going abroad and be subjected to demonstrations directed against them because of human rights violations.

So if you use, as I said earlier, the tool of friendly persuasion, I think that works better sometimes than a direct affront, which also raises sort of the nationalistic hackles of the general population. And they can say to us, or the Chinese could say to us, "Why do you direct your human rights accusations against us? What about Saudi Arabia? What about Egypt? What about Israel and the Palestinian question?"

So it needs to be general and not specific and it needs to be a constant pressure of friendly persuasion, in my judgment. And the first thing we've got to do is to clean our own house and set an example for human rights around the world and realize that much of the world sees us as being hypocritical and we need to correct that hypocrisy.

MR. SHATTUCK: Brian, can I just make one final comment? There's an elephant in the room. We haven't addressed it and it's time to do that briefly. And that is the rhetoric of human rights and democracy has been perverted because it has come

through the barrel of a gun. And so much of the world sees it that way now, and until we make clear that that is not our view of how democracy – ...I don't think it is the view of most Americans that democracy can be delivered through the barrel of a gun – but Iraq has certainly changed the perception of the world on that.

So when it comes to rhetoric, this is probably the very first thing that a president is going to have to say. And I'm not sure that all the candidates would agree on that one, certainly one of them, the Republican candidate probably wouldn't.

MR. KATULIS: Thanks, John. But going back to action, I just wanted to ask one more question because Jennifer, Steve, you talked about the different things that different agencies do. In particular, in Pakistan, we have a strong program with the Pakistani military there. And going back to the barrel of the gun, is there anything that we can do in our mil[itary]-to-mil[itary] or Intel[ligence]-to-Intel[ligence] cooperation to advance the human rights agenda, as unrealistic as that may seem, because I've noted that it's not for lack of having agencies like the U.S. Agency for International Development or nongovernmental groups that focus on human rights and democracy.

But are there things, even small adjustments, we can make in the realm of perhaps conditioning aid or trying to engender practices among different security services in these countries? Is that realistic to address?

MR. COLL: Yes, I think it's realistic to address. I think, again, you'd be proceeding from a position of trying to recover from policies that have sort of embedded themselves in the mil-to-mil and intelligence liaison relationships over the last six or seven years that you would have to make clear you wanted to change. So then you would first have to be willing to talk in pragmatic terms with your partners about what the consequences of that change would be for the way they manage detention policy, the way they manage the kinetic strikes in the tribal areas on the unilateral basis and so forth.

But there are ways in which you could decide what change you are prepared to embrace and then in the privacy of the mil-to-mil and intelligence liaisons, try to insist on that over a gradual period of time. I think if the next administration walked into these liaisons and said, "Oh, by the way, we've had a eureka moment here in the United States. Everything that you have done together with your professional civil service uniform partners in the last six years, we now repudiate," that won't be a constructive way to proceed.

But you could construct a vision of a two to three-year program in which a potential hammer – and this was true in the Egyptian relationship in the '90s – would be the private conditioning of covert aid inside the closed sphere of a security cooperation relationship, because if you take that public, and certainly in the Pakistani context, you're really asking for a reaction that's much more debilitating than the gains that you would make through the conditioning. But there is some, I think, conditioning available...that can prove the seriousness of a liaison agenda.

MS. WINDSOR: I'm not an expert on this but I would say that I know there's human rights training and military and security assistance, et cetera. But I think there's two issues that have been really underplayed that we should look at. One is actually encouraging civilian knowledge and interaction with the military as part of that. Right now, our military deals with their military.

And I think actually figuring out ways to sort of bring democracy and civilian interaction with the military would be very important for us to look at – the same thing with police reform. There is some very interesting work going on in terms of community-level police reform and trying to encourage NGOs at the local level to interact with the police.

So again, not just having the Department of Justice police training completely segregated from everything else, and I think that that – we have yet to really achieve that kind of programmatic integration on the ground. And therefore, I think they sometimes work at cross purposes.

I will say that in our military, of course, one of the things that we try to emphasize is professionalism and unity. In the case of Zimbabwe right now, what we're looking for is disunity, right? We're trying to actually get security forces to, in fact, disobey. So I think we need to look at how our military trains in non-democratic countries because in this case the future of Zimbabwe depends on Robert Mugabe losing control of the security forces.

MR. KATULIS: Great. Thank you. I think our panelists this morning have done their job and piqued everybody's curiosity here. I'd like to open it up to questions, starting first with Melody Barnes, who is the executive vice president at the Center for American Progress.

Q: Great. Thank you, Brian, and thanks to the members of the panel. I'd like to start out by asking a question that touches on one of the countries that Ambassador Sasser just mentioned and that's Saudi Arabia and America's very complex relationship with that country. And national security and economic concerns like around oil and Iran and Iraq have really bound our countries together.

At the same time, there are very serious human rights concerns: political detention, torture, a dearth of human rights watchdog organizations in-country. And I'm wondering in terms of the next administration, how do we manage that relationship? What would progress look like there...and what should we be thinking about in terms of success and realistic elements of success in terms of going forward?

MR. KATULIS: Who would like to take that easy question? (Laughter.)

MR. COLL: All right. I'll – (laughter). Thank you, panelists. (Laughter.)...

MR. COLL: The Bush administration attempted to use the most forceful human rights language directed at Saudi Arabia that any administration has used. And I was

there when much of this rhetoric was being authored. And I have to say it did have an effect on the middle-class urban-based reformers who were desperate for what little bit of political oxygen might be available in the Saudi context.

And I remember in particular in the “State of the Union” speech in 2005, which was the big democracy agenda speech, the president called on Egypt as the fountain of Arab civilization to lead the way to democracy, and then he called on Saudi Arabia to quicken the pace of its reforms, I think, something along those lines.

And the next morning, I was in Riyadh, and ran into some royal retainers, and they said, “How dare he single us out, call us out? We’re going to make him pay for that. This is not how you treat your friends.” And then that evening, I went to...those young sort of democracy groups in Saudi Arabia, and they all said, “Egypt is the ‘cradle of civilization’; they get democracy and we get ‘quicken the pace of our reforms’? What is this?” So essentially the United States has a no-win proposition. There is no way, in the current geopolitical context, that [the] Saudi royal family is going to be pressured from below to reform.

But I don’t think that American rhetoric about these issues is irrelevant. The pressures of reform that will ultimately shape events in Saudi Arabia will occur in a regional context. They’re already happening in the United Arab Emirates; they’re either happening in the Gulf, in the smaller Gulf States. They’ll happen elsewhere in the Arab world. They’re happening in Lebanon and because of satellite television and other factors, they influence Saudi Arabia. So I think in the end, it’s an outside-in approach that is the most effective one but taking no steps in the bilateral that is inconsistent or hypocritical in that sort of regional approach.

MS. WINDSOR: I would just say, first of all, I think we have to be honest about what the Saudis are doing and not sort of say that everything is fixed. I just mentioned the presence of extremist language in religious curriculums that are used all over the world, and the impact that that has in terms of our future. I think we really, really need to get serious with the Saudi government on that issue.

I will say that – I’m not a Saudi expert but I’ve had the opportunity over the last several weeks to meet with a number of extraordinary Saudi women, and I feel like they are such a talented group that they are making inroads and we have to be there to support them. They had a great exchange here a few weeks back with [former U. S. Supreme Court Justice] Sandra Day O’Connor... And they just participated in a regional conference on family law reform that was held in Kuwait. And I see a real ferment, a real discussion there. Let’s figure out how to not endanger it, but to encourage it.

So I don’t think it’s move along the reform. I don’t think there’s going to be an explosion, but I think that again, we have to continue to support people on the ground that are trying to push for reform. And it’s a very complex scene so they know best how to navigate through the shoals that are quite dangerous in that society, but I think there are some interesting currents. So I would hope the next administration would think creatively about how to help those currents.

MR. COLL: Can I just say I think that she's absolutely right. Gender and tolerance and pluralism are the three points of entry into Saudi Arabia but there are also regional points of entry and that's a low-cost strategy also.

MR. KATULIS: Great. Thank you. We have many questions here and if you could please just state your name and affiliation, if you could share it with the audience and then give us a question, we'll try to get through all of these. And if you'd like to direct your question to a particular panel member, please do so. Thanks.

Q: Charlie Brown...: John, you spoke of one of the elephants in the room, and that is trying to institute human rights or democracy at the end of a gun. I would argue there are several elephants in the room. Another one is the fact that for all our talk about friendly persuasion and confidence building, the reality is the rest of the world has lost confidence in us and that we have a lot more work to do than merely taking action such as rejoining the UN Human Rights Council, re-signing the ICC. That's problem number one.

Problem number two--or elephant number three, I guess you could say--is that there is an emergence of a body of law in the United States, and legal theories in the United States, which are arguing that we don't have to respect human rights law, international human rights law. I speak not only of the Military Commissions Act but of the recent Medellin case and of arguments, the Yoo Memos in particular.

And last, but not least, to kind wrap these up in a bow, what would you advise the next administration when a judge in Spain or Belgium attempts to prosecute a [former Secretary of Defense Donald] Rumsfeld, a [former Justice Department official John] Yoo, an [Chief of Staff to the Vice President David] Addington, for violations of international law?

MR. KATULIS: Great question.

MR. SHATTUCK: Charlie, that's a brilliant summation of all the various -- I'm not sure that we've got the right type of animal. That seems unfair. But there are certainly some large and, at this point, still unspoken problems and you've spoken of several of them.

I think to take your last one first in a way, I feel relatively comfortable with the re-signing of the International Criminal Court Treaty and bringing the United States into a position where it can begin to reshape, to some extent, as it was doing when we were unceremoniously unsigned, reshape that institution.

And I think what an American president can say with respect to any inquiry that comes from a foreign court or otherwise with respect to an American policy-maker, popular or unpopular as he or she may be, is that the International Criminal Court recognizes a system of complementarity, whereby our own affairs -- if there's any

allegation that is made, if we are able to investigate it in good faith ourselves, the International Criminal Court has no jurisdiction over it.

And if it's a foreign government, obviously, there's no way we can control what a foreign government may do. This has nothing really to do with the International Criminal Court. It has to do with what a foreign government may seek to do to prosecute someone in their own country. So that's not specifically a matter before the president.

But the larger question, I think, of the loss of credibility and how it is restored is one that I think is going to preoccupy the next administration for far longer than the short period that I was outlining in terms of things that can be done right away. There are some very important symbolic things to be done right away and I named some of them.

But I think the way in which more broadly we go about pursuing our national interests and objectives is going to determine whether we have credibility and there are some basic things that I think we, without necessarily saying that we'll never do them, we should never do. This goes to the proposition of actions speak louder than words, as we've said in some aspects of what the panel is discussing.

I think that certainly, we should never pursue the delivery of democracy in a unilateral and military context, the way we have done so in Iraq. We have seen that that is a disaster. That is not – and what I'm saying here has nothing to do with what we do now in Iraq. That's a different set of policy issues, but certainly, going in that way.

I think we also need to be much more attentive to alliances and to international institutions than we have been over the last eight years. And those actions will speak loudly when we work with others to pursue objectives, particularly in human rights areas. We've talked about China; we talk about Darfur, et cetera. But those kind of – that approach, which will be the approach, I would hope, of the next administration will slowly and steadily rebuild credibility, but it's not going to happen overnight.

MR. KATULIS: Great. Thank you. Next question over here.

Q: Marwan Maluf: I'm a...student here. I have just a question about the Middle East. First of all, as a person coming from the Middle East, the criticism and the failure of the administration and even nongovernmental organizations in the Middle East, Pakistanis, even go beyond the Bush administration. So I think we should not only focus on criticizing the Bush administration as the worst administration. The failure started beyond this administration.

And the great example is to give that all the Arab countries are really similar, are facing the same problems, Tunisia, Egypt, Syria, Jordan and Lebanon, for example. And even when they had a good intention of making a real change in the Arab world, for example, in Lebanon, because there is not the know-how how to do it, there was a failure.

So I think we should also focus more on even when there is a good intention of an administration or of nongovernmental organizations in the Middle East, there is a big

failure of, for example, to whom to give the grants for real change, to whom to give big funds for organizations, local organizations in the Middle East, because, for example, in Lebanon, we didn't expect any more support from Europe, from the U.S.

Everyone was speaking about Lebanon, the change, democracy, human rights, and as we can see now, we are worse than when the Syrians were occupying Lebanon. So it's not only talk or addressing the question of human rights; I think it's also to know with whom to deal in the Middle East and how to deal with the Middle East....

MR. KATULIS: Does anyone strongly agree or disagree with that? Jennifer?

MS. WINDSOR: Yes, I agree with you. I think every time I enter any country – but I can say particularly the Middle East – trying to figure out the answer of who to talk to and where they're coming from, it makes my head hurt. So I think that any NGO or government official makes mistakes when they try to act in a hasty fashion and they also come with preconceived notions and they don't really listen. And sometimes groups and individuals that talk in a language that Americans, for instance, understand or human rights groups understand, that might be just language.

So anyway, I think that the one thing that I've learned in trying to work on democracy and human rights, both from the government and the NGO, is a little humility is in order and a lot of listening. I still can't guarantee that that's going to work because it's very, very difficult obviously, to come in from the outside. And you can be guided by the people inside but who you're guided by is sometimes hard to figure out and it could change very rapidly. So I take your point.

MR. KATULIS: Great. Thank you. Ma'am?

Q: Maria Claudia Spindola (ph). I am a consultant. I would like to ask a question to Ambassador Sasser. Although you haven't mentioned Latin America, I would like to know, if it's possible how should the United States address the issue of human rights in Colombia? In the research we have done, we have been encouraged to empower vulnerable communities working with multi-sectorial programs, engaging private sector, governmental organizations, the academy, and of course, the organizations of the civil society. Most of these vulnerable communities are very poor. Thank you for inviting me to this event.

MR. KATULIS: Thank you.

MR. SASSER: Well, I certainly am not any expert on Columbia. I'm not sure precisely how to answer that question. But I do think over a period of many, many decades, the United States government, under many administrations, has not been as sensitive or as responsible on the question of human rights in Latin America as it should have been.

I think now we have a new opportunity with the emergence, as I see it, in South America, in Latin America, of governments that are more democratically oriented than

they have been in times past. And I think a new administration and a new president should give great emphasis to encouraging democracy, to human rights, justice and particularly, economic justice, south of the border and in South America.

I have often thought that one of the great failures of American foreign policy over many, many, many decades has been our policy of generally ignoring South America or countries south of the border until something arises there that we think perhaps threatens our economic interest. And then we will intervene in a way in which, in many cases, has not been something that we can look back on with pride. But to answer your question specifically about Colombia, perhaps other members of the panel would be better qualified than I am for that.

MR. KATULIS: No Columbia experts?

MR. SHATTUCK: Well, I think one observation you can make in the light of recent events is that even intractable conflicts eventually begin to yield to sustained pressure and sustained organizing of the sort that you're doing. And you can see this in the circumstances of Darfur today. And I think that it's a reminder that we sometimes give up on these narratives and the ideals of the people who are caught up in these wars. And we often are reminded later that we have given up prematurely, that those on the ground have always had in mind a vision of an outcome that might take them some time to get to, but which then you [can] support in a sort of more stalwart way than we often deliver it.

MR. KATULIS: Thank you. Ma'am?

Q: I'm Rachel Dash and first, I want to thank everyone for planning this. I see my dad and there's no better way to honor him. I'm on the faculty of West Virginia University Medical School and as a mental health professional – I'm a family systems therapist and I work with trauma and torture victims. And one step in recovery and change is to provide a vocal witness to the trauma and to many unrecognized activities of resistance.

So I wanted to ask how do you think we should balance the need for quiet diplomacy so not to humiliate governments with also the need to provide hope and support for brave human rights activists wherever our world leaders are, whether it's down south in our own country, speaking at what used to be a plantation and now is a resort, around slavery or...if they're in the Olympic Village, which we've learned recently was forcibly evacuated of many people who live there, their homes destroyed in order to create space for the Olympic Village. So how do you balance those two things? How can we be there but not as leaders voice what's going on?

MR. KATULIS: Okay. Thank you. Sir?

MR. SASSER: Well, I guess the question is how do you balance sort of the *real politik* with human rights and that is a very, very difficult question and one that we see our government has tried to balance in China, in Saudi Arabia and many other countries,

and, quite frankly, the *realpolitik* equation generally wins out. What we view as our strategic security interest or economic interest, in the final analysis, takes precedent over human rights. And perhaps this is going to be a balancing act that we're going to see for a long, long, long time.

But I'm an optimist and I really think if you look at the long push of history, or just the push of recent history, human rights has become much more important to governments around the world. And human rights, I think, are much more at the forefront than they have been in many times in the past.

One of my great regrets, and we've talked about this here on this panel endlessly, is the loss of credibility of the United States which historically, at least in the 20th century and before, has been one of the great champions of human rights and we've got to restore that. And I think that we can move forward in giving the question of human rights more weight in the balance between sort of what I call the *realpolitik* and human rights in conjunction with other nations.

The European Union really now, it appears to me, has been taking the lead in human rights over the past few years. And I'd like to see the United States and the European Union and perhaps the government of Japan and other countries that have some sense of human rights, banding together and really pressing forward with it.

But to answer your question about how do you decide in Saudi Arabia, if you want the oil or you want the human rights, or how do you decide in China, if ...you want the trade with China and the economic intercourse with China and balance that against the human rights, that is a very, very difficult question.

Q: I think my question is more how to balance [it] out because of the hit at the Global Village. Do they just act like it's not built on people's homes?...

MR. SASSER: I was just going to say that this is nothing new in China for the Chinese to move in and take over the Olympic Village. They've been – if you read the newspapers, this has been going on for a long, long time before they took over the Olympics.

Q: Right...

MR. SHATTUCK: Just a very quick response. And first, I have great admiration for your father. Sam Dash was one of the giants of the rule of law in the period when I began as a lawyer in the early 1970s so I think we should all be honored here to be here at this conference, which is, in many ways, about the rule of law internationally.

How do you make these decisions? My sense – I'm now wearing my hat as assistant secretary of state for human rights; it got a little more complicated when I became an ambassador; I was responsible for all aspects of our foreign policy in a country --but I think we owe it to all those struggling activists around the world never to hide the facts, never to shy away from speaking the truth.

That does not mean that we will put pressure on a government in an economic, or worse yet, military, coercive sense unless there is a very broad set of national interests that are at stake. But I think the United States, if it is to restore its credibility on human rights, has to restore its ability to be able to speak truth to its own power and to other powers and to do so in a respectful but clear fashion so that the facts and the abuses, as people are feeling them on the ground, are indeed recognized officially.

MS. WINDSOR: I think we also have to get beyond thinking about governments, [to] what we, as individuals, can do. So I'm part of a group of called the Human Rights Leadership Coalition. Many of the people are in the room. And we talked about ways that athletes or visitors to the Games could appropriately, without humiliating the Chinese, perhaps wear something, maybe the logo for the 60th anniversary of the Declaration of Human Rights, as a badge or an arm-band. It's not going to be objectionable, but it would send a signal.

I also think specifically...in my current job we've had the opportunity to work with torture trauma centers and I think they're extraordinarily important. And the Center for Victims of Torture and the various torture treatment centers around the United States do important work. And I don't see – there is a bill and some funding to establish these. Again, this is a way that giving assistance in this regard is not a high diplomatic affront. You're just helping torture victims to talk through what they have individually suffered. So I don't think it needs to be a major tradeoff between stability and economic issues.

And then, I also just want to recognize that there needs to be an ongoing recognition of the impact of psychological torture, as well as other forms of torture, and the work of Physicians for Human Rights, I think, in identifying this, as well as the Center and others, I think we really need to keep this focus on, and I think we can do a lot of work obviously, not only in our detention and interrogation policies, but in providing services all around the world.

MR. KATULIS: Great. Thank you. The hour is running late. What I'd like to do is ask you to ask your question. We'll take them two a time, and we'll try to wrap up as quickly as possible. So you first, and you, sir.

Q: My name is Beshoi Lamie (ph). I'm from Egypt... I have a similar question to Marwan's one, which is, during the presidential election in Egypt the last time, we found that the Islamic Brotherhood had the lead in it. So the question comes again. U.S. provides many grants in Egypt and I am worried that some of these grants go to the Islamic Brotherhood. We don't need the solution of a problem to be another problem. This is one thing.

I just recall meeting with the leader of the Islamic Brotherhood in Egypt. He said frankly in the front of the national TV, "The first thing I would do, I will destroy the fifth – back to the 50 years – the churches built in the last 50 years." As a Coptic in Egypt, I would not welcome something like this to be the president of Egypt. Thanks.

MR. KATULIS: Great. Thank you. Sir?

Q: George Lopez, the Kroc Institute at the University of Notre Dame, and fortunate to be a chapter author in the book. Many of you talked well about the false dichotomy between security and human rights. Would a positive human rights assertion by the next administration be to declare the war on terror over and leave us to the boring...but effective use of law enforcement intelligence and other things, which also reinforce the rule of law, as a way to also deal with counterterrorism?

MR. KATULIS: Great. Thank you. Jennifer, do you want to take the Egypt question first, and then whomever would like to address the broader question?

MS. WINDSOR: There's a lot of debates about the Muslim Brotherhood and there's no doubt that the Muslim Brotherhood, and elements of it, have a vision in their platform where human rights for all is not guaranteed. So while they've, as a group, eschewed violence, I think it remains to be seen whether they're truly committed to democracy and human rights.

The question, I think, is whether they would, in fact, continue to have the lead if they were given opportunities to have to, as they say, "clean up the garbage." It's a little hard to find sort of regular guidance for that in the *Koran* or the *Hadith*. And we're certainly seeing in a lot of other cases that that's actually what governing is about but I agree with you that respect for religious minorities and other elements has to be there.

The question is if they are simply repressed and the government is not delivering any social and economic justice to its citizens and other options are systematically repressed, we are basically paving the way for the Muslim Brotherhood to be the only opposition that's viable. And they will continue to gain ground and they, in particular, find fertile ground in prisons where people are imprisoned for demonstrating peacefully, and it's a great place to adopt a new ideology about the way things really have to change. And that ideology is a scary one for all of us.

MR. KATULIS: Ambassador Sasser?

MR. SASSER: Well, on the question of giving up on the war on terror, as a veteran of the war on poverty and the war on cancer and the war on drugs and numerous other wars in my lifetime, I think we ought to give up on the "war on terror" and return it to the intelligence and policing operation that it really is. And you'll recall that that became, I think, an issue in the campaign in 2004 when Senator Kerry indicated early on--perhaps in a Senate speech before becoming a candidate--that it was more of a policing and an intelligence issue than a military issue and that came back to haunt him politically.

But I remember the ridiculous -- on the 9/11, after the Twin Towers were hit--the ridiculous reaction we had in some ways, sending a carrier battle group from Florida up towards New York City as if a nuclear aircraft carrier and its accompanying ships could be any help in the problem... So I just say, yes, I agree with you that, indeed, it's a

policing action and an intelligence action and we don't need any more wars. We've got enough; the war in Iraq is enough.

MR. KATULIS: Thank you. Now, we have three more questions...

Q: I'm Regan Ralph. I'm the executive director of the Fund for Global Human Rights. And I wanted to pick up on a theme that Secretary Albright identified first in her opening statement and then I think all of the panelists touched on this to some extent and that has to do with what is desirable and possible for the U.S. to do through its foreign policy and assistance when it comes to supporting civil society.

I think everybody's spoken about the fact that civil society is critical to getting to rights-respecting societies promoting democracy, good governance and accountability but there's a history here, which means that many organizations – and my group supports human rights groups directly all over the world – see the hypocrisy of rhetoric on the one hand and the actions of the U.S. government on the other hand and feel like the combination of those two things has left them more marginalized and more vulnerable than they started out. So the question is what is desirable and possible for the U.S. to do through its assistance to support civil society organizations?

MR. KATULIS: Great. Thank you. Ma'am?

Q: You touched a little bit on my question, which is the issue of gender and talked about how that has been playing out in Saudi Arabia. If we look at Iran, certainly there's a role there in Kuwait and Qatar as well, but in other aspects of the world, women, whether it's in Africa or Latin America, the role that they are playing as agents of change, also the role that they are playing in advancements on human rights, the United States, as you know, has not ratified the treaty for the rights of women. There is legislation pending.

That is one avenue for helping women on international violence against women specifically but there are many other initiatives as well. Could you talk a little bit about the role of women in the context of human rights in transition but also about what the United States should do?

MR. KATULIS: Last question.

Q: Yes, hi. Aaron Zisser. I'm the Kroll Family Human Rights Fellow at Human Rights First, and a Georgetown Law Center alum. And this question is directed at Steve Coll specifically...And forgive the two-part question.

I've been really interested in how attentive the Pakistani media, the English language media in particular, has been to everything the United States or the Senate or anybody on the Hill--everything they have to say on the question of judicial independence in Pakistan. They covered [Deputy Secretary of State John] Negroponte's testimony almost word-for-word with respect to the judiciary there.

And the United States – or the United States government-- continues to ignore the fact that the Pakistani public is therefore very much privy to our position and that we're alienating the Pakistani public as a result...The question is, is the government aware of that and is it just part of the equation of the security versus human rights balance?

And the second question is about the U.S. media. One thing that happened during that hearing with Negroponte was that Senator [Russell] Feingold [D-WI] brought up the report about U.S. interference pressuring the Pakistani leadership against the reinstatement of the judges. That was in an obscure McClatchy newswire report. The *New York Times* did a little bit on it but no one reported on Feingold's reference to those reports and I'm curious as to why from your perspective – and if I'm wrong, please correct me – but why the U.S. media has not followed up very thoroughly on reports of U.S. pressure against reinstatement. They have instead only referred to the U.S. silence on reinstatement. Thank you.

MR. KATULIS: Great. We have three simple, quick, easy questions. (Laughter.) As quickly as possible, perhaps starting with civil society. Jennifer...

MS. WINDSOR: Well, in just a few minutes, I don't think that the U.S. government assistance should be restricted just to government institutions. I think one of the things that the U.S. government has learned is that you have to integrate civil society into such government-strengthening programs. I can point to many, many mistakes that the various U.S. government agencies have done with civil society, micromanagement and attempts to sort of control outcomes and pick winners and to only listen to groups that speak our language and not think about local connections.

Obviously I will now sound biased in the sense that I think that NGOs have an important role to play linking with civil society on the ground and that we should have maximum autonomy in terms of coming up with those relationships and that our purpose in that should be to try to actually get out of there, except when it's symbolic, so that these groups can actually get assistance directly, maybe not from the U.S. government, but to increase their capacity.

That's it, but I'll tell you I'm quite concerned about the partner-vetting system, which is some arcane thing that you've never even heard of, but it's basically a checking system that's occurring in all U.S. government grants that [are] going to be put in place, that they will require an extensive amount of information from civil society groups on the ground that I think will mean that the U.S. government will play itself out of the civil society assistance business.

So I can also address the Saudi issue and the role of women. I can't agree with you more, Alex. I was at this family law reform program as a speaker. And the first question to me was, "What is the U.S. doing trying to foster women's rights in the Middle East when you haven't ratified CEDAW?" And then they reminded me...that Iran and North Korea are among the other countries that haven't ratified CEDAW, so that's a very interesting group.

And I do see women, and this administration tends to focus on women in the Middle East, but it's true. Women across the world have been in the forefront of change. Unfortunately, what usually happens is that they push for change and then when elections are held, the men take over. Sorry, guys. And [the women] get sort of pushed to the background. And so they're still trying to make up, I think, in terms of losses in political participation and representation. And I would say in this country as well, we have some work to do in terms of acceptance of that.

I do want to talk about domestic violence, which I think is unifying for everybody, and to publicly support this legislation of international violence against women... I think that this is the kind of thing that the new administration should put in place immediately.

MR. KATULIS: Steve?

MR. COLL: I do think the Bush administration is reluctant to see the chief justice restored because of its concerns that he will undermine security operations. So I think that is an empirical truth. And, as to the media, I think it's a subject that the *Times* and others have done generally well on but since this is more or less an undeclared policy set in the murk of post-electoral maneuvering in Pakistan, it will take some time to clarify, I think.

MR. KATULIS: Great. Thank you...and I hope you can join me in thanking our panel. (Applause.)