

Principles for U.S. Engagement of Asia
Testimony by
Dr. Robert Herman
Director of Programs, Freedom House
to the
Subcommittee on East Asian and Pacific Affairs
Senate Foreign Relations Committee

January 21, 2010

Chairman Webb and Members of the Subcommittee, thank you for calling this important hearing today and for inviting Freedom House to testify. Since President Franklin Roosevelt's famous "Four Freedoms" speech on the eve of American entry into the Second World War, the United States has consistently espoused certain principles in its engagement with countries around the world. The U.S. is not only a signatory of the Universal Declaration of Human Rights; the UDHR is itself a reflection of the vision set out by Roosevelt's "Four Freedoms" speech; indeed, American diplomatic efforts, in the person of Eleanor Roosevelt, were instrumental in the UN General Assembly adoption of that historic document more than sixty years ago. Since that time, America has supported the rule of law, freedom of thought, representative government, and respect for individual rights as a key part of our foreign policy agenda.

The United States has not always applied these principles uniformly. Frequently, democracy and human rights priorities are overtaken by pursuit of economic or security interests. Different challenges and opportunities naturally require different strategies. The United States' engagement in the East Asia-Pacific region must be nuanced, adaptive, and commonsensical, while maintaining our commitment to core values. We at Freedom House believe that diplomatic engagement should be shaped by the realities on the ground, and that a policy that is effective in one country or region may need to be altered to be effective in another. At the same time, we believe that supporting human rights and promoting democratic institutions must be a vital part of the American agenda in every country.

Any evaluation of the effectiveness of U.S. policy needs to be grounded in an accurate assessment of the state of human rights and freedom within a country. That assessment needs to look at the treatment of individuals, and the laws and practices that undergird fundamental human rights, but also include an analysis of how the political system and regime actually operate. Freedom House has been producing reports analyzing the state of political rights and civil liberties in every country around the world for close to 40 years.

The World as it is: Political Trends of 2009

On January 12, Freedom House released the findings of *Freedom in the World 2010*, the latest edition of its annual assessment of political rights and civil liberties covering every country and territory in the world. We found that 2009 is the fourth consecutive year in which setbacks have outnumbered gains, the longest such pattern of overall decline in the nearly four decade history of *Freedom in the World*.

In 2009, declines for freedom were registered in 40 countries, representing 20 percent of polities and occurring in most regions in the world. In 22 of those countries declines were significant enough to merit numerical Rating declines in political rights or civil liberties. Six countries moved downward in their overall Status designation from either Free to Partly Free or from Partly Free to Not Free. This year also saw a decline in the number of electoral democracies—from 119 to 116— now back down to the lowest figure since 1995.

Forty-seven countries were found to be Not Free in 2009, representing 24 percent of the total number of countries. The number of people living under Not Free conditions stood at 2,333,869,000, or 34 percent of the world population, though it is important to note that more than half of this number lives in just one country: China. The number of Not Free countries increased by five from 2008.

By absolute historical standards the overall global state of freedom in the world has actually improved over the past two decades. Many more countries are in the Free category and are designated as electoral democracies in 2009 than in 1989, and the majority of countries that registered democratic breakthroughs in the past generation continue to perform well, even under stress such as the present global economic crisis.

However, over the past four years, the dominant pattern has been that of growing restrictions on fundamental freedoms of expression and association, and the failure to secure the primacy of the rule of law and to reduce corruption, stalling or reversing democratic progress in a number of countries. Unfortunately, these patterns have taken hold in, and sometimes been set by, countries in the East Asia-Pacific region and in 2009 we saw five particularly troubling trends:

- Government efforts to restrict freedom of expression and press freedom were expanded to include restrictions on and control of the use of new media as a tool to facilitate citizen activism or social networking considered to be a threat to incumbent regimes. This effort was exemplified by China, which remained at the forefront of efforts to develop and deploy new forms of internet control. Additionally, China's tactics to curtail new media have significantly influenced other authoritarian states with Vietnam, Burma, and Malaysia adopting measures in 2009 to monitor and crackdown on internet users.
- We saw regimes undertake repressive campaigns against ethnic and religious minorities in 2009. Additionally, the plight of many refugees in the region has worsened due to troubling developments where governments forcibly returned countries to regimes where they face persecution, prison, and torture.
- The overall trend in 2009 was one of decreasing respect for the rule of law, including in countries deemed Partly Free such as the Philippines.
- Our 2009 assessment illuminates a disturbing pattern of growing restrictions on freedom of association by regimes worldwide, a response to the demands of citizens for accountable governing institutions that respect human rights.

The global trends away from freedom are also evident in declines in a number of countries in the Asia-Pacific region, although there was less movement there this year than in other parts of the world.

East Asia and Pacific Trends

As the world's most populous region, Asia is home to both some of the globe's largest democracies and to its most populous authoritarian regimes, presenting distinct challenges for democratic development and for the United States.

The East Asia and Pacific region experienced some modest gains in 2009. Indonesia held competitive and fair general elections in 2009 and polls in Mongolia contributed to improvement in the realization of political rights. Japan experienced a significant transfer of authority when the Democratic Party of Japan took control after 50 years of nearly continuous rule by the Liberal Democratic Party. Additionally, some of the world's most stable democracies can be found in important regional partners such as South Korea, Taiwan, New Zealand, and Australia. Unfortunately, these positive developments occurred against a backdrop of declines in a number of countries in the region, and continued repression and persecution by some of the world's worst human rights violators.

East Asia is home to four of the world's most repressive regimes. Burma and North Korea have consistently received Freedom House's lowest possible ranking on political rights and civil liberties, that of a 7,7. Faring only slightly better are Laos and China which each received a 7 for political rights and a 6 for civil liberties in 2009. In North Korea, already the world's most repressive country, conditions deteriorated further during the year.

There were negative political developments in many countries in the region in 2009. In the Philippines, the massacre of civilians in connection with a local candidate's attempt to register his candidacy, and the government's subsequent declaration of martial law in the area, were indicative of heightened political violence in the run-up to 2010 elections. In Burma, the military junta continues to cling to the promise of elections in 2010 despite the absence of a date and the continued incarceration of much of the opposition party leadership, including the obsessive harassment of Nobel Peace Prize laureate Aung San Suu Kyi.

Among civil liberties, particular pressure was placed on the rule of law and respect for freedom of expression, with reversals noted in both authoritarian and democratic societies. In Cambodia, the government recriminalized defamation and then used the new legislation to intimidate independent journalists. In Vietnam, a prominent independent think tank was shut down and pro-democracy civic activists were imprisoned. Even in a promising democracy like Indonesia there remain concerns; in 2009 top law enforcement officials were implicated in efforts to undermine anti-corruption bodies. And in China, Communist Party leaders sought to tighten control over judges, while embarking on a sweeping crackdown against leading human rights lawyers and nonprofits offering legal services.

Indeed, as China's leaders showed greater confidence on the world stage, their actions at home demonstrated continued insecurity and intolerance with respect to citizens' demands for legal

rights and accountable governance. The authorities' paranoid handling of a series of politically sensitive anniversaries—such as the 60-year mark of the Communist Party's time in power— included lockdowns on major cities, new restrictions on the internet, the creation of special extralegal taskforces, and harsh punishments meted out to democracy activists, petitioners, Tibetans, Falun Gong adherents, and human rights defenders. Separately, long-standing government policies of altering demography and repressing religious freedom in the Xinjiang region came to a head in 2009, when an eruption of ethnic violence was followed by forced “disappearances” of Uighur Muslims, a series of executions, and tightened internet censorship.

Often at great personal risk, many of China's bloggers, journalists, legal professionals, workers, and religious believers nevertheless pushed the limits of permissible activity in increasingly sophisticated ways. They managed to expose cases of official corruption, circulate underground political publications, and play a role in forcing the government's partial retraction of a policy to install monitoring and censorship software on personal computers. Growing labor unrest and better organized strikes reflected workers' ability to bypass the party-controlled union, sometimes resulting in concessions by employers.

Taiwan in 2009 registered progress and decline. Despite promising improvements in anti-corruption enforcement, there were some troubling developments including new legislation that restricts the political expression of academics and an influx of Chinese investment that may stifle freedom of expression.

Principles for U.S. Engagement in the Asia-Pacific Region

In order to successfully engage countries in the Asia-Pacific region while maintaining our commitment to human rights and democracy, U.S. foreign policy should be guided by the following principles:

Be Present and Active

The relationship with the Asia-Pacific region is one of the United States' most important; it is imperative that the United States continue to play an active role in the region. The Obama Administration has already clearly articulated this as a core element of its current foreign policy agenda, most recently with Secretary of State Clinton's January 12th speech on U.S.-Asia relations at the East-West Center, in which she said, “America's future is linked to the future of the Asia-Pacific region; and the future of this region depends on America.” The prominence of Asia in U.S. foreign policy is evidenced by high-profile trips to the region by the President and Secretary of State during the Administration's first year.

Develop Both Bilateral and Multilateral Relationships

Our regional relationships are just as important as our bilateral ones. President Obama's participation in the APEC Summit last year and his attendance of the first-ever U.S.-ASEAN Summit in November show renewed U.S. commitment to involvement in regional issues. Multilateral institutions in the region have been, and will continue to be, a vitally important tool for engaging those countries with which the United States may not have such close relationships. We should intensify our participation in Pacific institutions.

Regional mechanisms can be a vehicle for promoting the values the United States seeks to prioritize, such as human rights and robust democratic institutions and processes. For example, the United States should strongly support the newly created ASEAN Intergovernmental Commission on Human Rights (AICHR). This is after all, the product of several years' effort by civic leaders and diplomats from a number of countries, including Indonesia, Thailand, and the Philippines. However, it is important to note, as Secretary Clinton did when discussing AICHR in her speech on Asia-Pacific policy earlier this month that, "our institutions must be effective and focused on delivering results." Freedom House hopes that with the United States' cooperation, ASEAN can use AICHR to promote fundamental freedoms as universal pan-Asian principles.

Support Friends and Allies

The United States' ties to the countries of the Asia-Pacific region are complex; we have strong economic partnerships with many countries in the region, as well as long-standing alliances with countries including Japan, South Korea, Australia, Thailand, and the Philippines. Our friends and partners in the region live in the shadow of the wealth and influence of China as well as the constant threat of a nuclear North Korea. Through diplomacy and policy-making we must reinforce our commitments to our allies and be a strong and consistent counterpoint to the increasing economic and political influence of China.

Engage all Governments while Promoting American Values

In order to be an effective influence in the region the United States must make attempts to engage every government and their people. The idea that certain governments' policies preclude all diplomatic, economic, or other engagement with the United States is at odds with our goals of being a primary actor in the region. We at Freedom House believe that while policies must be tailored to the specific situation in each country, some level of engagement is necessary and should be pursued with every government. A willingness to dialogue with a repressive regime does not imply approval for its policies, but it matters what is said in these dialogues, in private as well as in public.

Foster Relationships with Civil Society

Equally important, the United States should engage with and support elements of civil society across the region, especially in those countries where activists face intense repression. By engaging civil society the United States can also gain greater insight into the dynamics driving possible change in the country. In some cases U.S. support may be financial, but many times it involves providing training or access to new media. Other times it's as simple as making a public statement to let the world, and target governments, know that those who are struggling for human rights and democratic reform do not stand alone. The United States can make unequivocally clear that we support those who advocate and work for peaceful democratic change.

Regimes opposed to promoting political freedom and human rights in the region often cite a difference in "Asian values" to justify the subordination of human rights and democracy to economic and strategic factors. While poverty rates are down throughout the region and many countries are succeeding economically, democratic gains have not necessarily followed, and indeed have stagnated in some once-promising countries. However, Asia is home to a number of

strong, vibrant democracies, and across the region, millions of people engage daily in an effort to expand freedom and justice in their societies, sometimes at great personal risk. The existence and actions of these successful democracies and democratic activists belie the “Asian values” argument, and it is encouraging to see regional agreements and mechanisms such as AICHR, along with an increasingly vocal and technologically savvy activist community, to demonstrate that Asian values can, and do, include democracy and human rights.

Pragmatic Idealism

Any discussion of U.S. efforts to help support democratic political reform in Asia or elsewhere should be imbued with an appropriate degree of modesty and humility. The fate of freedom and democracy in other countries, has always primarily been determined by those within these societies. The ability of the U.S. government -- or U.S. NGOs -- to influence the course of events abroad is limited. We are usually the supporting actors in dramas that are being played out by others. How well we play our roles, of course, occasionally matters a lot, and often depends on how well we are listening and responding to the voices of democrats and human rights advocates in those countries.

That being said, Freedom House was founded on the premise that the U.S. government – and increasingly, other democratic governments – can make a difference. Finding the right way forward and the appropriate balance in our relations with other countries has been a challenge for successive U.S. administrations, especially over the last twenty years. But in dealing with these countries on security, trade, environmental, or other important interests, Freedom House believes that the U.S. should never retreat from its role as a defender and protector of human rights, whose political, diplomatic, moral, and material support struggling democratic activists around the globe have looked to for decades.

Conclusion: How Can the U.S. and Congress Better Promote Democracy and Human Rights in the Region

In addition to holding the purse strings and overseeing the executive branch, members of Congress and their staffs should also play an active role in supporting human rights and civic activists abroad. Hearings like this are important. Frequent travel to these countries and meeting with courageous civil society, human rights and political party activists struggling to realize fundamental political rights and civil liberties is a critical signal of the support of the American people for their struggle.

In its relations with other countries, the U.S. must at times have the courage of inconsistency. We will never be able to adopt uniform approaches to human rights with regard to every country around the world, nor should we. Each country requires a specific tailored strategy based on a detailed assessment of the realities and dynamics within a particular society, and the leverage that the U.S. government can use to bring about change. However, in our dealings with foreign governments and their citizens, we should never allow our core values of human rights and democracy to fall off the table. Human rights activists have come to rely on our commitment to their cause, though they may not be able to always say so publicly. Instead of ignoring this

commitment because it may be too difficult, we should redouble our efforts and consider new and innovative ways to help those who need it most. I again thank the subcommittee for asking me to testify at this hearing and look forward to your questions.

**Addendum to Testimony of
Dr. Robert Herman**

Principles for U.S. Engagement of Asia
Subcommittee on East Asian and Pacific Affairs
Senate Foreign Relations Committee

Table, Freedom in the World 2010 East Asia-Pacific Country Ratings, ii

Table, Freedom in the World Status History, iii

Chart, Freedom in the World 2010 East Asia-Pacific Ratings, iii

Graph, 2010 Country Breakdown by Status – Global, iv

Graph, 2010 Country Breakdown by Status – East Asia-Pacific, iv

Graph, 2010 Population Breakdown by Status – Global, v

Graph, 2010 Population Breakdown by Status – East Asia-Pacific, v

Freedom in the World 2010 Country Reports, vi-xvi

Burma, vi
Cambodia, vii
China, viii
Indonesia, x
Japan, xi
North Korea, xii
Philippines, xiii
Singapore, xiii
Taiwan, xiv
Thailand, xv
Vietnam, xvi

Freedom in the World East Asia-Pacific Historical Ratings by Country, 1980-2010, xix-xxix

Australia, Brunei, Burma, xix
Cambodia, China, East Timor, xx
Fiji, Indonesia, Japan, xxi
Kiribati, Laos, Malaysia, xxii
Marshall Islands, Micronesia, Mongolia, xxiii
Nauru, New Zealand, North Korea, xxiv
Palau, Papua New Guinea, Philippines, xxv
Samoa, Singapore, Solomon Islands, xxvi
South Korea, Taiwan, Thailand, xxvii
Tonga, Tuvalu, xxviii
Vanuatu, Vietnam, xxix

Freedom in the World 2010 East Asia-Pacific Country Ratings

Country	PR	CL	Freedom Status	Trend Arrow
Australia*	1	1	Free	
Brunei	6	5	Not Free	
Burma	7	7	Not Free	
Cambodia	6	5	Not Free	↓
China	7	6	Not Free	
East Timor*	3	4	Partly Free	
Fiji	6	4	Partly Free	
Indonesia*	2	3	Free	
Japan*	1	2	Free	
Kiribati*	1	1	Free	
Laos	7	6	Not Free	
Malaysia	4	4	Partly Free	
Marshall Islands*	1	1	Free	
Micronesia*	1	1	Free	
Mongolia*	2	2	Free	↑
Nauru*	1	1	Free	
New Zealand*	1	1	Free	
North Korea	7	7	Not Free	↓
Palau*	1	1	Free	
Papua New Guinea*	4	3	Partly Free	
Philippines	4	3	Partly Free	↓
Samoa*	2	2	Free	
Singapore	5	4	Partly Free	
Solomon Islands	4	3	Partly Free	
South Korea*	1	2	Free	
Taiwan*	1▲	2▼	Free	
Thailand	5	4	Partly Free	
Tonga	5	3	Partly Free	
Tuvalu*	1	1	Free	
Vanuatu*	2	2	Free	
Vietnam	7	5	Not Free	↓

PR and CL stand for political rights and civil liberties, respectively; 1 represents the most free and 7 the least free rating. The ratings reflect an overall judgment based on survey results.

▲ ▼ up or down indicates a change in political rights, civil liberties, or status since the last survey.

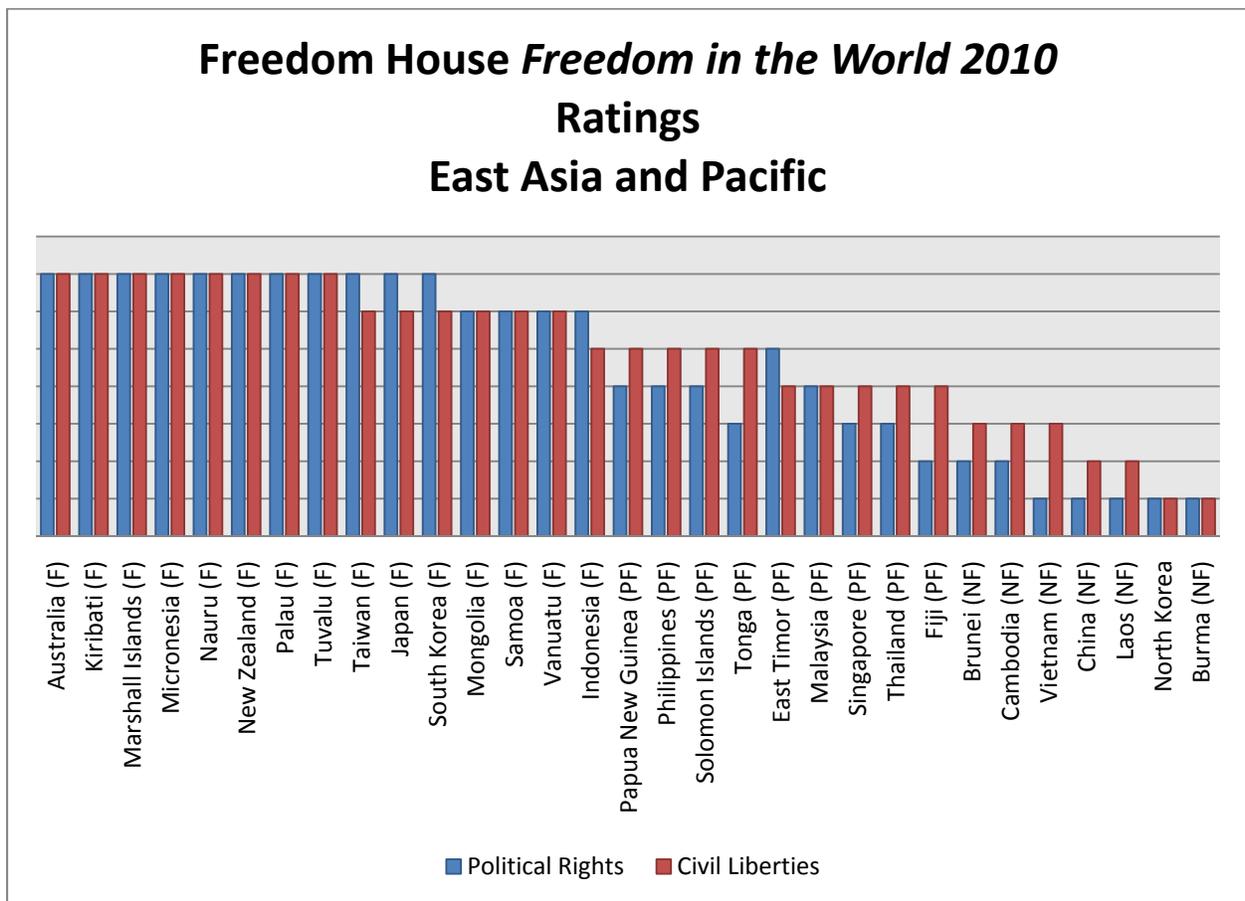
↑ ↓ up or down indicates a trend of positive or negative changes that took place but that were not sufficient to result in a change in political rights or civil liberties ratings of 1-7.

* indicates a country's status as an electoral democracy.

NOTE: The ratings reflect global events from January 1, 2009 through December 31, 2009.

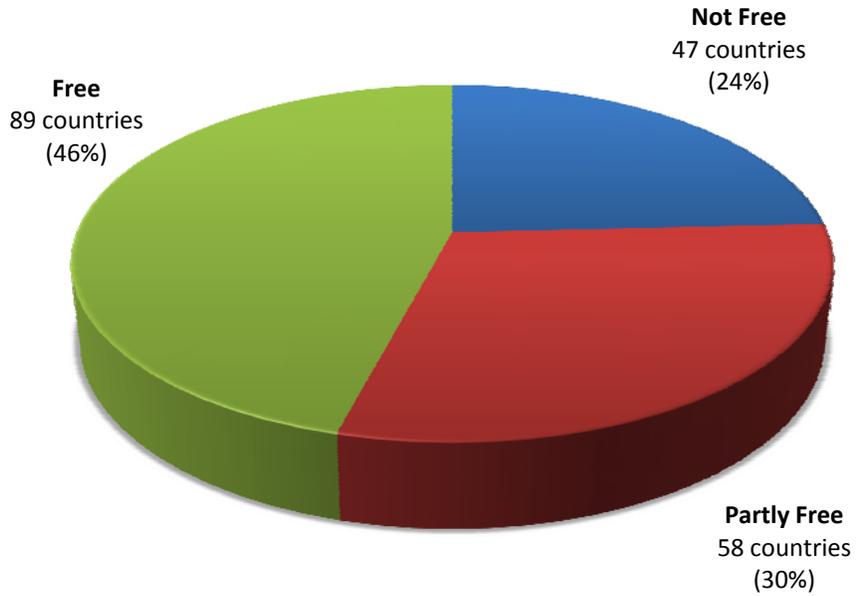
Freedom in the World Status Over Time

Year Under Review	Free Countries		Partly Free Countries		Not Free Countries	
	Number	%	Number	%	Number	%
1979	51	32	54	33	56	35
1989	61	37	44	26	62	37
1999	85	44	60	31	47	25
2009	89	46	58	30	47	24

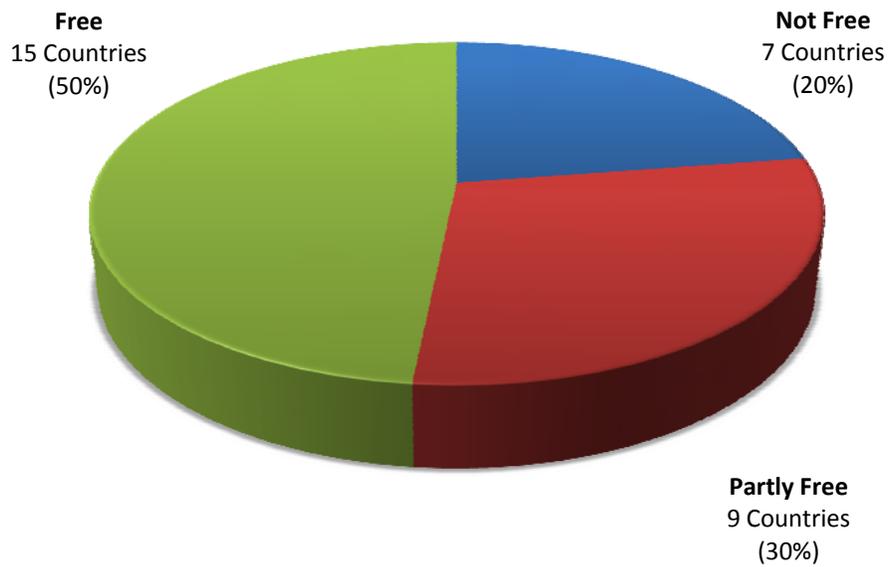


*Scale goes up from a score of 7 to 1, 1 being the best score, and 7 being the worst.

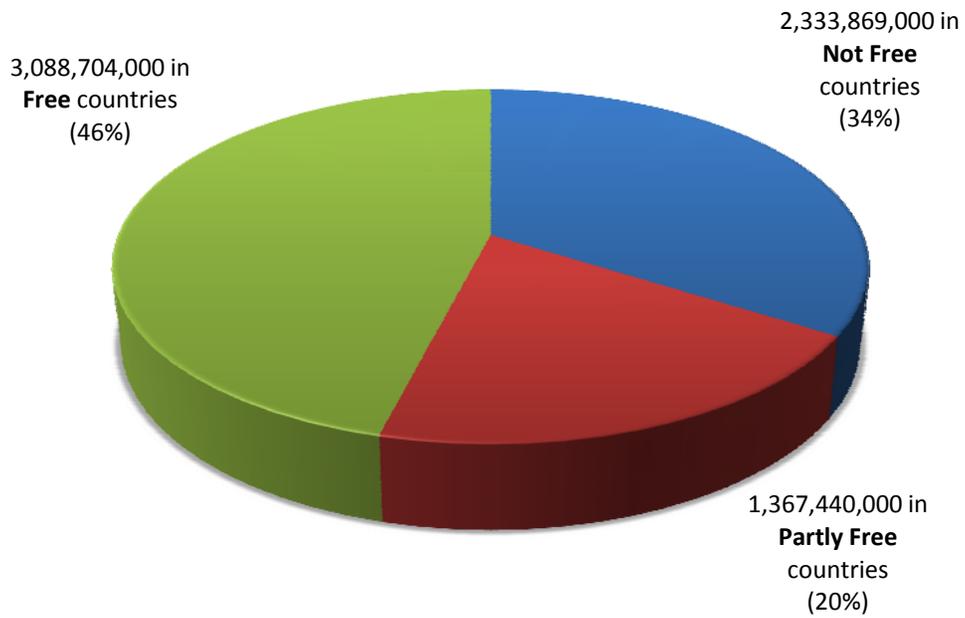
Country Breakdown by Status Global



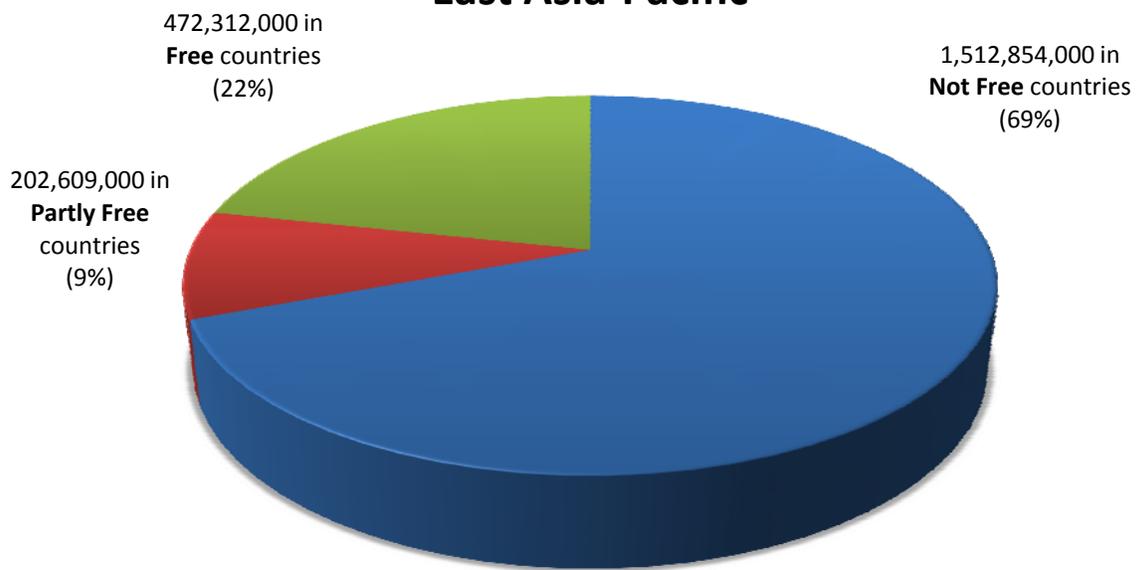
Country Breakdown by Status East Asia-Pacific



Population Breakdown by Status Global



Population Breakdown by Status East Asia-Pacific



Freedom in the World 2010
Select Country Reports

Burma

2010 *Freedom in the World* Ratings

↓ Downward Trend Arrow


Political Rights: 7

Civil Liberties: 7

FIW Status: Not Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	7	7	7	7	7
Civil Liberties	7	7	7	7	7

Burma’s military government controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity. There is little room for active civil society in Burma and individuals are relentlessly imprisoned for expressing their political views. Military officers occupy almost all cabinet positions, and active or retired officers hold the top posts in all ministries as well as key positions in the private sector. The SPDC does not tolerate dissent and has a long history of imprisoning anyone critical of the government. Burma, once one of the wealthiest countries in Southeast Asia, is now one of the most impoverished in the region.

Though the military regime is purportedly pursuing a “roadmap” to democracy with as-yet unannounced elections planned for 2010, they continue to arrest and imprison political dissidents, ensuring the marginalization of major opposition leaders. In addition to the imprisonment of National League for Democracy (NLD) Vice-Chairman Tin Oo, Aung San Suu Kyi, General Secretary of the NLD, remains under house arrest in a term extended after an American man swam uninvited to her house in May 2009.

This year the United States shifted its policy towards “constructive engagement” with Burma, a move that Freedom House supports. Some of the worst human rights abuses take place in areas populated by ethnic minorities, who comprise roughly 35 percent of Burma’s population. Over the years several million Burmese have fled as refugees to neighboring countries. The global recession negatively affected Burma’s economy, which remains extremely mismanaged by the regime: there are no effective property rights, contract enforcement is non-existent, and macroeconomic policy-making is arbitrary and ill-informed.

Cambodia

2010 Freedom in the World Ratings

↓ Downward Trend Arrow

Political Rights: 6

Civil Liberties: 5

FIW Status: Not Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	6	6	6	6	6
Civil Liberties	5	5	5	5	5

Cambodia is an example of a troubling trend of governments in the region who have previously made democratic gains, only to have them stagnate or backslide. The government is dominated by the Cambodian People's Party and any challenge to their authority is swiftly responded to with lawsuits or extra-legal actions. Despite the economic downturn in 2009, land grabbing has persisted as a problem in Cambodia, and over the past several years, tens of thousands of people have been forcibly removed from rural and urban areas alike with little or no compensation. High-ranking officials and their family members are frequently involved in these ventures that include international investors.

The government in Cambodia uses a mix of intimidation tactics and legal maneuvers to squash any potential opposition. Intimidation and threats by public officials are common and many opposition politicians, journalists, and pro-democracy advocates have been injured or killed by unknown assailants in public spaces. In a troubling development last year, the National Assembly passed an additional provision to the country's criminal code that includes criminalization of defamation, excessively harsh penalties for defamation, and vague language which allows for liberal interpretation of the defamation law. Already, critics of the government have been prosecuted under this and similar defamation laws, including prominent opposition parliamentarian Mu Sochua.

Further tightening the space for open discussion, in 2008 the Ministry of Interior drafted the Local Associations and Non-Governmental Organisations Law regulating the activities of NGOs, including channeling international funding through government bodies, increasingly complex regulation requirements, and banning activities deemed too political. Cambodian and International NGOs fear this law will be used to severely limit the space in which NGOs have to operate. To date it has not been passed but towards the end of 2009 the government showed renewed interest in pushing for its adoption.

Cambodia followed the troubling Southeast Asian trend of blatantly violating the rights of migrants and refugees when in late 2009 it forcibly returned 20 ethnic Uighurs to China, including several seeking asylum in Cambodia after ethnic clashes in Xinjiang.

China

2010 *Freedom in the World* Ratings

Political Rights: 7

Civil Liberties: 6

FIW Status: Not Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	7	7	7	7	7
Civil Liberties	6	6	6	6	6

2009 was a year of increased repression and harsh tactics against democracy activists, human rights defenders, and minorities in China. The PRC government reacted to a series of politically sensitive anniversaries – such as the 60-year mark of the Communist Party’s time in power—with lockdowns on major cities and the creation of special extralegal taskforces. At the same time, rights-consciousness among the public continued to grow, and an expanding nonprofit sector thrived despite government repression. The developments fostered bold calls for protection of legal rights and grassroots efforts to expand freedom.

The Chinese authorities led the way in 2009 in targeting human rights defenders and democracy activists for harsh prison sentences. Most public, and particularly egregious, was the sentencing of Liu Xiaobo, an organizer of the Charter 08 democracy movement, to an 11-year prison sentence following a trial that fell far short of international standards. Liu, however, was only one among dozens of civic activists and religious believers sentenced to long prison terms during the year, demonstrating the extent of the regime’s intolerance of significant public disagreement with government policy. Also in 2009, long-standing government policies of altering demography and repressing religious freedom came to a head in the Xinjiang region with an eruption of ethnic violence in July. The authorities responded with forced “disappearances” of Uigher Muslims, a series of executions, increased internet censorship, and a propaganda campaign vilifying Uighurs.

The Chinese Communist Party continued to demonstrate a lack of commitment to establishing the rule of law, as it increased efforts to tighten control over judges and punish lawyers who depart from the Party line. After a decade of emphasizing professionalism and limited judicial autonomy, over the past few years Party leaders’ attitude towards the judiciary has reverted to a more unabashedly political direction and has included the March 2008 appointment of a party veteran with no formal legal training as chief justice. Subsequently, in 2009 the PRC government authorities embarked on a sweeping crackdown against leading human rights lawyers and nonprofits offering legal services: in May, over 20 lawyers were effectively disbarred when their license registrations were rejected for taking human rights cases; in July, the authorities shut down the Beijing-based Open Constitution Initiative, a prominent legal aid organization and detained its founder Xu Zhiyong; and in November, Wang Yonghang, a lawyer from Dalian, was sentenced to 7 years in prison, while leading attorney Gao Zhisheng remained “disappeared” for much of the year following his abduction by security forces in February 2009.

Beyond the infringement on the rights of these lawyers themselves, the crackdown signaled a further curtailment of already weak rights protection in “politically sensitive” cases and for vulnerable members of society. Those affected collectively amount to millions of people and include Uighurs, Tibetans, Falun Gong practitioners, Christians, pro-democracy activists, and parents of children who died in the Sichuan earthquake or were harmed by melamine-tainted milk.

The Chinese government maintains its tight control of the press and the internet. In 2009 its already robust censorship apparatus became more extensive and sophisticated than ever, as the government added new layers of control. The authorities continue to block thousands of overseas websites including Facebook and Twitter, as well as those of organizations like Freedom House. Throughout the year, tightened censorship of political content was carried out in the name of “anti-pornography” campaigns, although in order to contain an international backlash, directives such as requiring real name registration for news website comments were undertaken in secrecy.

On January 13th, Google, which had previously enforced filters on its products available in the country, announced that it had been the victim of cyber-attacks during which thousands of email accounts of human rights and pro-democracy activists were hacked. They have since announced they are considering withdrawing from China altogether.

Greater repression of minority groups was also seen in Tibet in 2009. A heightened military presence from 2008 remained in place, while internment of Tibetan activists continued. The first execution of Tibetans since 2003 occurred in October. The authorities further tightened religious freedom, continued campaigns to bring an influx of non-Tibetan settlement to the territory, and amplified the scope of its anti-Dalai Lama campaign.

Religious minorities in Han regions also faced heightened restrictions, partly due to the Party’s tightening surrounding the sensitive 10th anniversary of its ban on Falun Gong. Security agencies, particularly the extra-legal 6-10 Office, targeted Falun Gong adherents nationwide for surveillance, detention, and forced conversion, sometimes leading to deaths in custody, while the persecution of underground Christians intensified in some regions. The violent destruction of Linfen-Fushan house church in September and the subsequent imprisonment of its leaders was reportedly one of the worst crackdowns on unofficial Christians in recent years.

Despite the increase in repression and reprisals for speaking out, many of China’s bloggers, journalists, legal professionals, workers, and religious believers nevertheless pushed the limits of permissible activity in increasingly sophisticated ways. They managed to expose cases of official corruption, circulate underground political publications, and played a role in forcing the government’s partial retraction of a policy to install monitoring and censorship software on personal computers.

During the year, the Chinese Communist Party also appeared bolder in its efforts to pressure other countries’ governments to assist in its practices of censorship and repression. In 2009, it tried to intimidate foreign cultural officials into silencing regime critics at conferences and exhibition venues in Germany, Australia, South Korea, Bangladesh, and Taiwan. It likewise badgered other Asian countries to return Uighurs seeking asylum abroad, and succeeded in persuading Pakistan and Cambodia to do so despite a credible risk of torture and execution.

Indonesia

2010 *Freedom in the World* Ratings

Political Rights: 2

Civil Liberties: 3

FIW Status: Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	2	2	2	2	2
Civil Liberties	3	3	3	3	3

Indonesia provides a promising example of the potential for electoral democracies to succeed in the region. In 2004, for the first time, Indonesians directly elected their president and 550 members of the House of Representatives (DPR), as well as members of a new legislative body, the Regional Representatives Council (DPD). Previously, presidents had been elected by the People's Consultative Assembly (MPR), then made up of elected lawmakers and appointed officials. There are some persistent problems that need attention, but they should not overshadow recent encouraging developments.

Corruption in Indonesia remains endemic. The DPR was found to be the most corrupt institution in the country according to Transparency International's Global Corruption Barometer, followed by the judiciary, political parties, and state officials. Anticorruption activists accuse elites of attempting to weaken anticorruption institutions, through an alleged conspiracy against the KPK, as well as with a new Anticorruption Court bill passed by the parliament in September.

The state of press freedom in Indonesia remains mixed but continues to improve. Although there is moderate space for civic activism, some human rights groups are subject to monitoring and interference by the government. Independence activists in Papua and in the Moluccas, and labor and political activists in Java and Sulawesi, remain targets for human rights abuses and members of the security forces regularly go unpunished for violations.

On the international front, Indonesia has taken initiative in ensuring the successful implementation of the ASEAN charter, committing to promote democracy and human rights. The charter entered into effect in December. However, the country has ratified several international human rights charters since 1998, and few domestic laws have been passed to implement them.

Japan

2010 Freedom in the World Ratings

Political Rights: 1

Civil Liberties: 2

FIW Status: Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	1	1	1	1	1
Civil Liberties	2	2	2	2	2

The Liberal Democratic Party (LDP) ruled Japan almost continuously since 1955 until the August 30, 2009 victory of the Democratic Party of Japan (DPJ). The party ran on a centrist left platform of political change including more independence from the U.S., improving relations with neighboring Asian countries, providing greater political-civil rights to traditionally marginalized groups, and a more decentralized and accountable government that is environmentally friendly and concerned with the social welfare needs of the populace. The DPJ stands as the best possibility to reshape the Japanese political terrain to a truly two party democratic system. It is still too early to determine whether the new ruling party will carry out its ambitious policy reforms to change Japan.

Japan faces an ongoing fight against government corruption and it ranks 18 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index. Japan is a signatory of the U.N. Convention against Corruption, but the Diet has not yet ratified it into law. Japan's judiciary is independent and trials are generally fair, public, and impartial. Prison conditions comply with international standards, although prison officials have been known to use physical and psychological intimidation to enforce discipline or elicit confessions. Generally private and independent, the press in Japan is relatively free, however, the presence of press clubs, or *kisha kurabu*, is an obstacle to press freedom. Press clubs ensure homogeneity of news coverage by fostering close relationships between the major media, bureaucrats, and politicians. Japan has a strong record of religious and academic freedom, neither of which are inhibited. The constitution guarantees freedom of assembly and association. The political culture in Japan is strong, and there are active civic, human rights, social welfare, and environmentalist groups.

North Korea

2010 *Freedom in the World* Ratings

↓ Downward Trend Arrow

Political Rights: 7

Civil Liberties: 7

FIW Status: Not Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	7	7	7	7	7
Civil Liberties	7	7	7	7	7

In 2009, North Korea maintained its reputation of one of the world's most repressive authoritarian regimes. In April, the National Parliament revised and ratified its eleven year old constitution. Interestingly, the new document mentioned for the first time that the country respects and protects human rights – a move analysts interpret as the North Korean government addressing international pressures. Despite these claims, the protection of political and civic rights in practice are nonexistent. All media outlets are run by the state; televisions and radios are permanently fixed to state channels, and all publications are subject to strict supervision and censorship. Internet access is restricted to a few thousand people, and foreign websites are blocked. However, the black markets provide alternative information sources, including access to cellular telephones, pirated South Korean dramas, radios capable of listening to foreign programs, and other outside media sources smuggled in from China. However, in 2009 the DPRK devalued the country's currency, restricting citizens' access to the black market and contributing to its downward trend arrow in our *Freedom in the World* rankings.

On March 17, in a move that shocked the West, North Korea arrested and detained two US journalists for allegedly crossing the North Korean border. The two women were working along the North Korea/China border, reporting on North Korean refugees in north-eastern China. Following a brief trial in June, both reporters were found guilty of illegal entry into North Korea and sentenced to 12 years of hard labor. After Bill Clinton was granted an audience with Kim Jong-il on their behalf, Kim pardoned the two journalists and they were returned home.

Clinton's visit and the subsequent release of the journalists marked North Korea's diplomatic shift from provocation toward a charm offensive to signal that it was ready to reengage the international community including a return to the Six Party Talks. North Korea observers see this as a tactical shift rather than a change in its overall strategic interest to be internationally recognized as a nuclear power. Although uncertainties persist, these recent events suggest the restart of the Six Party Talks in the coming months.

Philippines

2010 Freedom in the World Ratings

↓ Downward Trend Arrow

Political Rights: 4

Civil Liberties: 3

FIW Status: Partly Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	3	3	4	4	4
Civil Liberties	3	3	3	3	3

The Philippines' recent history of weak rule of law came to a head in 2009 with the perpetration of what has been termed the worst case of political violence in the country's history when a group of citizens, activists, and journalists was massacred on its way to register a local candidate for office. This horrific incident, attributed to clan-warfare, was followed by President Arroyo's subsequent pronouncement of martial law on claims that were highly tenuous at best and unconstitutional at worst, as well as the imposition of strict restrictions of access of journalists to trial. With 31 journalists killed in the attacks, the massacre represented the largest single attack on the press in the world. The incident brought new global attention the country's deeply entrenched culture of impunity.

This event is particularly troubling as the Philippines moves towards presidential elections next year, which over the past decade has proven to be a time surrounded by far-reaching violence and political turmoil. Further calling into question the ability of the government to adequately rule, the enormous spike in extrajudicial killings by the "death squads" for hire in Davao also demonstrate significant weaknesses; latest numbers demonstrate a surge of killings from 116 in 2007 to 269 in 2008.

Singapore

Freedom in the World 2010 Ratings

Political Rights: 5

Civil Liberties: 4

FIW Status: Partly Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	5	5	5	5	5
Civil Liberties	4	4	4	4	4

Tight control over rule of law and freedom of expression allows Singapore's ruling People's Action Party (PAP), headed by Prime Minister Lee to regularly use defamation suits

and the revoking of licenses to silence critical (especially foreign) media. The government's overwhelming success in court cases raises questions about judicial independence, particularly because lawsuits against opposition politicians and parties often drive them into bankruptcy. Many judges have ties to PAP leaders, but it is unclear whether the government pressures judges or simply appoints those who share its conservative philosophy.

In 2008, Singapore lawyer and blogger Gopalan Nair was charged for posting insults aimed at a High Court judge on his blog and another judge in an email. Nair was subsequently sentenced to three months in jail under the Miscellaneous Offences, Public Order, and Nuisance Act. Today, Singapore's media outlets remain tightly constrained. All newspapers, radio stations, and television channels are owned by government-linked companies. Foreign broadcasters and periodicals can be restricted as a result of engaging in domestic politics. Self-censorship is common among journalists, partially due Prime Minister Lee's persistent libel suits.

The constitution guarantees freedom of religion as long as its practice does not violate any other regulations. However, religious actions perceived as threats to racial or religious harmony are not tolerated, and unconventional groups like the Jehovah's Witnesses and the Unification Church are banned. In October, 2009, the police arrested four Chinese Falun Gong practitioners who were putting up posters in a public park describing the persecutions of Falun Gong members in China. The arrested practitioners came to Singapore to avoid being persecuted for their spiritual practice at home. The practitioners currently face possible deportation to China where they could be tortured.

Taiwan

Freedom in the World 2010 Ratings

Political Rights: 1 ▲

Civil Liberties: 2 ▼

FIW Status: Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	1	2	2	2	1
Civil Liberties	1	1	1	1	2

Taiwan has been one of Asia's success stories in terms of democratic development and has been categorized as Free since 1996. Though it continues to flourish, Taiwan's democracy is not without its areas of challenge, particularly with regards to corruption, judicial reform, and more recently, freedom of expression. Taiwan's political environment is highly polarized and a loss of confidence in democratic institutions among a large portion of the electorate risks creating instability. Moreover, as Taiwan's economic ties with the People's Republic of China increase and its market opens to greater Chinese investment, concerns over a potential increase in self-censorship on topics sensitive to the Chinese Communist Party have emerged.

Taiwan held successful national and local elections in 2009 that were free and fair. In a positive development, the government and legislature ratified two United Nations Human Rights Covenants – the ICCPR and ICESCR. The government also increased enforcement of anti-

corruption laws leading to the prosecution of former high ranking officials, annulment of several legislators’ elections due to vote-buying, and investigation of over 200 candidates for vote-buying in local elections.

Although Taiwanese professors and other educators can generally write and lecture freely, the ability of scholars to engage in political activism outside the classroom came under pressure during the year, particularly with the passage a law that contains provisions restraining scholars at public educational facilities from participating in certain political activities, as well as the ongoing prosecution of several professors for organizing protests. In addition, two professors also known for their involvement in civic groups such as the local Amnesty International Chapter and the Taiwan Association for Human Rights faced charges under the Parade and Assembly Law for their organization of peaceful protests in late 2008 surrounding the visit of Chinese envoy Chen Yunlin.

In 2009 there were several incidents that raised concerns over the growing influence of China in Taiwan. One of the nation’s largest media syndicates was acquired in November 2008 by Tsai Eng-meng, the chairman of a company that depended heavily on sales in mainland China. Several incidents in 2009 raised concerns over a subsequent change in editorial policy. Tsai has reportedly stated both privately and publicly that his newspapers should not criticize the Ma administration, the Chinese government, or improvements in cross-strait ties. At least one academic study has indeed noted a change in coverage with regards to cross-strait relations.

Another example of the Chinese government’s potential impact on free expression in Taiwan emerged in September, when officials exerted pressure to block the screening this month of “The 10 Conditions of Love,” a documentary about exiled Uighur rights activist Rebiya Kadeer. Despite pressure to shelve the film—linked to fears that the city’s growing industry servicing mainland tourists could be hurt—the Kaohsiung Film Archive and the organizing committee of the 2009 Kaohsiung Film Festival went ahead with the screening.

Thailand

2010 *Freedom in the World* ratings

Political Rights: 5

Civil Liberties: 4

FIW Status: Partly Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	3	7	6	5	5
Civil Liberties	3	4	4	4	4

Thailand has experienced a tumultuous political environment since a military coup ousted Prime Minister Thaksin Shinawatra in 2006. Though the coup was not violent, its leaders abrogated the constitution, dissolved parliament, and replaced the Constitutional Court with an appointed military tribunal. The military government’s People’s Power Party lost control of the government with The Democratic Party takeover at the end of last year. This diffused tensions momentarily, but the country’s political crisis endures. Prime Minister Abhisit Vejjajiva has yet

to win popular mandate, and over the course of 2009 his coalition was beleaguered by disruptive and violent opposition protests and corruption charges.

The most recent parliamentary elections in December 2007 proceeded without major disruptions and returned Thailand to civilian rule, but they were not free and fair. The military retained significant influence and martial law remained in effect in 25 provinces at the time of the elections. Despite calls for fresh elections, none have been declared.

2009 saw a surge in the use of the country’s centuries-old lèse majesté laws to stifle freedom of expression. Lèse majesté laws prohibit the defamation of the monarchy, but over the year authorities used the law to target political activists, scholars, students, journalists, foreign authors, and politicians who were critical of the government. Some of the accused face decades in prison, while others have fled the country. The Defense Ministry and the Information and Communication Technology (MICT) Ministry are the prime enforcers of lèse majesté laws. In August 2009, the MICT created a police taskforce within the ministry to monitor websites and identify those posting content that violates lèse majesté law.

Thailand has not ratified UN conventions on refugees and Thai authorities continued to forcibly repatriate Burmese and Laotian refugees. In January 2009 the government drew international condemnation for towing boatloads of Rohingya refugees back into the open seas to deter further arrivals; scores are feared to have died as a result of Thailand’s “push-back” policy. In December 2009 the Thailand forcibly repatriated 4,000 ethnic Hmong back to Laos. These individuals are currently being kept in secret detention camps in Laos with the Thai government physically barring journalists from covering their detention. Hill tribe members who remain in Thailand are not fully integrated into society; half reportedly lack citizenship, which renders them ineligible to vote, own land, attend state schools, or receive protection under labor laws.

Vietnam

2010 Freedom in the World ratings

↓ Downward Trend Arrow

Political Rights: 7

Civil Liberties: 5

FIW Status: Not Free

Freedom House FIW Ratings	2006	2007	2008	2009	2010
Political Rights	7	7	7	7	7
Civil Liberties	5	5	5	5	5

Economic reforms since 1986 have drastically transformed Vietnam; however, political reform has not followed. Criticism of the government is harshly suppressed and official corruption is widespread. To protect the regime’s legitimacy and survival, recent governments openly called for an end to corruption and acknowledged that reform is needed in the ruling

Communist Party of Vietnam (CPV). The leadership also focused on closing the widening income gap between rural and urban populations.

Victims in Vietnam rarely find the courts helpful and street protests have resulted in harassment and arrests by the state. The global economic slowdown has hurt the Vietnamese economy, making life especially hard for low-income households. Official abuse goes beyond land grabs or misuse of public funds. The most egregious and high profile controversy in recent years involves fraud in international adoptions of Vietnamese babies. In September, 16 people, including two heads of provincial welfare centers, doctors, nurses and government legal officials, were convicted of fraud in obtaining more than 250 babies between 2005 and 2008 and putting them up for international adoptions, which typically involve considerable fees and donations by applicants.

Despite the slow but steady expansion of space for public discussion, controversial subjects such as state corruption and abuse, land grabs, and religious rights, remain taboo subjects. In 2009 eight activists were convicted of disturbing public order and damaging property in charges stemming from protests against illegal state confiscation of church land. A slowed economy does not seem to have affected state acquisitions of land from farmers or residents. The unfair and harsh treatment of victims has even stirred criticism from a few former senior party and state leaders.

In April 2009, the government suspended *Du Lich*, a bi-weekly newspaper, for “serious violations” of Vietnamese press law by running several articles on the country’s territorial dispute with China on the 30th anniversary of the Vietnamese-Chinese war. Pro-democracy activists and their supporters also continued to be harassed by the state. Furthermore, in September, Vietnam’s only independent think tank, the Institute of Development Studies, was dismantled based on a government decree that the right to research was reserved for the ruling party. The institute had employed 16 of Vietnam’s most prominent intellectuals, including several VCP members and former senior government officials.

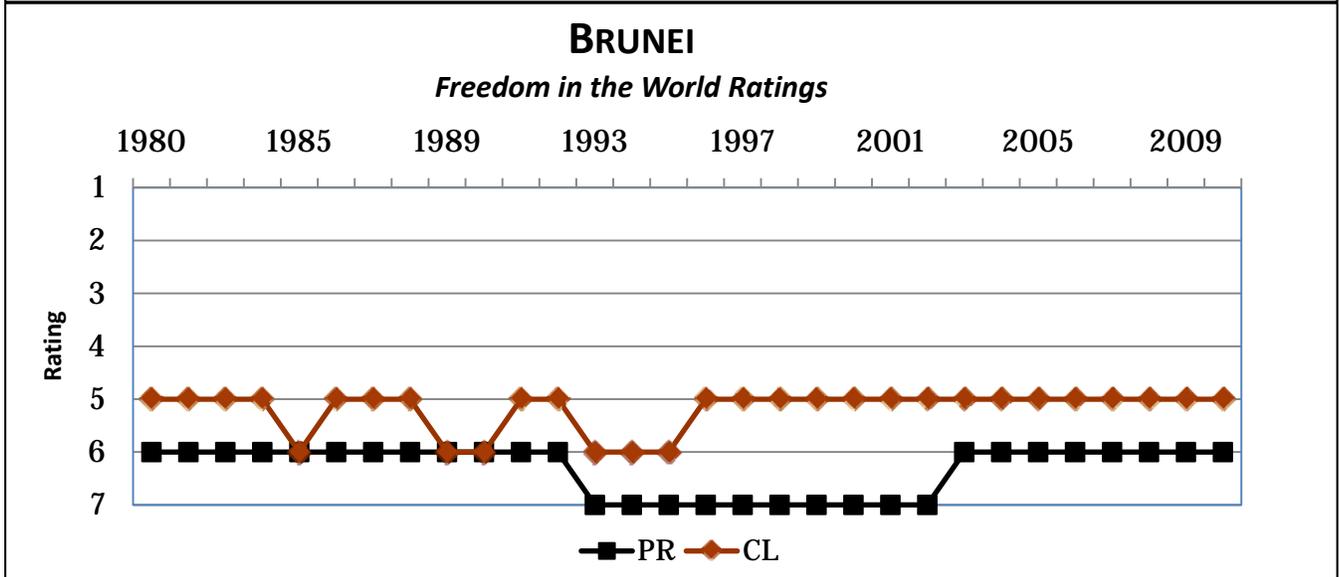
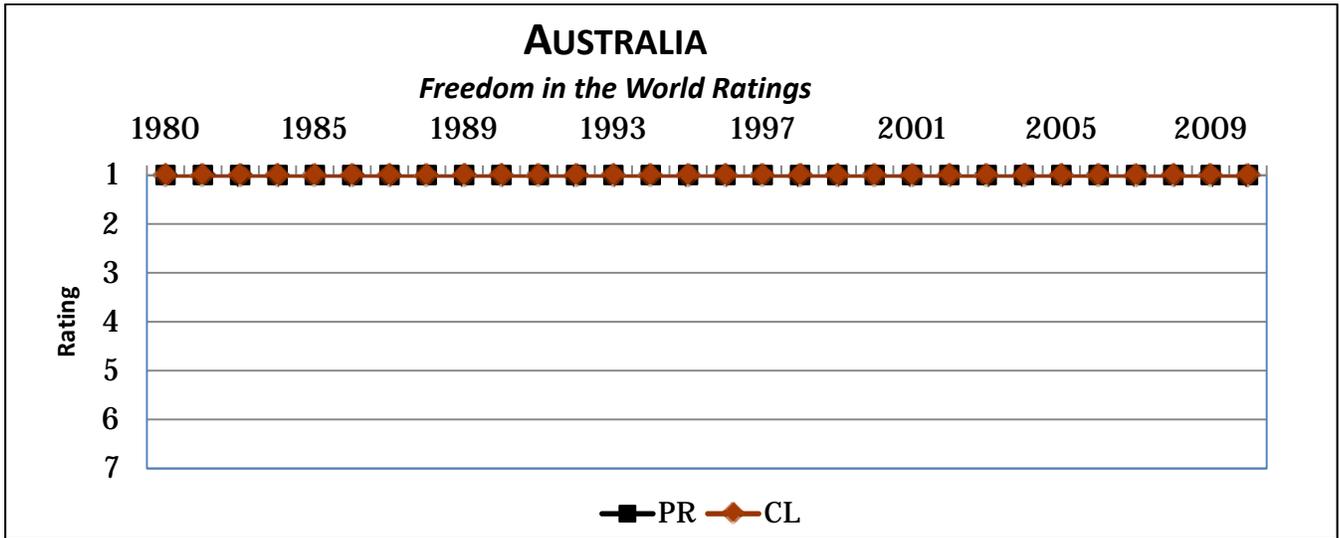
The government maintains tight control of the internet through legal and technical means. A 2003 law bans the receipt and distribution of antigovernment email messages, websites considered “reactionary” are blocked, and owners of domestic websites must submit their content for official approval. Cyber cafés are required by law to register the personal information of and record the sites visited by users. Internet service providers face fines and closure for violating censorship rules. A 2008 decree specifies the types of information that private bloggers may legally post on their blogs.

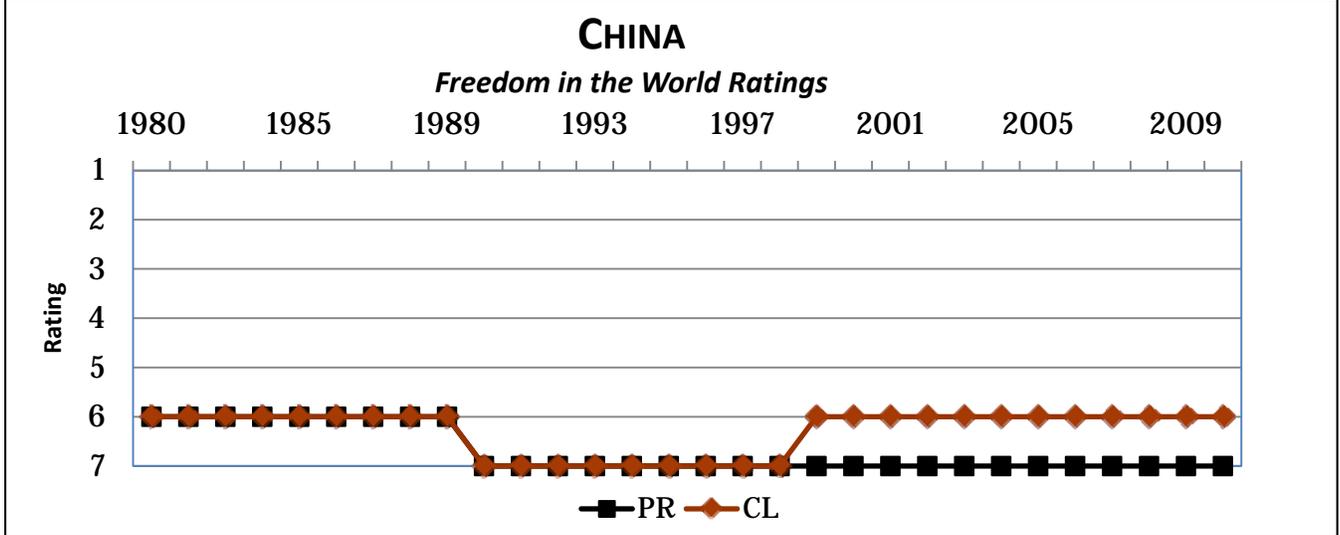
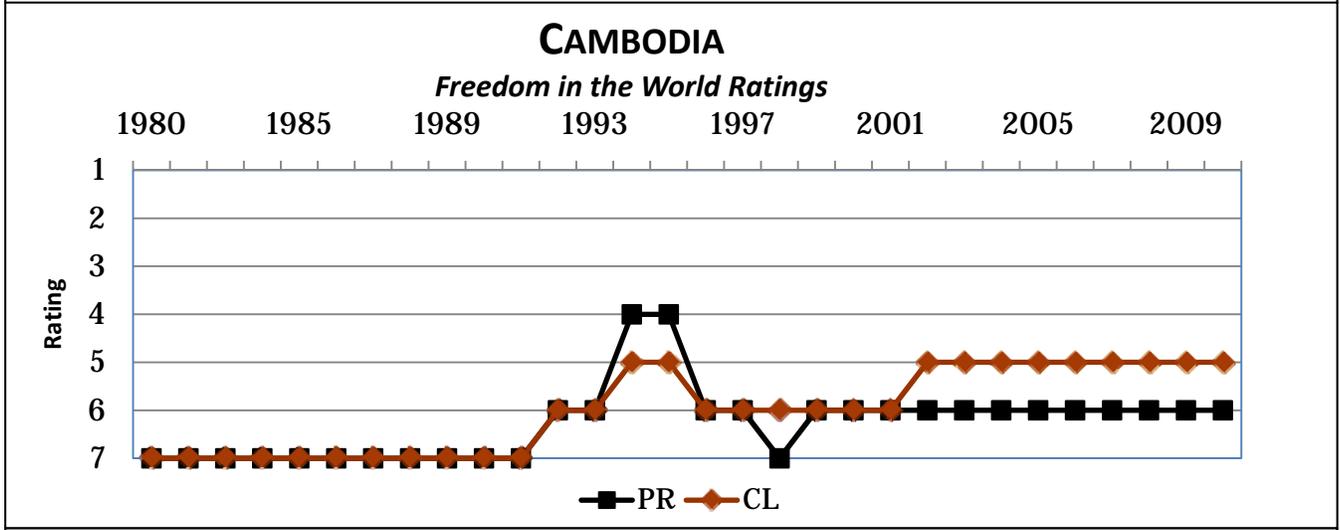
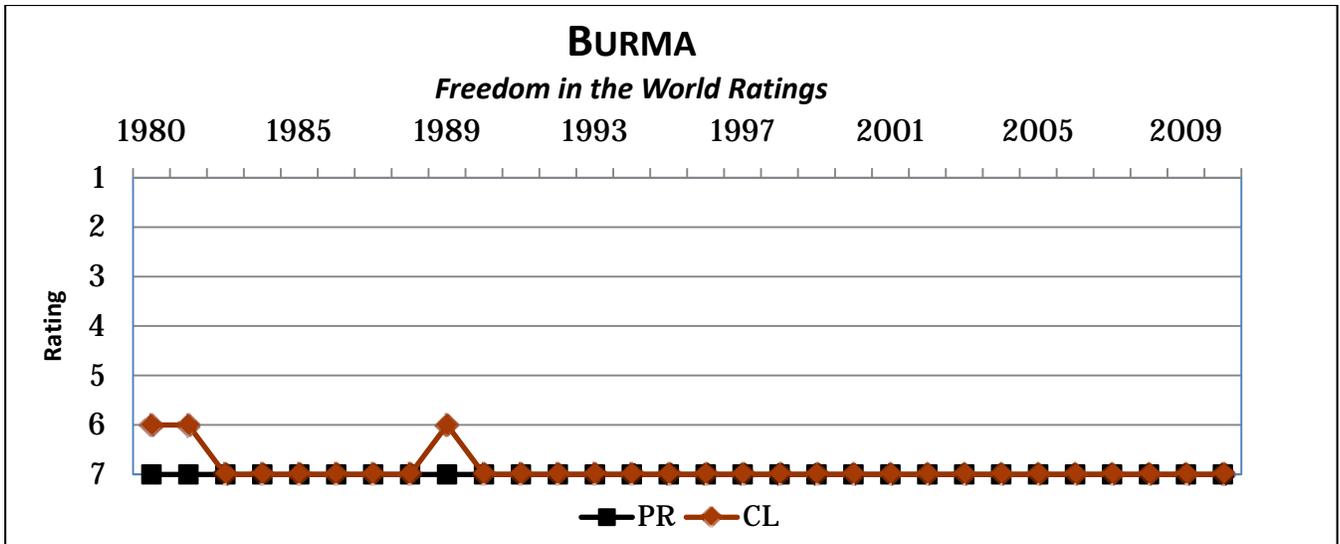
Observers say that state tolerance for open criticism appear to have diminished following Vietnam’s admission to the World Trade Organization. This has been demonstrated by several high-profile arrests including Le Cong Dinh, a U.S.-trained lawyer who had defended many prodemocracy activists. In October, six prodemocracy activists were arrested for “spreading propaganda” against the government and receiving money from “reactionary sources overseas” to “organize anti-government activities” and another man was sentenced to three years in prison for hanging a banner over a bridge to call for multiparty democracy. State scrutiny of dissent on the Internet has also intensified. In September, three bloggers were arrested on the grounds of protecting national security; one was released after she promised to stop writing comments critical of the government.

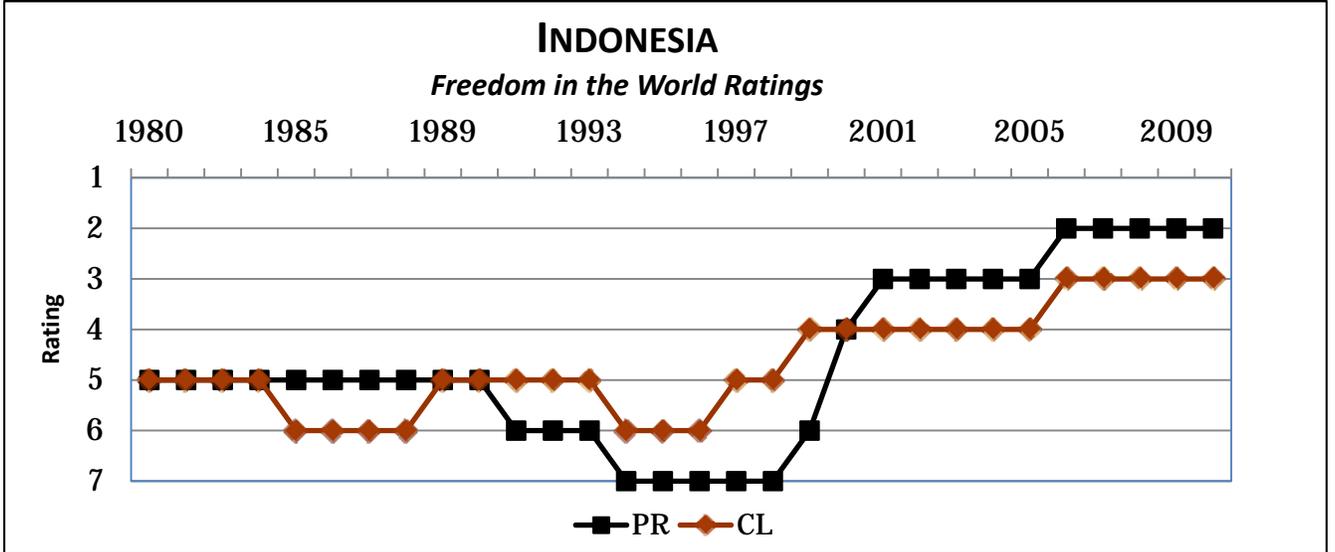
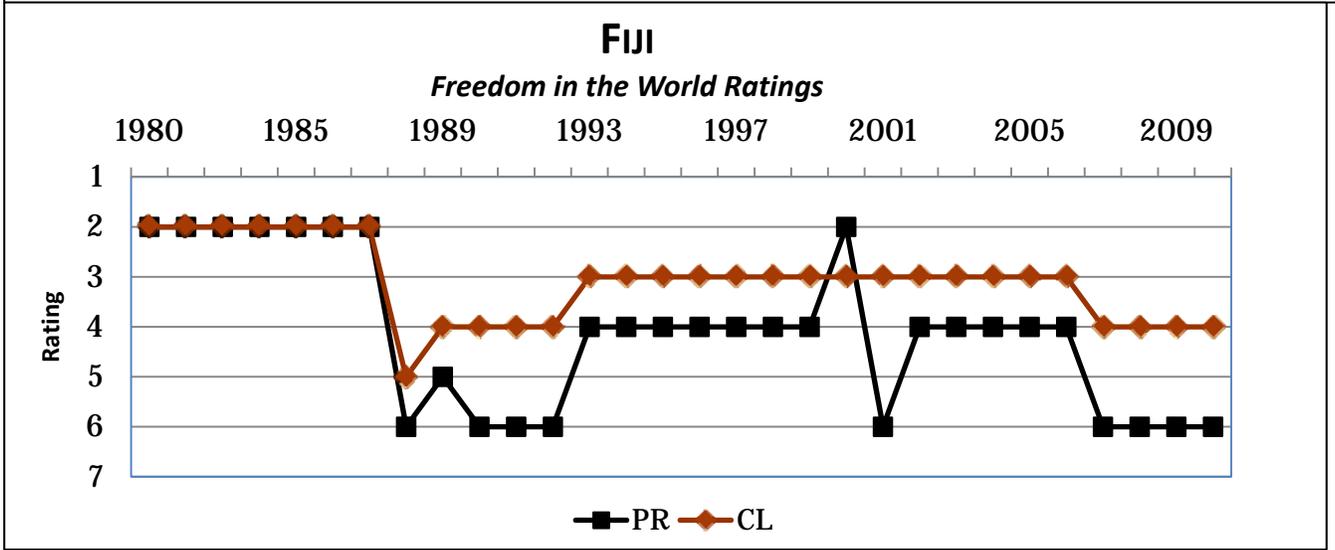
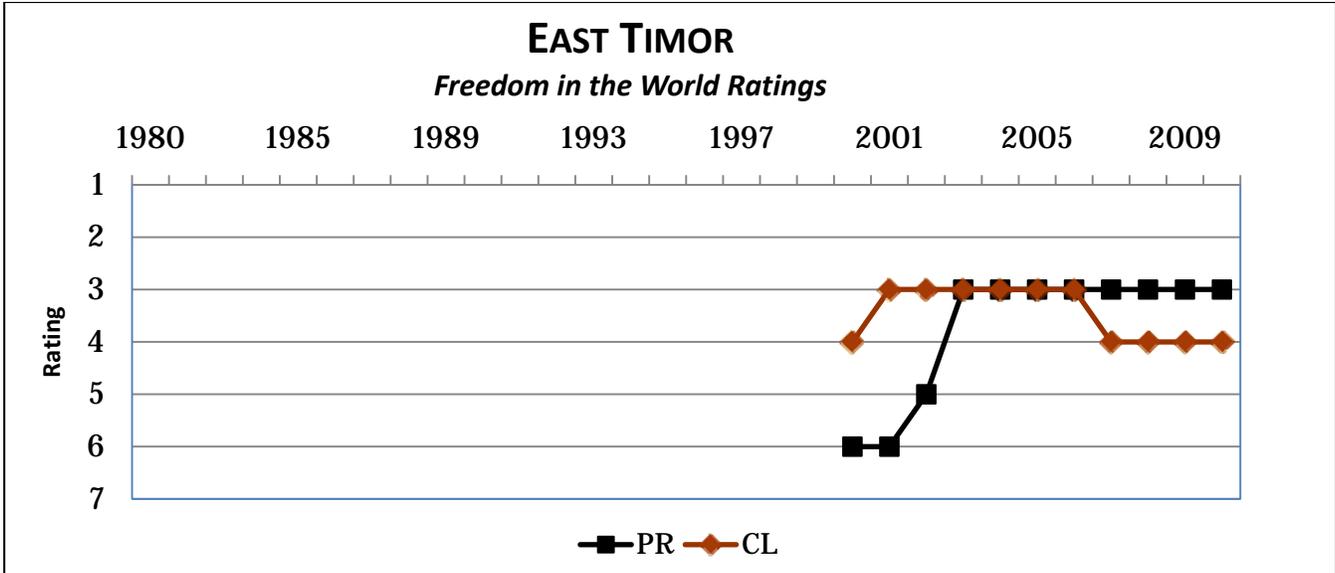
Human rights organizations and other private groups with rights-oriented agendas are banned; a small but active community of nongovernmental groups promotes environmental

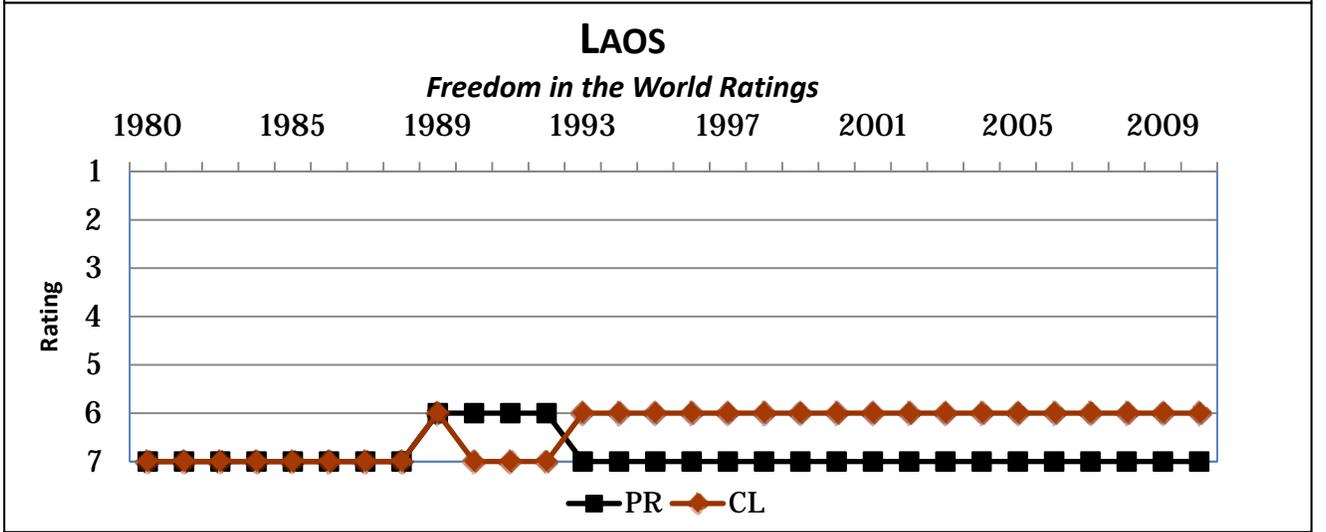
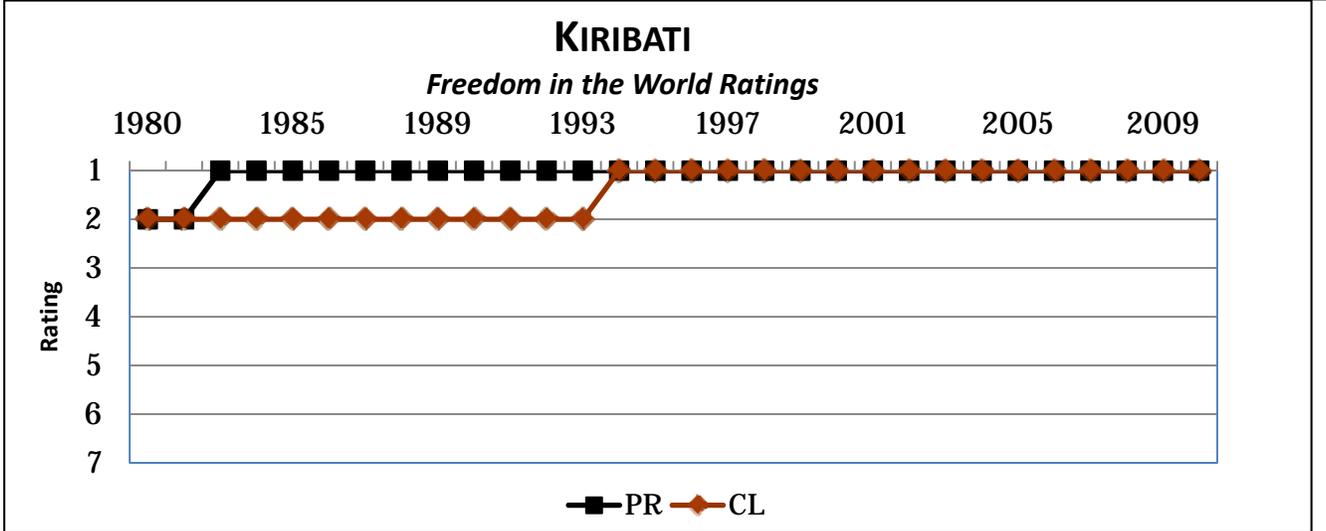
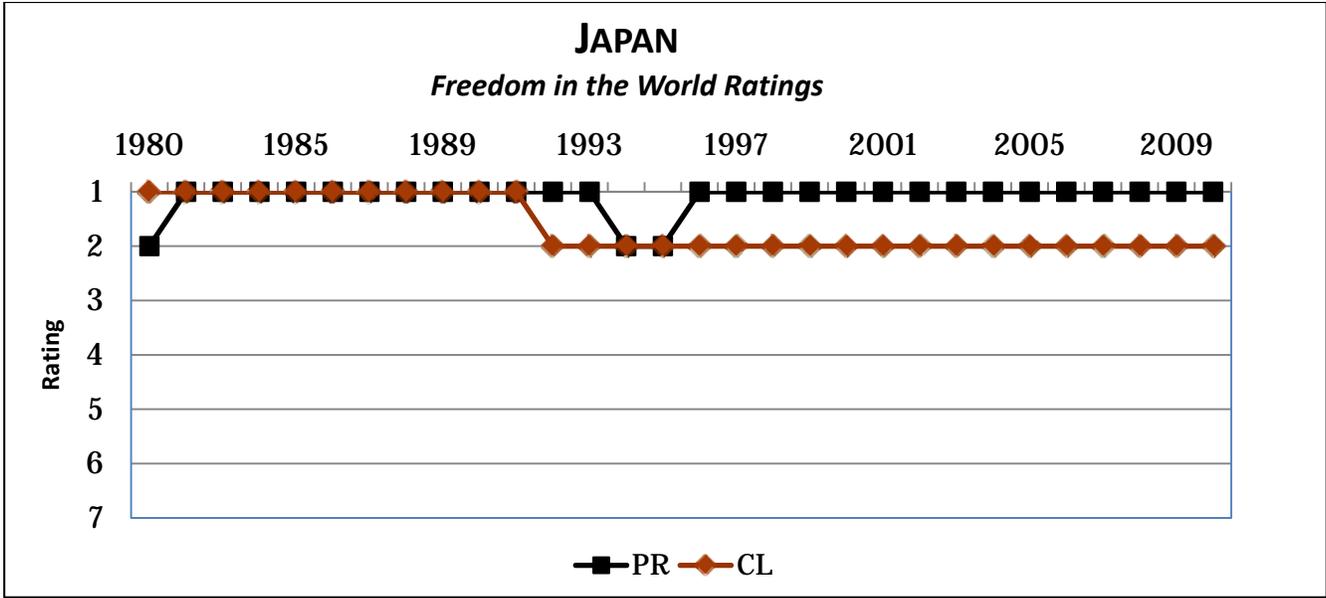
conservation, women's development, and public health. Public protests rarely result in changes or improvements to policy.

Freedom in the World Historical Ratings by Country



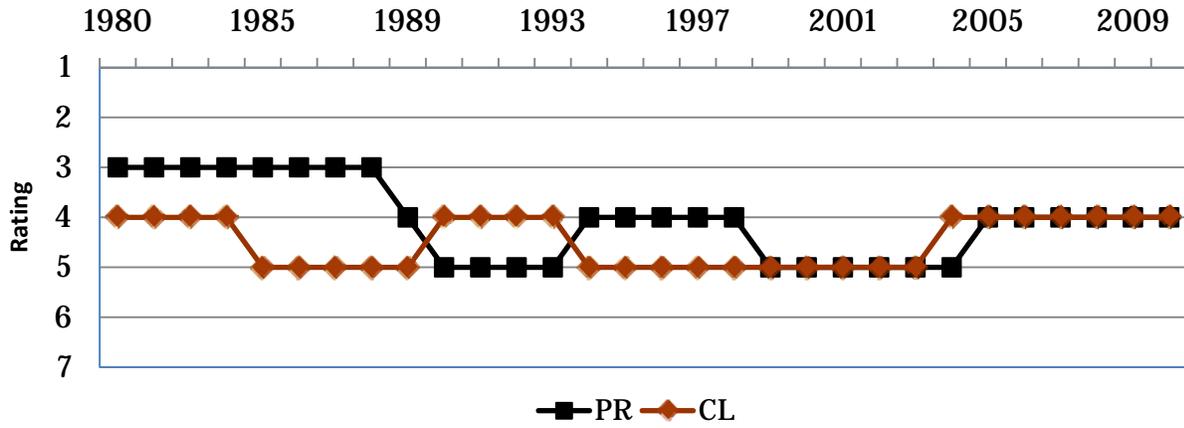






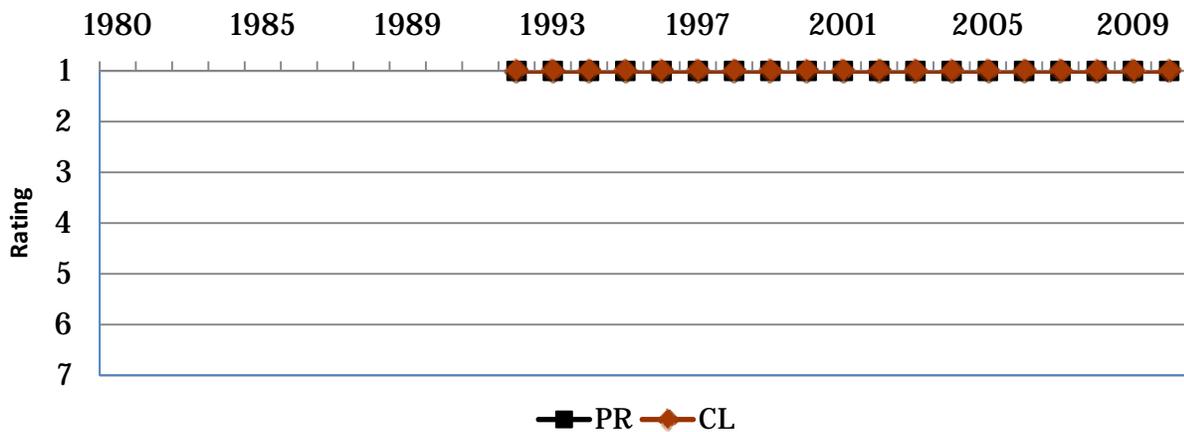
MALAYSIA

Freedom in the World Ratings



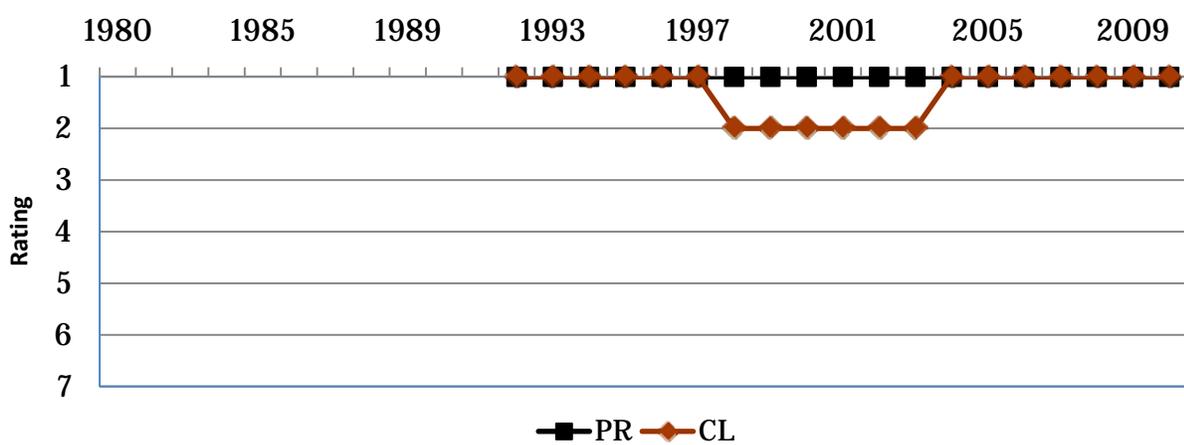
MARSHALL ISLANDS

Freedom in the World Ratings



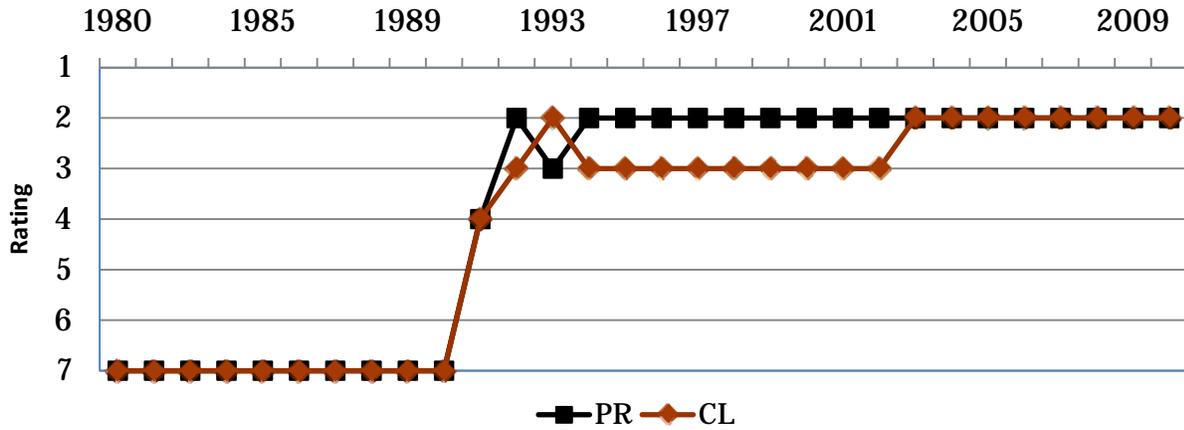
MICRONESIA

Freedom in the World Ratings



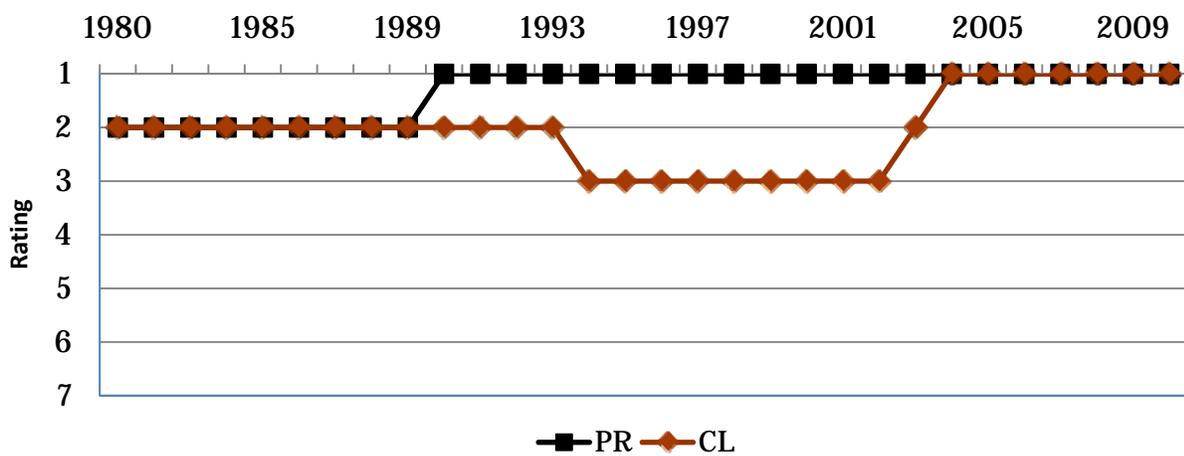
MONGOLIA

Freedom in the World Ratings



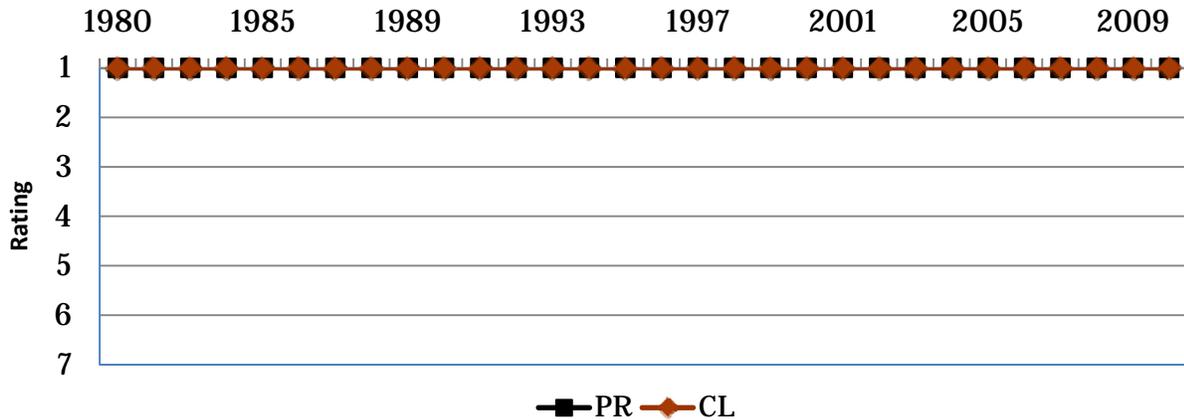
NAURU

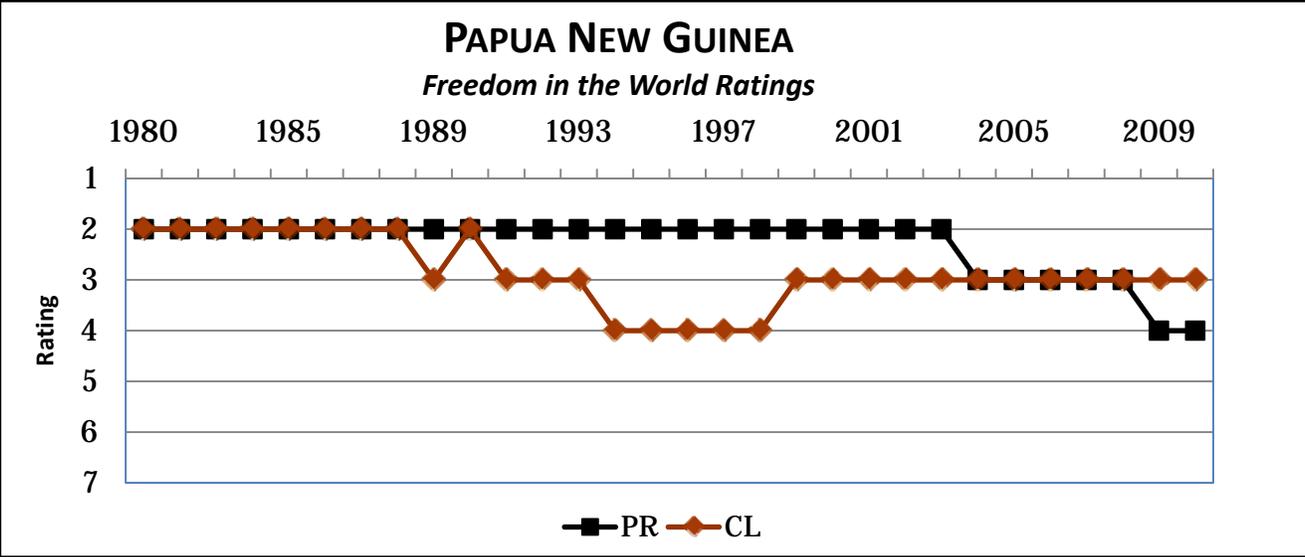
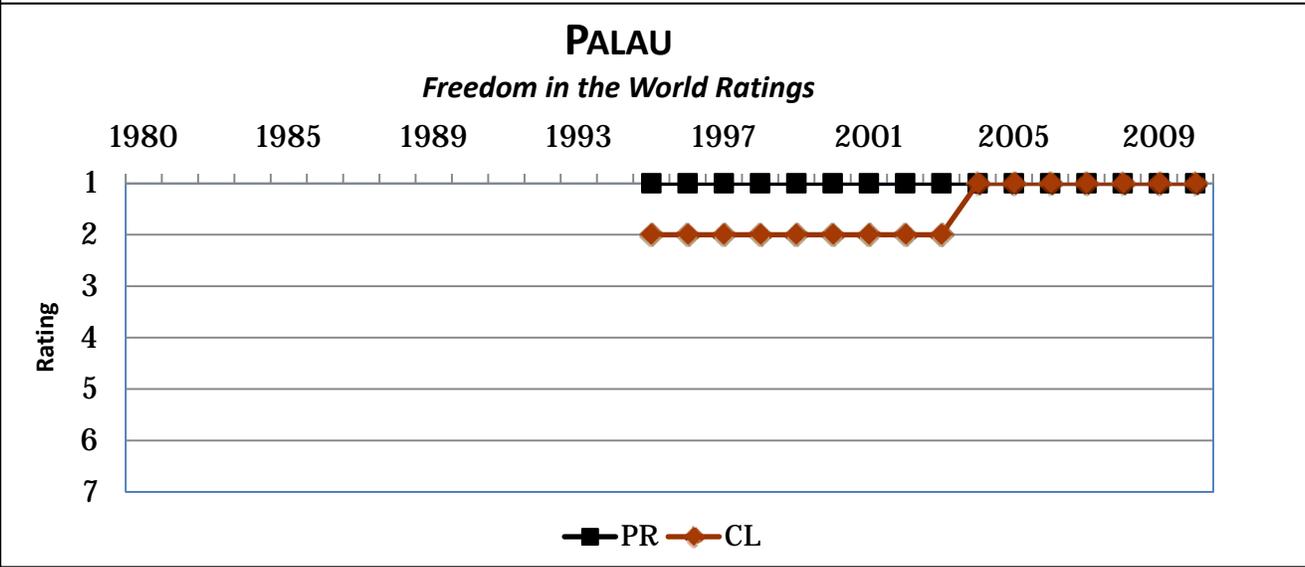
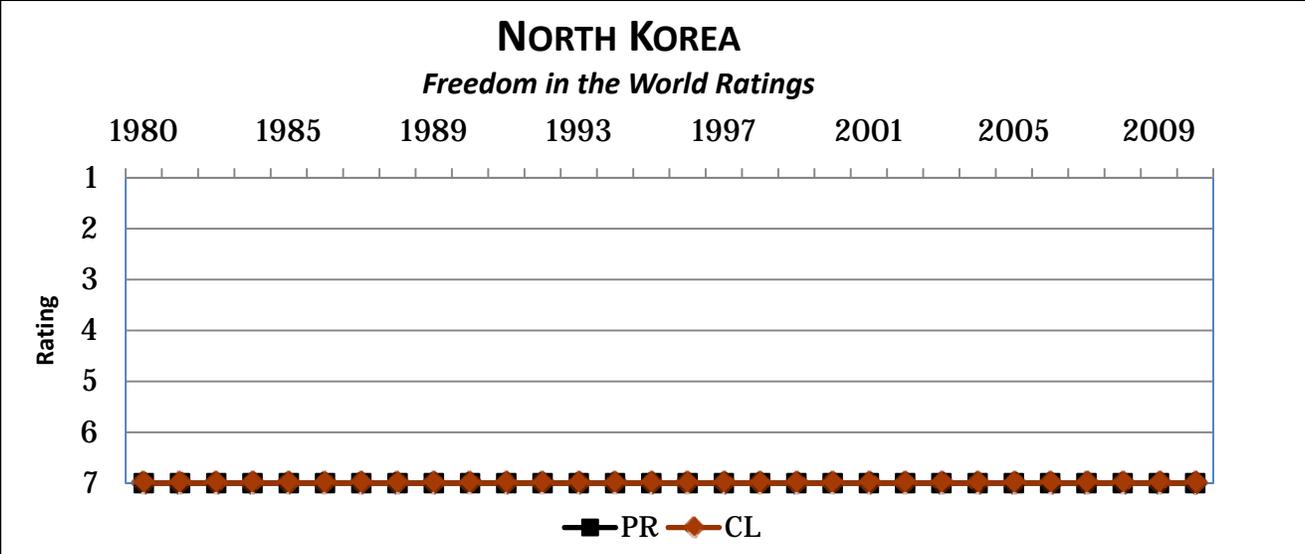
Freedom in the World Ratings

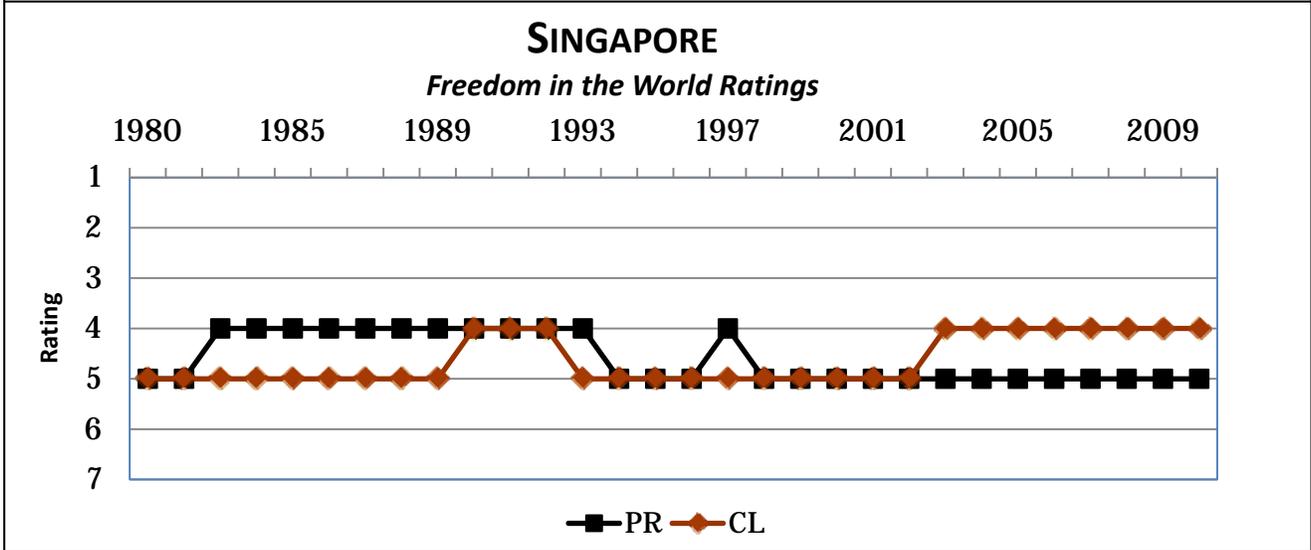
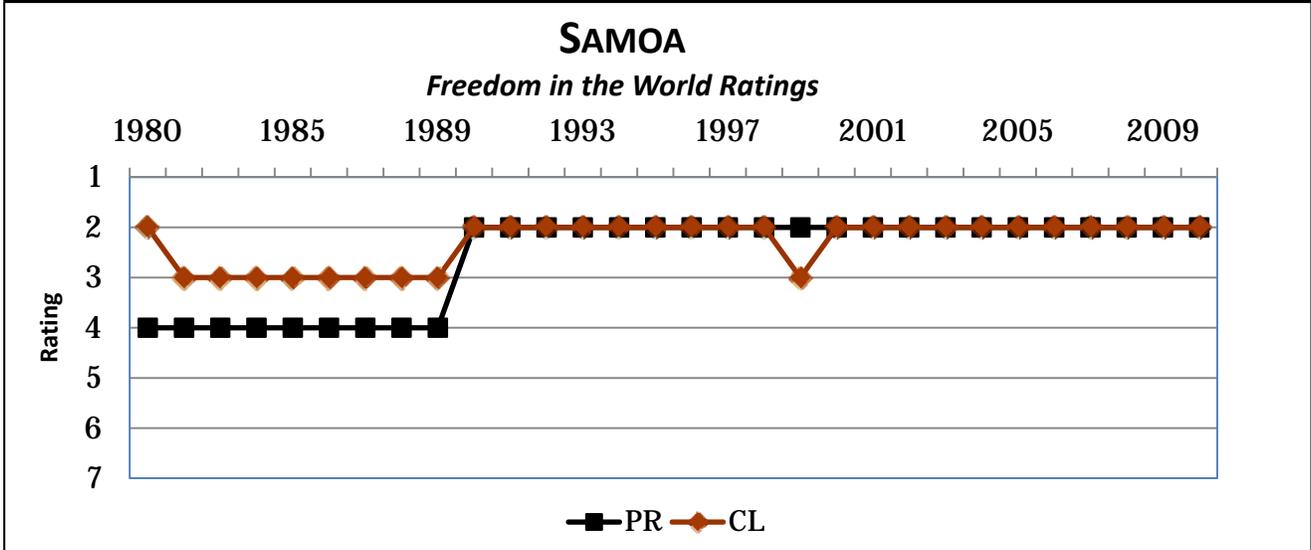
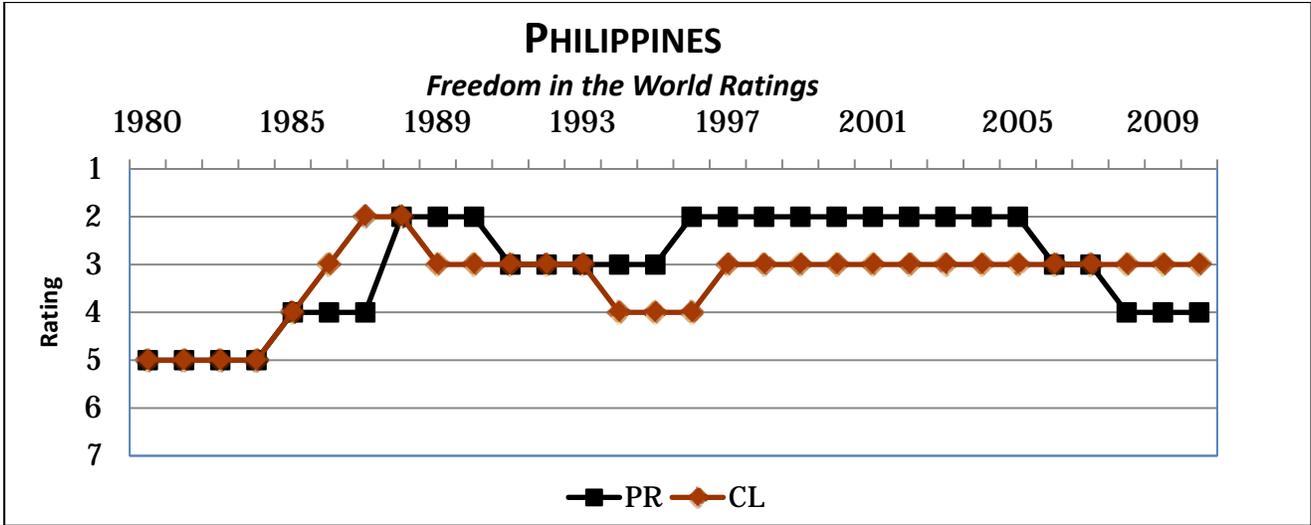


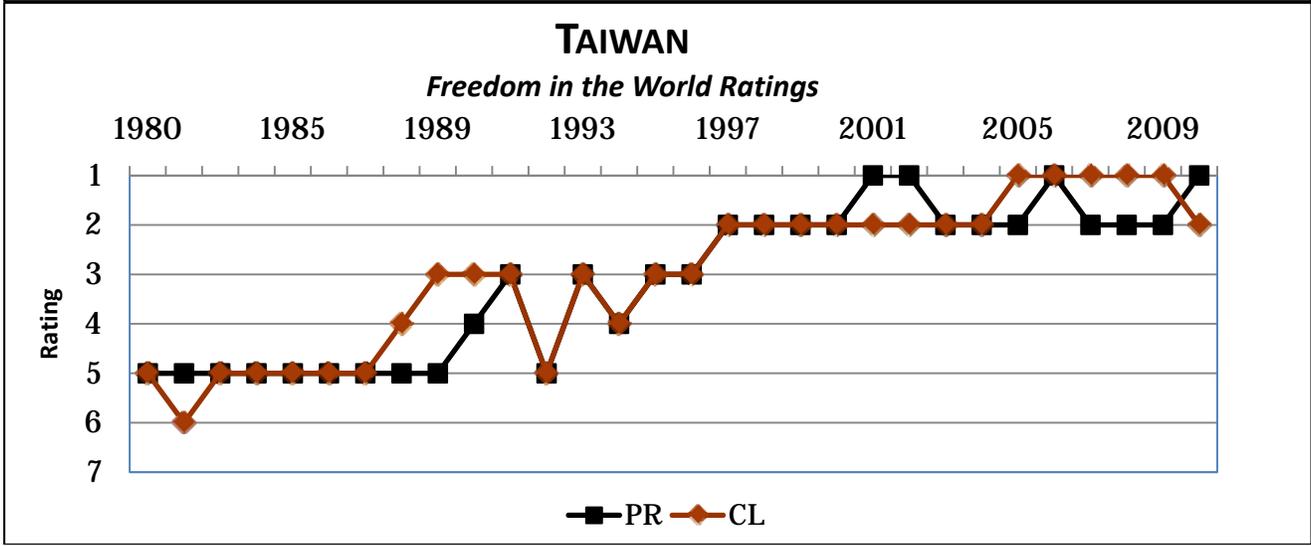
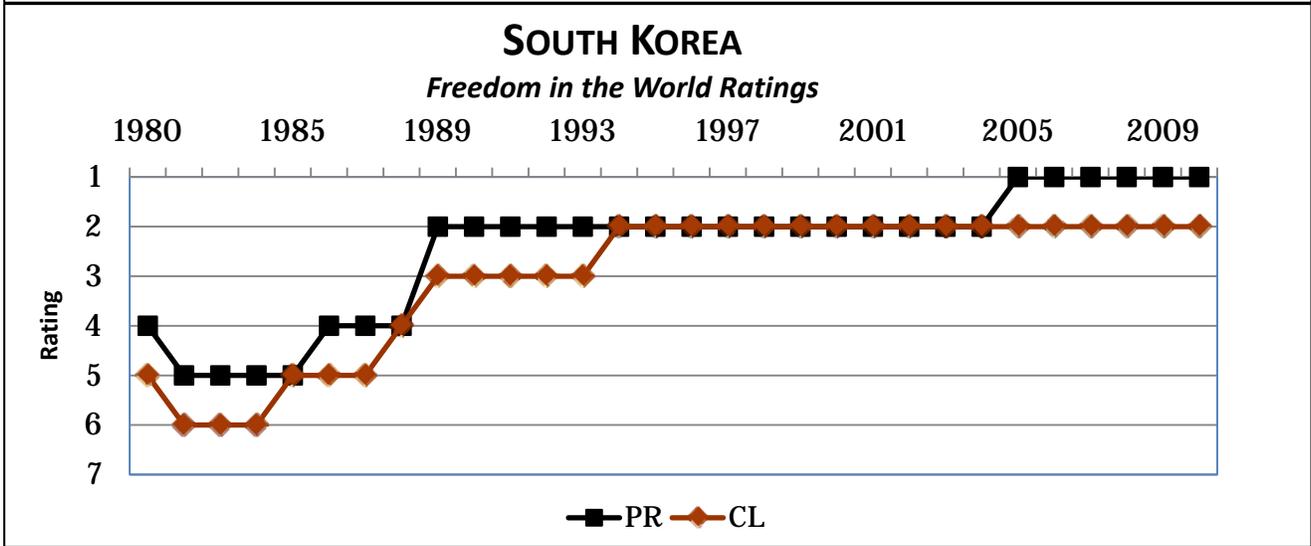
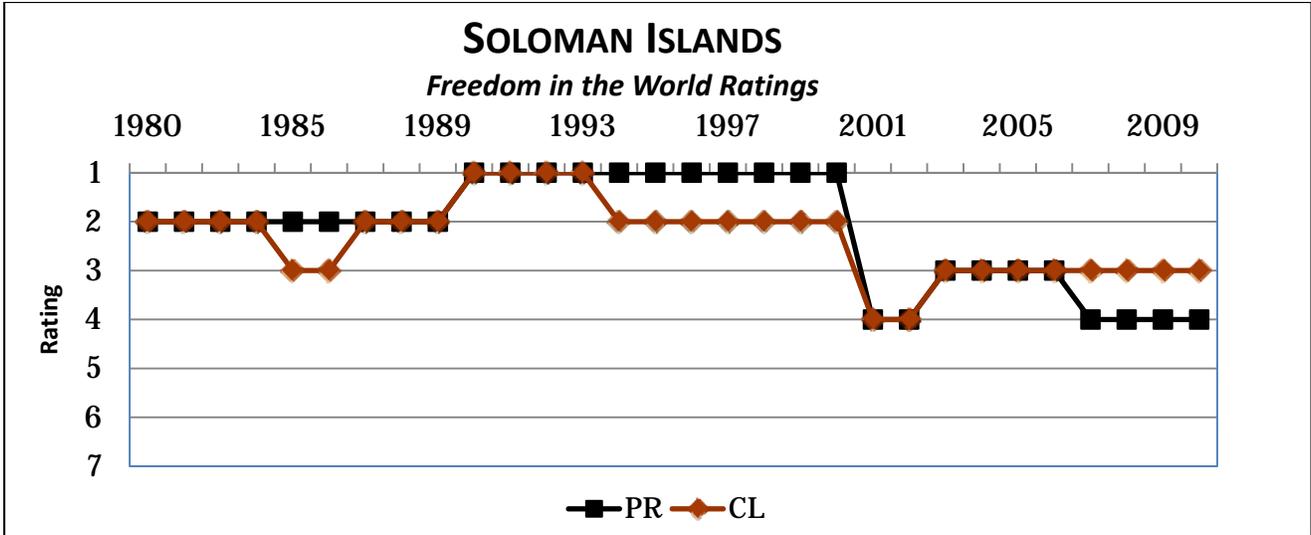
NEW ZEALAND

Freedom in the World Ratings



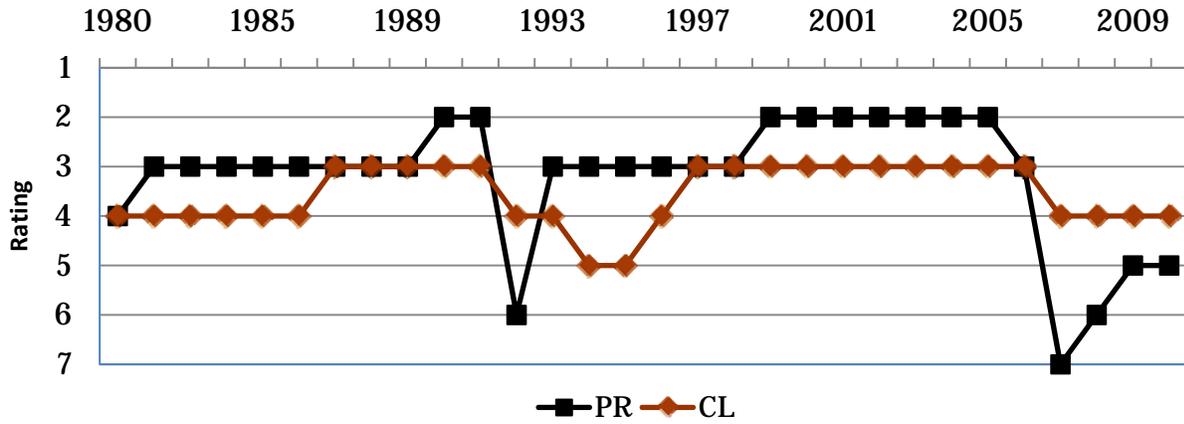






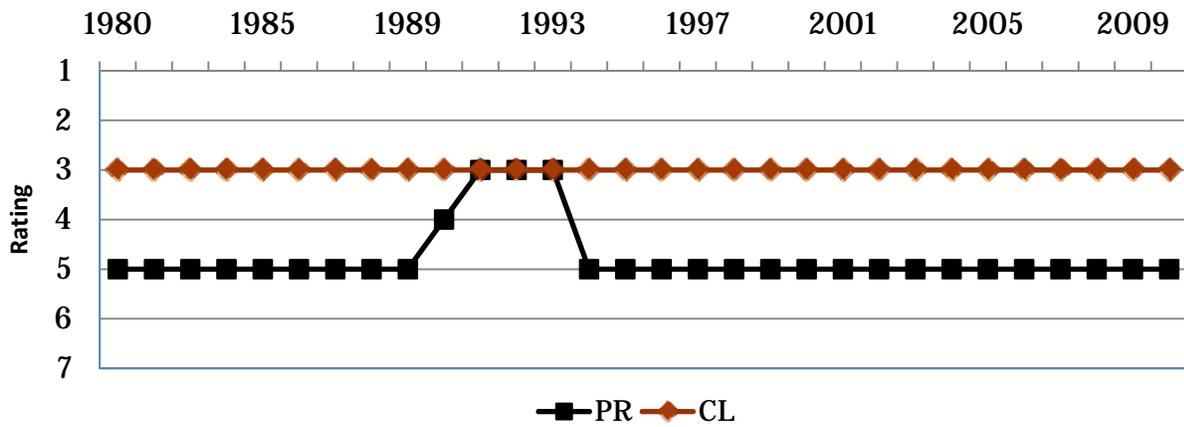
THAILAND

Freedom in the World Ratings



TONGA

Freedom in the World Ratings



TUVALU

Freedom in the World Ratings

