

Ideals vs. Reality – Human Rights and US Foreign Policy:
The Cases of Azerbaijan, Cuba, and Egypt

Testimony Prepared for Delivery

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Chairman Delahunt, Congressman Rohrabacher, members of the Committee and staff, thank you for calling this important hearing today and for inviting Freedom House to testify.

You have posed a vital question in the title for today's hearing: How can the United States reconcile its democratic ideals – ideals whose continued pursuit constitutes the essence of our national identity – with the enduring need to secure our nation and defend our interests given the reality that we live in a complex and dangerous world?

As today's hearing reconfirms, it has long been the role of the Congress to convene the national dialogue on how we do this, and I congratulate the Chairman for his initiative. Before turning to the specific human rights situations in the three countries you are focused on today, I would like to offer a few general thoughts on the subject.

1. Knowing Reality on the Ground is Key

Any assessment 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. I presume this is why you invited Freedom House to participate today, as we have been producing reports on the state of political rights and civil liberties on every country around the world for more than 35 years.

I will endeavor through this testimony to provide some essential facts related to each of the countries under discussion today, though a nuanced comprehensive analysis is not possible in this format. One general point I would like to make is that each of these three countries – Egypt, Cuba and Azerbaijan – is hampered by a political system that does not respect fundamental political and civil rights. All three countries are currently described by Freedom House as “Not Free” in our annual survey of political rights and civil liberties, *Freedom in the World*. On a scale of 1 to 7, with 1 being best and 7 being worst, Azerbaijan and Egypt both receive a low score of 6 for political rights and a 5 for civil liberties. Cuba receives the worst possible rating of 7 in both categories.

Underneath the numerical ratings and captured in the narratives of our and other organizations' reports lie differing realities. How the different regimes operate, and attempt to control their own populations, are quite diverse. Egypt – a quintessential example of a corporatist bureaucratic authoritarian system – is situated in a combustible region characterized by political stagnation for the last four decades. Cuba, an island country a stone's throw from the U.S. shoreline is beset by a system based on Communist ideology and historically dominated by one individual leader, Fidel Castro. Finally, Azerbaijan, a former Soviet republic, is a hydrocarbon-dependent quasi-dynasty bordering Russia, Iran and a mortal enemy, Armenia. Yet each of these governments arrest journalists for practicing their profession, stifles meaningful political competition, shows a blatant disregard for internationally recognized human rights, and seeks to isolate its people from the global dialogue on freedom.

Experts and policymakers often fail at predicting the future. So some humility in undertaking assessments – which will always be built on incomplete knowledge – should always be employed. At Freedom House we try to keep that in mind, and our hope is that our reports may serve as a basis for dialogue and debate, most especially among citizens within a country, a portion of whom will undoubtedly agree or disagree with our findings at any particular point in time.

2. Can Americans Be Humble about Our Own Importance?

Second, discussion about what any external actor – even a superpower like the U.S. – can do to change the course of human history within societies should be imbued with an appropriate degree of modesty. The fate of freedom and democracy, and the state of human rights in other countries, has always primarily been determined by those within these societies. The ability of the U.S. government -- or for that matter any nongovernmental organization -- to influence the course of events abroad is therefore necessarily 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 depends very often 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. Indeed, a bipartisan consensus has emerged over the past generation confirming that it *is* an American national interest to project a predilection for human rights and democracy, a preference for countries and governments that respect the same universal principles that are important to us as a nation – and that we can do so without grievous damage to our other interests. 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. While we are strong advocates, we recognize that the complexities of foreign policy, especially for the world's lone superpower, require that we sometimes deal with unsavory regimes with bad human rights records. But in dealing with these countries on security, trade or other important interests, Freedom House believes that the U.S. should never retreat from its role as a defender of human rights, one whose support struggling democratic activists around the globe have looked to for decades. We acknowledge that while the adherence to democratic principles and the respect for human rights cannot always be the sole foreign policy principle for the U.S. in its bilateral relations with any given country, they can and should always be a key element of U.S. relations with *all* countries.

3. The Challenge of Integrating Human Rights and Democracy into U.S. Foreign Policy

Through successive administrations of both parties, the U.S. government has, as we all know, a mixed record in its efforts to make human rights and the promotion of political systems that best guarantee those rights a policy priority. Economic and security interests often have trumped the promotion of human rights in various countries. This is as true under the current administration, which has placed the promotion of democracy as one of its chief foreign policy objectives, as it has been for past administrations.

Thus, while the Bush administration continues the decades-long embargo on the Cuban regime and recognizes Fidel Castro for the dictator he surely is, our president recently extended a welcome to President Aliyev of Azerbaijan befitting that of a genuinely democratic leader.

While the administration initially encouraged and even challenged the Mubarak regime to move towards greater openness and democracy, exemplified by Secretary Rice's speech at the American University in Cairo in June 2005, the administration's position has since reversed course, leaving Egyptian reformers disappointed and disillusioned and leaving the only serious political opponent to Mubarak in prison and in rapidly declining health.

Looking back over the last quarter century, we can all find fault with each administration's consistency of approach in this area. The administration of President Carter was at the vanguard of efforts to enshrine the integration of human rights in U.S. foreign policy, but largely abandoned such efforts in Kenya, Sudan, and other African countries, after the taking of U.S. hostages in Iran and the Soviet invasion of Afghanistan. The administration of President Reagan is rightly praised for the establishment of the National Endowment for Democracy and other important initiatives to support democratic movements around the world, but the U.S. turned a blind eye to the operation of death squads and ongoing human rights abuses in many parts of Latin America during his tenure. President George H.W. Bush launched critical programs to advance the democratic transformation of Central and Eastern Europe and the former Soviet Union, but the promotion of democracy and human rights was isolated from the broader system of decision making related to U.S. foreign policy and foreign assistance in most parts of the world. Finally, President Clinton embraced the goal of "democratic enlargement" as part of a U.S. National Security Strategy and integrated support for democracy and good governance into USAID, but also implemented a policy of maintaining the political status quo in the Middle East and reversed course on promoting human rights in China.

The current Bush administration should be applauded for its embrace of the promotion of democracy and human rights. Ironically, the very fact that this administration has so vigorously and so publicly embraced freedom as a fundamental goal has meant that the many inconsistencies and deficiencies in U.S. government policies and actions to implement that commitment have damaged the legitimacy of the U.S. as a defender of human rights and a symbol of individual freedom in many parts of the world.

With that brief overview, I will now present a summary of the current human rights situation in each country, with a special focus on press freedom, which we believe is an important indicator of the overall commitment towards freedom within a country. This will be followed by an assessment of U.S. policies towards each country. I will conclude with some final thoughts on the balance between promoting freedom and human rights and protecting U.S. interests.

Azerbaijan

Freedom House Ratings ¹	1990	1995	2000	2007
Political Rights	n/a	6	6	6
Civil Liberties	n/a	6	5	5
Press Freedom	n/a	69, Not Free	70, Not Free	75, Not Free

Overview of Human Rights Situation

In the first heady years of the Soviet Union's break-up, Azerbaijan received its best scores for political rights (5 out of a worst possible 7), but has remained mired at a lowly 6 out of 7 since 1993. Civil liberties have fared just slightly better, attaining a high rating of 4 from 1997 to 2000 and then dropping to a 5 thereafter. Journalists have felt the brunt of the government's anti-democratic behavior in recent years, but political opponents have consistently also been targeted.

Azerbaijan's constitution nominally guarantees freedom of speech and the press; however, the authorities use a variety of tools to limit press freedom in practice. In 2006, press freedom saw a further decline, with an increase in defamation suits against journalists. As of May 2007, Azerbaijan had imprisoned seven journalists, the highest total of any OSCE country. Those arrested include Yashar Agazade and Rovshan Kabirli, who work for an opposition newspaper that ran a story accusing President Ilham Aliyev's uncle of being the most corrupt person in the ruling elite. Both were sentenced to 30 months for "defamation." Sakit Zahidov, a satirical writer for an opposition daily was sentenced to three years in October 2006 on trumped up charges of illegal drug possession.

In addition to restrictions of press freedom, freedom of assembly is strongly curtailed by the government, especially for political parties critical of the government. Political opposition groups also face ongoing harassment through politically motivated legal cases. Nongovernmental organizations, particularly those deemed critical of the government, face ongoing obstacles with regards to registration and taxation. A particularly brutal crackdown on civil society and political opposition was conducted by President Aliyev in the wake of the fraudulent 2003 presidential elections that brought him to power. More recently, in the wake of civic movements in Georgia, Ukraine and Kyrgyzstan, the Azeri government is increasingly wary of youth-led activism and has responded by expelling students from universities, arresting youth leaders, and dispersing student protests and rallies.

The executive branch still dominates all political decisions in the country. The country's judicial system is subservient to the executive. Arbitrary arrest and detention remain serious problems, particularly for members of political opposition, and police abuse is pervasive during arrest and interrogation.

¹ The total number of points awarded to the political rights and civil liberties checklists determines the political rights and civil liberties ratings. Countries are rated 1 through 7, with 1 representing the highest and 7 the lowest level of freedom. Regarding press freedom, countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions.

U.S. Policy

As an oil-rich secular Muslim-majority country located in the strategically important transcaucasus region, Azerbaijan presents a unique and complex foreign policy challenge for the U.S. While its commitment to democratization and its respect for human rights are weak, Azerbaijan has become increasingly important to the U.S. in security terms, particularly since 9/11. Situated along a key pathway to South-Central Asia to the east, Russia to the north, and Iran to the south, Azerbaijan provided needed air space and support for the U.S. military effort in Afghanistan.

As such, the U.S. policy towards Azerbaijan has shifted dramatically over the past decade and particularly since 9/11. The U.S. imposed foreign assistance conditions on Azerbaijan in 1992 that restricted most direct government-to-government assistance, including the training of judges, members of parliament, and other government officials. The sanctions that were imposed under section 907 of the FREEDOM Support Act implied that Azerbaijan was the primary aggressor in the conflict with Armenia over Nagorno Karabakh and were to remain in force until Azerbaijan demonstrated “steps to cease all blockades and other offensive uses of forces against Armenia.” After 9/11, in January 2002 President Bush signed an annually renewable waiver of the sanctions and began increasing Azerbaijan’s foreign assistance.

The new, warmer relationship with Azerbaijan reached a pinnacle when President Bush welcomed President Aliyev to the White House in April 2006, where the two men addressed energy and security issues. Azerbaijan’s sorry record on democracy and human rights, which are well documented in the State Department’s annual human rights reports, were reportedly not discussed. The U.S. embassy actively solicited Azeri government input and control over U.S. assistance programs for civil society, undercutting the effectiveness of any U.S. democracy assistance programs, and sending a clear message to other U.S. NGOs operating in that country that the U.S. would *not* shield them from the increasing pressure and constraints imposed on their activities by the Aliyev regime.

Cuba

Freedom House Ratings	1990	1995	2000	2007
Political Rights	7	7	7	7
Civil Liberties	7	7	7	7
Press Freedom	Not Free	90, Not Free	94, Not Free	96, Not Free

Overview of Human Rights Situation

Cuba is one of the most repressive regimes in the world. While human rights activists on the island and outside experts hope and plan for a political opening as Fidel Castro’s health deteriorates, the overall outlook for the country remains far from certain. To date, there is no indication that Raul Castro will move towards a representative form of government. Despite difficulties in recent years, the internal opposition is preparing for a post-Fidel environment when there will likely be a window of opportunity to strengthen outreach to and support from the

general population. At this precarious time in Cuba's history, these activists need and deserve the support of the international community more than ever.

Freedom of the press remains tightly curtailed, and the media in Cuba remain controlled by the state and the Communist Party. The independent press is considered illegal and is the object of a targeted campaign of intimidation by the government, which uses Ministry of Interior agents to infiltrate and report on this critical but largely isolated element of Cuban society. Independent journalists, particularly those associated with a dozen small news agencies established outside state control, have been subjected to continued repression, including jail terms of hard labor and assaults by state security agents. As an illustration of how far Cubans will go to access independent information, one brave independent journalist, Guillermo Fariñas, went on a seven-month hunger strike last year demanding Internet access, which is heavily restricted and monitored within Cuba.

The pro-democracy movement within the country was set back by the March 2003 crackdown by the government, which led to the imprisonment of 75 individuals, including 27 independent journalists and 14 independent librarians. Today there are positive indications that pro-democracy forces have regrouped and their efforts have begun to gain traction. For example, the Varela Project, a pro-democracy initiative led by dissident Oswaldo Payá, has collected over 25,000 signatures of support for constitutional reforms. In April of this year, the key leaders of the internal opposition joined together for the first time in years in a declaration of unity. As a constructive result of this process, Mr. Payá has launched a "Cuba Forum" to engage more Cubans in discussions on the reform process. Democratic change is not likely to come to Cuba tomorrow, but there are encouraging signs of civic activism and cooperation among individuals and groups.

I want to recognize in particular the important work of the Damas de Blanco, or Ladies in White, who work tirelessly on behalf of their imprisoned relatives, 59 of whom have been serving sentences since the 2003 crackdown. These women have demonstrated for their fellow Cuban citizens that fear can be conquered and demanding one's rights is not only just and legitimate, but possible. They have courageously marched every single Sunday since mid-2003 and in 2005 were awarded the European Union's Sakharov Prize for their bravery. Oswaldo Payá was honored with the same award in 2003.

U.S. Policy

For decades, each successive U.S. administration has rightly spoken out against the restrictions on political rights and civil liberties in Cuba. The Bush administration has continued policies of open criticism towards the Castro regime and has expanded U.S. programs -- initiated during the Clinton Administration -- to support activists working on democratic peaceful change within the country.

The effectiveness of U.S. policy towards Cuba -- a strategy based on isolating the regime to increase internal pressure on the government to change its repressive tactics, and to provide support for the free flow of information and assistance to those within the country who are working for peaceful political reform -- has long been a topic of a vigorous debate in Washington

policy circles. Such debates will surely continue, but Freedom House urges that the U.S. continue to do what it can to support the efforts of those within the country who are taking enormous risks to secure fundamental human rights for their fellow citizens.

While this hearing focuses on U.S. policy, I would like to express our disappointment with the recent and obvious distancing of important European actors – and many governments in Latin America -- from the democracy community within Cuba. It reinforces the point that double standards and inconsistency are not uniquely American traits.

Egypt

Freedom House Ratings	1990	1995	2000	2007
Political Rights	5	6	6	6
Civil Liberties	4	6	5	5
Press Freedom	Partly Free	81, Not Free	69, Not Free	62, Not Free

Overview of Human Rights Situation

In Egypt, Hosni Mubarak has ruled under a military state of emergency since 1981. During this period, Egypt has received tremendous infusions of foreign assistance, particularly from the United States, but has made no substantial or sustained progress in terms of respect for political rights and civil liberties. Despite intimations toward democratic reform in recent years, leading to the country’s most democratic and transparent presidential and legislative elections in more than half a century, the government quickly reverted to suppressing all political opposition when the threat of real political competition became visible.

While improvements were noted in earlier years, in 2007, the broader human rights outlook has deteriorated. Most government repression has been directed against the Muslim Brotherhood, although smaller secular and liberal parties have arguably suffered more as a result. In March 2007, Egypt’s ruling National Democratic Party passed 34 constitutional amendments which sought to limit the power of the Muslim Brotherhood and strengthen anti-terrorism measures, which gave the president the power to refer any suspect to exceptional (usually military) courts. Under these legal changes, protections against arbitrary arrest, search and violation of privacy are no longer observed. The most visible case of repression is the case of former presidential candidate and democracy activist Ayman Nour.

When Nour was arrested in January 2005, U.S. Secretary of State Condoleezza Rice canceled a trip to Egypt in protest, eventually resulting in Nour’s release, allowing him to run in the September 2005 presidential elections. Nour finished a distant second to President Mubarak, but was soon sentenced to five years in jail on trumped up charges of forging affidavits needed to register his Ghad party. Today, he is suffering – some say dying – in prison.

Yet repression is by no means limited to the political opposition. Freedoms of assembly and association are heavily restricted. Organizers of public demonstrations, rallies, and protests must receive advance approval from the Interior Ministry, which is rarely granted. The Emergency

Law allows for the arrest of those who commit innocuous acts such as insulting the president, blocking traffic, or distributing leaflets and posters, and security forces beat and detained activists who were demonstrating against the law's extension last spring. In May 2006 alone, the government arrested hundreds of peaceful political protesters on charges of "intent to assault property and people, obstructing the authorities' work, endangering public transport, disseminating propaganda, and insulting the head of state and public employees," according to court documents. When rights advocates turned out in large numbers to support four senior judges suspended for their calls for judicial independence, state security services arrested over 225 people.

Freedom House recently joined with other nongovernmental organizations around the world to express our deep concern over the recent escalation of the Egyptian official media and political party campaign against Dr. Saadeddine Ibrahim, and especially the effort by some members of the ruling party in Egypt to raise false charges against him for which he has previously been exonerated. Dr. Ibrahim has courageously spoken out against limitations on human rights and democracy in Egypt, and has not been afraid to criticize shortcomings of the U.S. government policy in recent years.

Finally, while journalists increasingly cross the "red lines" that previously constrained the media, press freedom in Egypt continues to suffer from repressive laws and extralegal intimidation of journalists, including violence and harassment.

U.S. Policy

At the American University in Cairo in June 2005, Secretary Rice spoke on democratic reform in the region. "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." Two years later in May 2007, the Secretary noted that, "The Cairo speech to me was perhaps the most important speech I have ever given. And to me it says what America stands for and what this administration stands for and we're not going to back off that."

The Bush administration should be credited for its efforts during 2003-2005 to promote democratic reform in Egypt – through diplomatic entreaties, withholding of assistance and high-level visits, and providing support for those working for peaceful reform within the country. The Egyptian regime responded with a package of modest reforms and both Egypt's political opposition and democracy advocates within civil society were emboldened. Unfortunately, in need of allies in the region and wary of potential electoral advances by the Muslim Brotherhood, there are clear signs that the U.S. administration retreated from its forward leaning policy in the last year, despite Secretary Rice's assurances. This retreat provided the Mubarak regime an opening to renew its repressive policies throughout the country and solidify control during the critical period of succession. Of course, some positive efforts by the U.S. government continue, but many within the administration working on human rights and democracy believe that "pushing the envelope" to promote political reform within Egypt will no longer receive high level U.S. government backing.

Conclusion: How Can the U.S. Better Advance Democracy and Human Rights?

Freedom House believes that the U.S. government should continue – and indeed increase – its support for democratic and human rights activists around the world through diplomatic interactions, funding allocations, and leveraging other aspects of our relationships to promote respect for human rights and political reform. While recognizing the need for improvements in many aspects, the President’s second inaugural address remains historic in its fulsome embrace of freedom as a priority in U.S. foreign policy, and the Bush administration should be given credit for the important initiatives that have been undertaken to implement the goals outlined by the president.

Such bold rhetorical commitments need to be reflected in action – including the allocation of sufficient resources for those on the frontline of freedom. It is for that reason that Freedom House has expressed its concern about the president’s FY08 foreign operations budget request to Congress, in which the global budget for human rights activities declined 9 percent and support to civil society declined by 7 percent. At a time of heightened global pushback against civic activists and human rights defenders, this represents a dismaying turn away from those who need help the most and who are our natural allies in the global struggle for freedom. Freedom House was pleased to see that several proposed cuts to country budgets have been restored in the House and Senate appropriation committees and we hope that these restorations will also be reflected in the individual line items for democracy and human rights.

Of course, the U.S. government has a deeper role to play in helping to protect and support democracy and human rights. U.S. diplomats should regularly meet with civic and human rights activists. They should engage with defenders of human rights and not be reluctant to call upon certain governments to improve their human rights practices and make democratic progress. The U.S. government is quite capable of conducting necessary business with unsavory regimes to protect U.S. national interests while still advocating and supporting fundamental human rights.

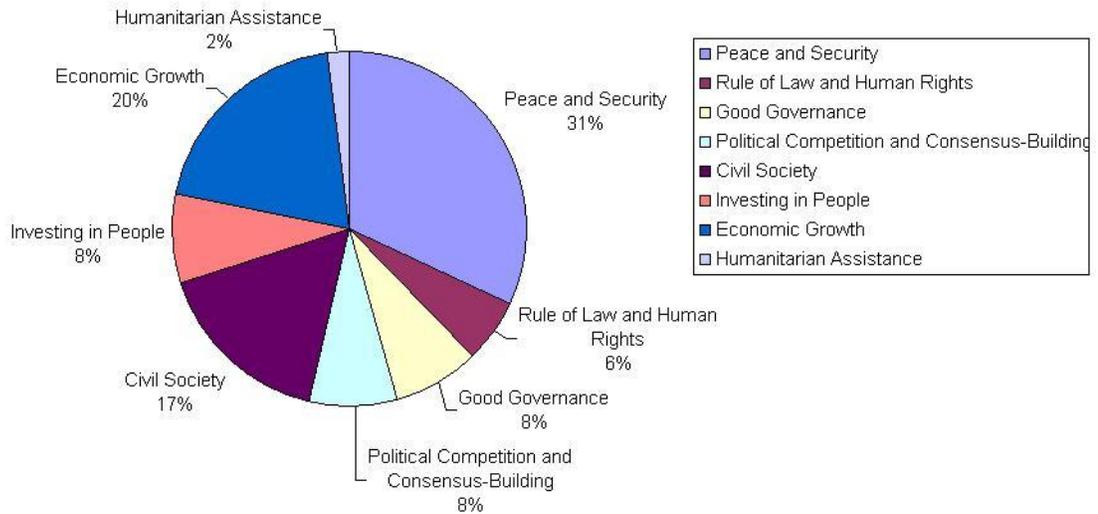
In addition to holding the purse strings and overseeing the executive branch, members of Congress and their staffs should also play an active role in supporting human rights and civic activists abroad. Hearings like this are important. Frequent travel to these countries and meeting with courageous civil 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 it publicly. Instead of ignoring this commitment because it may be too difficult, we should renew our efforts and consider new and

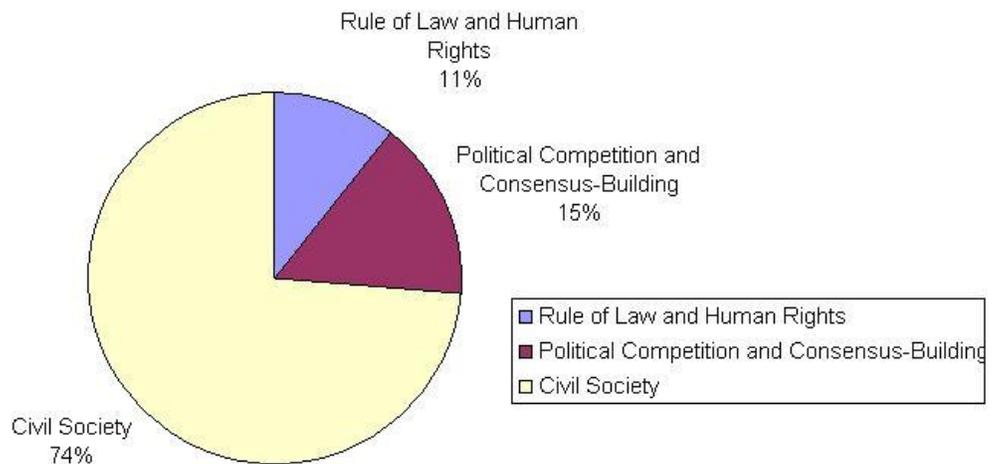
innovative ways to help those who need it most. I again thank the subcommittee for asking me to testify at this hearing and look forward to your questions.

Addendum: Bush Administration's FY2008 Requested Funds for Azerbaijan, Cuba and Egypt

Administration's FY2008 Request for Azerbaijan \$25,380,000



Administration's FY2008 Request for Cuba \$45,700



Administration's FY2008 Request for Egypt
\$1,720,870,000

