

**PRINCIPLES OF U.S. ENGAGEMENT IN ASIA**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON EAST ASIAN  
AND PACIFIC AFFAIRS  
OF THE  
COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE  
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## **PRINCIPLES OF U.S. ENGAGEMENT IN ASIA**

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**THURSDAY, JANUARY 21, 2010**

U.S. SENATE,  
SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Jim Webb, (chairman of the subcommittee) presiding.

Present: Senator Webb.

### **OPENING STATEMENT OF HON. JIM WEBB, U.S. SENATOR FROM VIRGINIA**

Senator WEBB. Good morning. The hearing will come to order.

There's an old saying in the Marine Corps, that a lot of times when you are up to your neck in alligators, you tend to forget that you came to drain the swamp. This is something of a parallel, in terms of our foreign policy, and in places like Asia, particularly.

Today the East Asian and Pacific Affairs Subcommittee will begin examining a long overlooked area of our foreign policy rooted in the often contradictory standards we've used in the past and, to some extent, still use today, in defining the underlining parameters of our relationships with different countries and different governmental systems. Nowhere are these contradictions more glaring than in Asia, and nowhere is it more important that we clarify the basic tenets that shape our engagements.

As such, I believe, that the time has come to undertake a comparative assessment of how our policies toward Asian governments effect our relationships, not only in the region, but also in the rest of the world.

Our bilateral relations with different countries have evolved incrementally over many decades, and in some cases over more than two centuries. They've been driven by the consequences of war, by the emergence of new government structures in other countries, and by geopolitical necessity. Collectively, their origin, founding principles, and the resulting governments have varied. Ours do not.

The fundamental political principles underlying the founding and growth of our country have remained constant. It's important, for our credibility and for international stability, that our foreign policy also be seen as consistent, predictable, and firm.

History shows that consistency breeds predictability so that our friends can stand with us, our potential adversaries can measure the potential for disagreement, and those who aspire to better relations with us will have a clear idea of the road to follow. Inconsist-

ency breeds not only disrespect for our standards and disbelief in our motives, but also detracts from the long-term effectiveness of our foreign policy goals.

Asia is a composite of political and economic systems, demographic and geographic disparities, and historic rivalries. Many nations in this region are far older than the United States, ancient in their traditions, and driven by cultural forces that date back thousands of years. At the same time, the governmental structures in some of these countries have been affected by the impact of colonialism. Others have been born out of the conflicts of the last century. Many of these same countries are still disputing the final demarcation of their own boundaries. Perceptions of active security threats remain alive. Relations with the United States have been shaped by all of these factors, and it is natural, to a certain point, that we would have a different set of relations and differing benchmarks with nations that have undergone such varying evolutions.

It also should be pointed out that the economic reforms since World War II, and especially over the last 30 years, have caused Asia to become more cohesive, economically, and, to greater and lesser degrees, interdependent. Cooperation, as a whole, has strengthened, evidenced most recently by such regional efforts such as the China-ASEAN Free Trade Agreement that went into effect this month. Millions of Asians have taken advantage of new economic opportunities during these past decades and have risen out of poverty.

This period had also seen the growing recognition of the importance of Asia to our own national interests. Six of our top fifteen trade partners are located in East Asia. Eight of the top twenty holders of U.S. Treasury securities are located in Asia, with China, Japan, Hong Kong, and Taiwan among the top 10. The United States maintains several security alliances in Asia that are the key to preserving regional stability and balance, and other partnerships in that region to counter emerging global threats of nuclear proliferation, terrorism, and narcotics trade.

Given all of this change and political evolution, it is absolutely vital that the United States communicate a sense of purpose and consistency in its dealings with every nation.

There's no country in the world to which we are more vulnerable, strategically and economically, than China. The risks we face are illustrated by China's recent cyber attacks against government and business organizations, such as Google; by its military interceptor tests on January 11; by its expanding military activities in the South China Sea; and by the growth of its foreign reserves to \$2.4 trillion at the end of 2009, despite the global recession. Moreover, it serves well to remember that the Chinese Government does not allow national elections; opposition parties are illegal; political dissidents and their lawyers are regularly imprisoned; and Internet censorship is routine.

And yet, our burgeoning relations with China have not been preconditioned on the nature of its internal political system, nor its actions beyond its borders. This is not an allegation, it is a statement—a recital of facts.

There are other notable instances that seem to contradict or to call into question our efforts at maintaining consistency in our rela-

tions with other Asian nations. While sharing a strong trade relationship and a burgeoning political relationship with Vietnam, despite its failure to abide by its agreement in the 1973 Paris Peace Accords to hold national elections, we have asserted in the past, that free elections in Cambodia were necessary to end the 10-year Vietnamese occupation of that country. Thailand has, on occasion, been penalized by our Government for its struggles with elective politics. And while, most recently, Burma's military junta has confirmed its intent to hold an election this year and to allow opposition parties to form, we have been slow to engage the government. Many are opposed to any support for this effort, because it does not represent full democracy.

As these examples illustrate, it is important to reiterate that inconsistencies inherent in our policies toward different governments tend to create confusion, cynicism, and allegations of situational ethics. There may be valid reasons for these disparities, and I look forward to hearing discussion of these issues in today's testimonies.

But, as a retired Indian diplomat recently commented in the *Asia Times*, "Central Asian countries see Western discourse on democracy and human rights as doublespeak from countries that pander to authoritarian regimes without scruples when it suits their business interests. Furthermore, the sanctions and other restrictions that the United States places on smaller countries, for internal political acts that are not demonstrably different than those of the Chinese Government itself frequently leads those countries to succumbing to greater influence from China itself."

For example, after an attempted coup in 1997, directed at Cambodia's elected Prime Minister Hun Sen, our Government slapped a ban on direct assistance to that government for the harsh measures that it applied to defeat the rebels. This may have been justified, but the Chinese immediately backed Hun Sen's government, tossed in \$3 million in military aid, and, since then, China has overtaken all countries in donor aid to Cambodia, including having donated \$256 million last year. This observation is especially relevant as Congress and the administration consider an appropriate diplomatic response to the recent deportation of 18 Uyghurs from Cambodia to China. This was done at China's assistance, and was also sweetened by the Chinese Government's giving \$1.2 billion in additional aid to Cambodia. Most people conclude that Cambodia had no choice in this matter, because the Chinese presence in that country, at all levels, is so pervasive.

The State Department's reaction, thus far, has been to condemn Cambodia for its deportation of political refugees, without publicly confronting the Chinese for having levied that demand on Cambodia.

Nowhere is this more obvious than in Burma, where Chinese influence has grown steadily, at a time when the United States has cut off virtually all economic and diplomatic relations. Since the tightest restrictions were placed on Burma, Chinese arms sales and other military aid has exceeded \$3 billion. Other public and private Chinese aid has been in the form of billions in interest-free loans, grants, concessional loans, and debt relief. There also have been numerous low-interest loans, tens of millions of dollars of which have gone to stabilize Burma's currency. And as only one example

of China's enormous investment reach, within the next decade China is on track to exclusively transfer to its waiting refineries both incoming oil and locally tapped natural gas via a 2,380-kilometer pipeline across Burma.

These examples, and more, illustrate that American sanctions and other policy restrictions have not only increased Chinese political and economic influence in Southeast Asia, they have, ironically, served as a double reward for China, because all the while American interaction in East Asia has been declining.

So, the ultimate question becomes, What standards should the United States apply in its relations with countries that do not share its belief in free and open political systems? And a second question follows. If we are to communicate and uphold these standards, under what conditions should they not apply to certain countries? These are not idle intellectual questions, they go to the heart of how America sees itself and also how America is viewed around the world.

In order to address these issues, today we are pleased to have with us Assistant Secretary Kurt Campbell. Prior to his confirmation in June 2009, Assistant Secretary Campbell was the CEO and cofounder of the Center for a New American Security, and concurrently served as director of the Aspen Strategy Group. He has served in several capacities in government, including as Deputy Assistant Secretary of Defense for Asia and the Pacific, a director on the National Security Council staff, Deputy Special Counselor to the President for NAFTA in the White House, and as a White House fellow.

Following Secretary Campbell's testimony, we will begin our second panel with Dr. Robert Sutter, of Georgetown University, and Dr. Robert Herman of Freedom House.

Dr. Sutter is visiting professor of Asian studies at the School of Foreign Service at Georgetown. Prior to this position, he specialized in Asian and Pacific affairs and U.S. foreign policy and an American Government career spanning 33 years. He's published 17 books, numerous articles, and several hundred government reports dealing with contemporary East Asian and Pacific countries and their relations with the United States, including his most recent book "The United States in Asia."

Dr. Robert Herman is presently director of programs for Freedom House. He has traveled extensively throughout Asia over the past 20 years as both an NGO representative and also as a U.S. Government official. He has more than 25 years of experience in democracy promotion and human rights. And his work in Asia has taken him to India, Nepal, Bangladesh, China, Japan, South Korea, Sri Lanka, and Thailand.

And, gentleman, all three of you, we appreciate your coming today, and we look forward to these discussions.

And at this time, I would like to introduce into the record a statement of Senator Inhofe, the ranking Republican on this committee, who is, at this moment, at an Armed Services Committee hearing, may come later, but we would like to introduce his statement at this point.

[The prepared statement of Senator Inhofe follows:]



PREPARED STATEMENT OF HON. JAMES M. INHOFE, U.S. SENATOR FROM OKLAHOMA

Thank you Chairman Webb, for holding this timely hearing to examine U.S. engagement in Asia. I welcome the opportunity to hear from the witnesses today—and especially from Assistant Secretary Kurt Campbell—about our policies toward various Asian governments, and what standards the United States should apply in its relations with countries that share our beliefs in free and open political systems, and with those that do not.

According to the just released 2010 Index of Economic Freedom published by The Heritage Foundation, Hong Kong, Singapore, Australia, and New Zealand hold the top four positions as possessing the greatest “economic openness, regulatory efficiency, rule of law, and competitiveness” out of the 179 countries ranked. Japan and Taiwan rank 19 and 27th respectively. While South Korea (27), India (124), Thailand (66), Sri Lanka (120), Malaysia (59) Indonesia (114) and the Philippines (109) reflect a wide swing in rankings, the nondemocratic, totalitarian regimes of China (140), Vietnam (144), Laos (138), Burma (175) and North Korea (179) hold the lowest rankings in the region.

Though not a precise indicator of democratic governance in East Asia—such a ranking would have to include factors like poverty levels, public health spending, literacy, transparency of electoral systems and respect for human rights—it gives a snapshot of how many of this region’s nations have progressed, and unfortunately how many have regressed.

It is a mixed result, and as such U.S. foreign policy must be sophisticated and nimble enough to utilize multiple approaches to further U.S. national security interests in East Asia. Realpolitic, unipolarity, pragmatism; whatever diplomatic strategy is implemented, it must also adhere to our core American values. That includes the pursuit of capitalism and free enterprise, but also respect for individual freedoms and basic human rights ensured through democratic institutions.

I will be particularly interested in hearing the witnesses’ comments regarding the U.S. relationship with China. Although the United States carries on a robust trading relationship with China, it is the Chinese Communist government which holds the largest share of U.S. debt, possesses foreign exchange reserves in excess of \$2 trillion and maintains a major trade imbalance with the United States. This Communist regime also continues to rely on repression and brutality to maintain its rule, continues to suppress political rights, such as free speech, press, and assembly—the censorship of Google is only the latest example—and violates basic human rights. This includes the Chinese crackdown on Tibetans and religious groups such as the growing Christian population and the Falun Gong. And women still face forced abortion and sterilization as part of China’s enforcement of its one-child policy.

I applaud President Obama when he spoke of respecting “fundamental human rights” on his recent trip to China, but I am still waiting to see if any actions have been taken by either the Communists or the Obama administration to address this crucial issue. Could it be that U.S. foreign policy directed at China is weighted too much in favor of capitalism and free enterprise and not enough in support of respect for individual freedoms and basic human rights?

I would very much like a response to this question from each of the witnesses.

Mr. Chairman, I again thank you for holding this hearing and commend you for creating a welcoming forum where open, frank, and I am sure productive discussion will occur.

Senator WEBB. And, Secretary Campbell, we greatly appreciate your taking the time to be with us today, and the floor is yours.

**STATEMENT OF HON. KURT M. CAMPBELL, ASSISTANT SECRETARY OF STATE, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC**

Mr. CAMPBELL. Mr. Chairman and staff, thank you very much for the opportunity to appear before you today. And thank you very much for your continuing leadership on Asian issues.

I’m very grateful for the chance to lay out, at a strategic level, at the outset, the goals and ambitions of the Obama administration, when it comes to Asia.

I’d would like to suggest that I put my testimony into the record and then proceed with some specific comments—

Senator WEBB. Without objection, your full statement will be entered into the record at this time.

Mr. CAMPBELL. Thank you. And then we can get down to some specifics, if we could, Senator Webb.

First of all, just at a very strategic level, Senator Webb, I would suggest to you one area that we are in profound agreement is the issue about American engagement in the region. I think if you ask many Americans today what is the central focus, regionally, of American foreign policy, they all would say it is South Asia. Now, there are obvious reasons. We have huge stakes in the ongoing challenges in Iraq, Afghanistan, and Yemen and elsewhere, but I would imagine, that in 20 or 25 years, when we look back on this period, I think it will be very clear that the central arena of historical and strategic challenges and opportunities for the United States is actually in the Pacific and that one of the things that President Obama and Secretary Clinton, Secretary Gates, I think, recognized, at the outset of a new administration, is that the United States needed to step up its game in Asia.

Now, occasionally there have been suggestions that this has been a discontinuity with previous administrations, in terms of the overall focus. I do not think that's the case. I think there is a strong bipartisan commitment to Asia, with specific steps and values that have animated our overall engagement for decades. I think the biggest change in the Obama administration has been an attempt to step up the intensity, to step up the level and the frequency of engagements. And one of the things that we've seen over the course of the last several months are high-level visits, not only of the Secretary's four trips to Asia during her first year, although the fourth was slightly aborted because of the ongoing challenges in Haiti; a Presidential trip to our treaty allies in China during his first year, and plans for subsequent travel; and then a number of initiatives, many frankly, influenced by your own encouragement; an attempt to put in place a more pragmatic approach, in terms of diplomacy toward Burma; the Secretary signing the Treaty of Amity and Cooperation; an intention on the part of the United States to play a more active role in the multilateral institutions of Asia; a recognition that in the 1990s, most of that architecture was trans-pacific, suggesting a strong role for the United States and more recently, I think, that some of the movements and dynamics were more Pan-Asian; and the very clear intention, made specific when the Secretary was in Hawaii last week, that the United States wants a more active role in the multilateral frameworks that are emerging in Asia; a very substantial attempt at comprehensive partnership with Indonesia; and the first-ever U.S.-ASEAN summit.

I think, in addition, the administration's putting together—some would say that it's taken a while—but has put together an economic and trade strategy associated with both the Trans Pacific Partnership and Korea Free Trade Agreement. We can talk about those dimensions in our give-and-take. And, I think, also an attempt to put forward a comprehensive strategy for dealing with and engaging China, one of the most complicated, challenging bilateral relationships that the United States is involved in. It has many different facets, as you have already underscored, Senator.

And so, I think there has been a recognition that the United States needed to step up its game. And I think we have attempted to do so in the Asia-Pacific region, overall. And I think there is a sense, in Southeast Asia, with our allies and with China, that the United States is, in fact, in the midst of that as we go.

I think you have also underscored, Senator, and we recognize, that Asia is a tremendously diverse region. There are varying degrees of political, economic, and strategic developments. Issues associated with democratization, human rights are a mixed bag, frankly. And, in fact, in many countries, some of which you have indicated, we have seen some backtracking. And some of that backtracking is worrisome.

Toward that overall picture, I think the United States under not just this administration, but previous administrations, had attempted to put together a coherent overarching regional strategy that recognizes the diverse ingredients that make up this dynamic region and to recognize that the overall strategy requires a diverse toolbox.

And, if I might just say, as we speak now, Senator, Secretary Clinton is giving a speech on Internet freedom, which is actually, in many respects, designed to deal with this new tool and the role that it has played in developing openness in a variety of countries globally, not just in the Asia-Pacific region. And, of course, the issue of Google in China will figure prominently in her overall remarks.

I think we recognize that it is essential, and there is an expectation and historical record, that human rights and democracy promotion is, and should be, a component of every one of our bilateral relationships in Asia. Some of them are different, they are varying in scope and intensity, but we believe that it is critical. And you have seen, more recently, specific indications of that. Bob King, the recently confirmed representative for North Korean human rights issues, has made an important trip around the region, and he is actively involved in our diplomacy toward North Korea. I think there is a recognition in this administration that we cannot separate any diplomatic initiative in North Korea from very concerning human rights situation in North Korea.

We are also involved in a dialogue to establish a new kind of human rights dialogue between the United States and China, to deal with a number of the issues that you have laid out, and others. And I think there are concerns that the United States continues to promulgate in our bilateral settings.

We also are in the midst, as you well understand, Senator, of the first phases of a strategy to begin direct discussions with the authorities in Burma. It is too early to give a report card on that effort, but we recognize that this is a critical period, 2010, with the intention of the government to hold elections at some point later this year.

There is also a desire, when it comes to global or regional issues of democratization and human rights, to raise these matters, not just in a bilateral setting, but to raise them in regional fora. So, for instance, at the ASEAN regional forum last year in Thailand Secretary Clinton raised issues of concern particularly in Burma, but not just in Burma, in a regional context. And, to our satisfac-

tion, we have seen a number of other countries, like Indonesia, the Philippines, increasingly talk about values and shared interests in a way that we think is very reinforcing. And, of course, those general tenets and beliefs are the foundation of our strong and deep partnerships with countries like Japan, South Korea, Australia, the Philippines, Thailand, and others.

Just as we go to questions now, Senator, I would say that I think the United States can take some general satisfaction about the historical trends. If you look at what has transpired since 1975 in Asia, largely due to a very strong American presence providing a security guarantee, and the ability for countries to overcome historical animosities, regional rivalries, anxieties about military competition, this strong American presence and the consistent message about the importance of the dignity of individuals, has led to, really, historically unprecedented results in the Asian-Pacific region. Large numbers of countries have trended democratic. Millions of people have been lifted out of poverty. A number of indicators suggest that the forward wheel of progress has been more significant in Asia than perhaps any other place on the planet. And the United States can take some satisfaction that we played an important role in this historical trend.

There is much yet to be done. I think, Senator Inhofe's very important statement underscores that, by many indicators, we have seen backtracking in several states. There are a number of countries that still have very disappointing human rights records and treatments of religious and ethnic minorities.

It is incumbent on the United States, not only to step up its game in the Asian-Pacific region, in terms of the level and intent of our diplomacy, but also as you prod us to do—to try to be consistent across economic variables, strategic variables, and the like. And that is what we are attempting to do as we go forward.

And again, I thank you for the opportunity for this dialogue today, Senator, and for making sure that Asian issues are not neglected amidst the already, you know, full agenda including health care and developments in Afghanistan and the like. So, thank you for that.

[The prepared statement of Mr. Campbell follows:]

PREPARED STATEMENT OF HON. KURT M. CAMPBELL, ASSISTANT SECRETARY OF STATE, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Mr. Chairman, Senator Inhofe, and members of the subcommittee, thank you very much for inviting me here today to testify about the vital importance of Asian-Pacific countries to the United States and the key aspects of our engagement strategy with the region.

There should be no doubt that the United States itself is a Pacific nation, and in every regard—geopolitically, militarily, diplomatically, and economically—Asia and the Pacific are indispensable to addressing the challenges and seizing the opportunities of the 21st century. Senator Webb, as you have eloquently noted, “The United States is a Pacific nation in terms of our history, our culture, our economy, and our national security.” As the Asia-Pacific century emerges, defining the new international environment, the United States must enhance and deepen its strategic engagement and leadership role in the region.

Our economic relationships demonstrate the mutual importance of the interactions between the countries of the Asia-Pacific and the United States. The region is home to almost one-third of the Earth's population. The Asia-Pacific accounts for almost one-third of global GDP and is a key driver for technological innovation.

American and Asian economies are growing increasingly interdependent while assisting the global economic recovery.

Despite significant economic growth and vitality, the Asia-Pacific region is home to many of the most pressing security challenges of the modern era. What is most often absent in our discussion about the "Asian miracle" are the challenges posed by uneven growth, poverty, and weak and ineffective governments. Hundreds of millions have yet to benefit from the fruits of the Asian miracle, and income inequality continues to strain the capacity of governments to respond. Perhaps the most significant unintended consequence of the Asian miracle has been the acceleration of greenhouse gases into the atmosphere. Asia's densely populated littoral nations will likely suffer as climatic variations target the region. Compounding these challenges is the proliferation of weapons of mass destruction, extremist groups in Southeast Asia, unresolved territorial disputes, and growing competition over energy and natural resources.

The severity and transnational nature of these challenges demand collective action and American leadership. They also suggest a need for America to enhance, deepen, and sustain our engagement to seize opportunities and minimize risk.

*Renewed Engagement Generates Results.*—Let me now take this opportunity to briefly list the steps we have undertaken over the past year to step up and broaden U.S. engagement in the region. First, we have newly reengaged in the region through visits of our senior leadership and attendance at high-level meetings. Our attendance has produced concrete results that further U.S. strategic interests. In November, President Obama spent 10 days visiting Japan, Singapore, China, and South Korea, strengthening U.S. leadership and economic competitiveness in the region, renewing old alliances, and forging new partnerships. Under the leadership and guidance of President Obama, Secretary Clinton, and Secretary Geithner, we hosted the first U.S.-China Strategic and Economic Dialogue in July 2009, and we will have follow-on discussions in 2010. The dialogue set a positive tone for the United States-China relationship, while underscoring challenges and opportunities to enhance that relationship. We continue to build the United States-Indonesia Comprehensive Partnership, which would provide a framework to broaden and deepen the bilateral relationship. Secretary Clinton has visited the region four times. Her first overseas trip as Secretary last February and her subsequent trips in July, November, and earlier this month bolstered bilateral relationships and enhanced U.S. ties to multilateral organizations.

The renewal of high-level engagement is producing tangible results. President Obama's November trip included participation in the 17th Annual Asia-Pacific Economic Cooperation (APEC) Leaders' meeting in Singapore, important for U.S. trade since APEC members account for 53 percent of global GDP, purchase 58 percent of U.S. goods exports, and represent a market of 2.7 billion consumers. APEC leaders endorsed the Pittsburgh G20 principles and agreed to implement the policies of the G20 Framework for Strong, Sustainable, and Balanced Growth, further expanding the global commitment to achieve more balanced growth that is less prone to destabilizing booms and busts. They also put forward a strong statement of support for concluding the Doha Round in 2010 and agreed to reject all forms of protectionism. In addition, Leaders agreed on core principles to promote cross-border services trade that will provide a strong basis for our efforts to facilitate and promote trade in services in the Asia-Pacific region. Leaders also pledged to make growth more inclusive through APEC initiatives that will support development of small and medium enterprises, facilitate worker retraining, and enhance economic opportunity for women. Finally, Leaders took steps to ensure environmentally sustainable growth in the region by agreeing on an ambitious plan to address barriers to trade and investment in environmental goods and services.

President Obama also attended the Association of Southeast Asian Nations (ASEAN) Leaders Meeting, the first ever with all 10 ASEAN members represented, providing a clear demonstration of renewed U.S. engagement with Southeast Asia. Secretary Clinton's July trip included meetings with regional Foreign Ministers at the ASEAN Regional Forum (ARF) in Thailand and the signing of the Treaty of Amity and Cooperation (TAC) with ASEAN nations. Her November visits to the Philippines, Singapore, and China included attendance at APEC Ministerial Meetings and meetings with allies and regional partners that further solidified relationships and deepened U.S. multilateral engagement.

Let me turn to another area of renewed engagement: Burma. Mr. Chairman, your leadership on this issue has been instrumental in changing our policy and initiating steps to engage the Burmese junta. As you are well aware, the administration's formal review of U.S. policy toward Burma reaffirmed our fundamental goals: a democratic Burma at peace with its neighbors and that respects the rights of its people. A policy of pragmatic engagement with the Burmese authorities holds the best hope

for advancing our goals. Under this approach, U.S. sanctions will remain in place until Burmese authorities demonstrate that they are prepared to make meaningful progress on U.S. core concerns. The leaders of Burma's democratic opposition have confirmed to us their support for this approach. The policy review also confirmed that we need additional tools to augment those that we have been using in pursuit of our objectives. A central element of this approach is a direct, senior-level dialogue with representatives of the Burmese leadership. Since I testified before you on the subject late last September, I visited Burma November 3 and 4 for meetings with Burmese officials, including Prime Minister Thein Sein, leaders of the democracy movement, including Aung San Suu Kyi, and representatives of the largest ethnic minorities. In my meetings, I stressed the importance of all stakeholders engaging in a dialogue on reform and emphasized that the release of political prisoners is essential if the elections planned for 2010 are to have any credibility.

Finally, I want to underscore the Obama administration's commitment to stepping up our engagement with Australia, New Zealand, and the Pacific Island nations. Secretary of State Clinton was en route to Papua New Guinea, New Zealand and Australia last week, but the pressing need to help organize U.S. assistance to Haiti led her to postpone that visit. Her trip builds on her meeting with Pacific Island leaders in September 2009 in New York, with all parties committing to work together to address climate change and other transnational issues. The U.S. Permanent Representative to the United Nations, Ambassador Susan Rice, has met regularly with her Pacific Island counterparts to share views and build cooperation on key issues before the United Nations. Within weeks of assuming my current responsibilities, I traveled to Cairns, Australia, to represent the United States at the Pacific Island Forum's Post Forum Dialogue of key partner countries and institutions. Australian Prime Minister Kevin Rudd chaired the proceedings, which focused on improving the coordination and effectiveness of development assistance efforts in the region.

*U.S. Principles for Engagement in the Asia-Pacific Region.*—The Asia-Pacific region is of vital and permanent importance to the United States and it is clear that countries in the region want the United States to maintain a strong and active presence. We need to ensure that the United States is a resident power and not just a visitor, because what happens in the region has a direct effect on our security and economic well-being. Over the course of the next few decades climate change, proliferation of weapons of mass destruction, and widespread poverty will pose the most significant challenges to the United States and the rest of the region. These challenges are and will continue to be most acute in East Asia. This situation not only suggests a need for the United States to play a leading role in addressing these challenges, but it also indicates a need to strengthen and broaden alliances, build new partnerships, and enhance capacity of multilateral organizations in the region. Fundamental to this approach will be continued encouragement of China's peaceful rise and integration into the international system. A forward-looking strategy that builds on these relationships and U.S. strengths as a democracy and a Pacific power is essential to manage both regional and increasingly global challenges.

With the positive outcomes of renewed engagement as a backdrop, I would like to discuss a series of principles that will guide our efforts moving forward. Intrinsic to our engagement strategy is an unwavering commitment to American values that have undergirded our foreign policy since the inception of our Republic. In many ways, it is precisely because of the emergence of a more complex and multipolar world that values can and should serve as a tool of American statecraft. Five principles guide the Obama administration's engagement in East Asia and the Pacific. In her January 12 speech in Honolulu, Secretary Clinton detailed the five principles for how we view the Asia-Pacific architecture and U.S. involvement evolving. These include the foundation of the U.S. alliance system and bilateral partnerships, building a common regional economic and security agenda, the importance of result-oriented cooperation, the need to enhance the flexibility and creativity of our multilateral cooperation, and the principle that the Asia-Pacific's defining institutions will include all the key stakeholders such as the United States.

For the last half century, the United States and its allies in the region—Japan, the Republic of Korea, Australia, the Philippines, and Thailand—have maintained security and stability in East Asia and the Pacific. Our alliances remain the bedrock of our engagement in the region, and the Obama administration is committed to strengthening those alliances to address both continuing and emerging challenges. The United States, therefore, must maintain a forward-deployed military presence in the region that both reassures friends and reminds others that the United States will remain the ultimate guarantor of regional peace and stability. There should be no mistake: the United States is firm in its resolve to uphold its treaty commitments regarding the defense of its allies.

Our alliance with Japan is a cornerstone of our strategic engagement in Asia. The May 2006 agreement on defense transformation and realignment will enhance deterrence while creating a more sustainable military presence in the region. The Guam International Agreement, signed by Secretary Clinton during her February 2009 trip, carries this transformation to the next stage. As part of our ongoing efforts to assist the Government of Japan with its review of the Futenma Replacement Facility (FRF) Agreement, a high-level working group met in Tokyo in November and December, and the Government of Japan is continuing its review. In addition to our focus on these issues, we are working to create a more durable and forward-looking vision for the alliance that seizes upon Japan's global leadership role on climate change and humanitarian and development assistance programs, to name a few. As we approach the 50th anniversary of the alliance, we will work closely with our friends in Japan to think creatively and strategically about the alliance.

We are also working vigorously with our other critical ally in Northeast Asia, the Republic of Korea, to modernize our defense alliance and to achieve a partnership that is truly global and comprehensive in nature. Building off the Joint Vision Statement between Presidents Obama and Lee Myung-bak, we are committed to creating a more dynamic relationship that builds on our shared values and strategic interests. We look forward to the Republic of Korea's growing international leadership role as it hosts the 2010 G20 Leaders Meeting.

Japan and the Republic of Korea have been key partners in our joint efforts to maintain peace and stability in Northeast Asia and, in particular, to denuclearize North Korea through the Six-Party process. The process suffered serious setbacks in 2009 with North Korea carrying out a series of provocations including its April 5 missile test and its May 25 announcement of a second nuclear test. As President Obama said, North Korea's actions blatantly defied U.N. Security Council resolutions and constitute a direct and reckless challenge to the international community, increasing tension and undermining stability in Northeast Asia. However, the international community's unified response to North Korea's provocations is another example of the fruits of U.S. engagement. The U.N. Security Council, led by our Five-Party partners, unanimously condemned the DPRK's provocative actions and passed UNSCR 1874, introducing tough sanctions against North Korea's weapons and proliferation finance networks. When North Korea began to show renewed interest in dialogue later in the year, the United States sent U.S. Special Representative for North Korea Policy Ambassador Stephen Bosworth to Pyongyang on December 8 for discussions with North Korean officials about the nuclear issue. In these discussions, the DPRK reaffirmed the importance of the Six-Party Talks and the September 2005 Joint Statement on the verifiable denuclearization of the Korean Peninsula in a peaceful manner. We did not, however, reach agreement on when and how North Korea will return to Six-Party Talks, a matter that we will continue to discuss with Asian partners early in 2010.

Our deep and sustained engagement with China continues to yield progress on important international issues, such as the global economic recovery, climate change policy, and efforts to denuclearize the Korean Peninsula. However, we obviously do not see eye to eye with China on every issue, as evidenced by our discussions on human rights and concerns over China's opaque military modernization and exclusionary industrial policies. We will continue to address these issues through continuous and frank dialogue, seeking out Chinese cooperation on areas of mutual concern while directly addressing differences. A recent example of this approach is our engagement regarding Google's troubling allegations regarding intrusions and the routine accessing of human rights activists' e-mail accounts by third parties. U.S. officials have emphasized the importance of China's addressing the concerns raised by Google as well as the importance of Internet freedom as a central human rights issue.

We need to recognize Asia's importance to the global economy. Close United States-Asian economic cooperation is vital to the well-being of the United States and international economic order. However, as President Obama noted in his recent trip to Asia, "We simply cannot return to the same cycles of boom and bust that led us into a global recession." The United States and Asia need to emphasize balanced growth and trade.

It is worth highlighting that four Asian economies (China, Japan, the Republic of Korea, and Taiwan) are now among our top 12 trading partners. Today, the 21 APEC economies purchase almost 60 percent of U.S. goods. Taken as a group, ASEAN is also a large and critical trading partner. The strong Asian participation in APEC, the WTO, and the G20 reflects the increasing importance of Asian economies and their centrality to strengthening the multilateral trading system and maintaining our economic recovery.

Continued integration of the economies of this region will create new business opportunities, benefiting workers, consumers, and businesses and creating jobs back here in the United States. Despite strong export growth to the Asia-Pacific, the United States share of the total trade in the region has declined by 3 percent in the past 5 years. To reverse this trend, we will continue to work with the Congress, stakeholders, and the Republic of Korea to work through the outstanding issues of concern so we can move forward on our bilateral free trade agreement. We will also enter into negotiations of a Trans-Pacific Partnership Agreement, as President Obama announced to APEC leaders in November. As the administration stated when it announced its intention to launch these negotiations, we intend to work in partnership with the U.S. Congress and stakeholders to shape a high-standard, broad-based regional agreement that will serve as a potential platform for economic integration across the region. This is an exciting opportunity for the United States to engage with some of the fastest growing economies in the world as well as to update our approaches to traditional trade issues, address new issues, and incorporate new elements that respond to 21st century challenges.

The U.S. commitment to democracy and the protection of human rights is an intrinsic and indispensable aspect of our character as a nation and our engagement in the Asia-Pacific region. Let me be clear, the promotion of democracy and human rights is an essential element of American foreign policy. It is part of who we are as a people. We believe human rights are not only core American values, but universal values. These values are a force multiplier in a region where democratic norms are on the ascent. We believe that citizens around the world should enjoy these rights, irrespective of their nationality, ethnicity, religion, or race. The United States will continue to speak for those on the margins of society, encouraging countries in the region to respect the internationally recognized human rights of their people while undertaking policies to further liberalize and open their states. As President Obama said in his speech on the way forward in Afghanistan and Pakistan, "We must promote our values by living them at home—which is why I have prohibited torture and will close the prison at Guantanamo Bay." President Obama has eloquently stated that our willingness to speak out on human rights and other democratic values is the source of our moral authority and courage.

In order to ensure that human rights and the development of the rule of law and civil society remain strong pillars of our engagement, we will continue to adopt new and creative approaches that seize the opportunities of a dynamic information age. The freedom to speak your mind and choose your leaders, the ability to access information and worship how you please are the basis of stability. We need to let our partners in the region know that we will always stand on the side of those who pursue those rights.

Democratic governance is rapidly evolving within Asia; advancing human rights, freedom, and democracy is critical to alleviating poverty and conditions that catalyze extremism. Sustained economic growth requires governments that are transparent, noncorrupt, and responsive to the needs of their people. Our strategy is to maintain pressure on local decisionmakers to improve governments' human rights records while cooperating closely with international and nongovernmental organizations involved in monitoring and reporting on human rights.

As the Asia-Pacific region evolves, so should our own approach to multilateral economic and security cooperation. The President stated in Tokyo that we aim to participate fully in regional organizations, as appropriate, including engaging with the East Asian summit. Secretary Clinton spoke in Honolulu of the need to enhance the flexibility and creativity of our multilateral cooperation. We plan to consult with allies and partners in the region and with Congress on how the United States, working with our Asian counterparts, can join and shape the region's evolving multilateral bodies. Strong, multilateral links to Asia can help ensure that the United States remains a critical part of this dynamic region.

Multilateral engagement can be an effective way to address our efforts to deal with transnational security challenges such as climate change, pandemics, or environmental degradation. For example, steps taken by APEC and ASEAN to improve cooperation among regional emergency management agencies is an important step in light of the spate of recent natural disasters that have battered the region. Multilateral efforts are also proving effective in addressing new transnational threats such as terrorism, piracy that threatens our sea-lanes, and traffickers who exploit women, children, laborers, and migrants.

In 2011, the United States will host APEC for the first time in 18 years, providing us with unique opportunities to demonstrate our commitment to and engagement in the region, shape the organization's agenda in ways that reflect our values, and will help U.S. businesses and workers compete on a more level economic playing field in this dynamic region. Through APEC, we will continue to advance regional



economic integration, reduce barriers to trade and investment in the region, and help rebalance the Asia-Pacific economies. Working with ASEAN, the United States will seek to streamline and strengthen the ASEAN Regional Forum's (ARF) institutional processes and create a more action-oriented agenda, especially with respect to transnational and nontraditional security challenges.

#### CONCLUSION

The United States faces a number of critical challenges in the coming years in its engagement with Asia. These include rising and failing states, proliferation of weapons of mass destruction, critical global issues like climate change, violent extremism in some parts of Southeast Asia, poverty and income disparity. The essential ingredient in meeting these challenges is United States leadership. We need to play an active role in helping the countries of the region to enhance their capacity to succeed. The region is vital to U.S. interests not only in the Asia-Pacific context, but also globally. We are a vital contributor to the region's security and economic success. The Asia-Pacific region, in turn, has a profound impact on our lives through trade, our alliances, and partnerships. As the region continues to grow and as new groupings and structures take shape, the United States will be a player, not a distant spectator. Under President Obama and Secretary Clinton's leadership, we are ready to face these challenges. We look forward to working with Congress and this committee to seek opportunities to influence positively the future direction of the region.

Thank you for extending this opportunity to me to testify today on this pressing and vitally important issue. I am happy to respond to any questions you may have.

Senator WEBB. I thank you for your comments, and also for your written statement, which, as I said, is a part of the record.

And let me begin by saying how much I appreciate the efforts in this administration, from Secretary Clinton's initial decision to make her first visit to Asia and to, as you put it, to put East Asia back on the map, in terms of the focus of the American people. As you and I have discussed on a number of occasions, we have spent so much emotional energy and blood and treasure with the situations in Iraq and Afghanistan, over the past 7 or 8 years, that when Americans look at Asia, they tend to think, principally, of China, and, on a good day, maybe China and Japan. But, it is really important for people in this country to understand the larger dynamic at play, in terms of our national interests, in the countries of ASEAN, which number at probably 650 million people, added up, and the growing future that we should be having in trade, commerce, as well as security issues.

So, I want to make sure that, at the outset of this discussion that we're having today, that I reemphasize how vital this region is, and how positive, I think, in general, our relations are. We have some very serious questions of immediate concern. We'll talk a bit about those. And then we have the question that doesn't really get raised that often, which is the principal reason that I decided to hold this hearing. And that is the importance, from a United States perspective, of ensuring that the countries in this region know that we have consistency, in terms of how we approach these issues of, as you put in your testimony, the promotion of democracy and the respect for human rights.

And let's just make sure we know where we are on these issues, in terms of country by country.

First, there is a difference in our discussion that is not clarified enough, in my view, and that is between human rights issues and evolution-of-democracy issues. They're two separate issues. We tend to lump them together in our discussions. But, if we are—I'm going to read from your statement, "Intrinsic to our engagement

policy is an unwavering commitment to American values that have undergirded our foreign policy since the inception of our Republic. The promotion of democracy and human rights is an essential element of American foreign policy.” This is from your written statement.

I’d assume you would agree that there is a difference between issues of human rights and the evolution of democracy, when it comes to systems. They are compatible goals, but they are two separate approaches. Would you agree?

Mr. CAMPBELL. I would, Senator. And I would even go further than that. I think there are many elements of a comprehensive strategy associated along the lines that you have laid out. It is not just human rights, it is not just democracy promotion, it is the role of the rule of law, the role of civic society. And so, there are many measurements and, in fact, many tools that one looks for as part of a comprehensive engagement with states that are struggling along this path to development.

Senator WEBB. Could you review for us the extent to which we have been promoting democracy in a country like China?

Mr. CAMPBELL. Would you like me to describe this primarily in this administration or—

Senator WEBB. Well, in terms of government policy rather than aspirations.

Mr. CAMPBELL. Yes. I would say, first of all, in my experience, in every single high-level meeting that I have been a part of, either with the President or the Secretary or my own interactions, the subject of human rights has come up in every single meeting. Many times those interactions can be extensive and quite tense. They range not only—from treatment of groups within China to specific individual cases.

In addition, I think that there has been an attempt to understand the historical trends that are at work in China, and to appreciate, for instance, the role of the Internet and how the Internet is playing. There are more Internet users in China than there are outside of China, a huge growing number of bloggers, recognition that, although there is substantial censorship inside the country, many Chinese users believe that this capability, this technology, has provided them the ability to raise concerns about corruption, about health care, and the like.

When President Obama visited China in November, he held the first-ever cyber townhall in which tens of millions, probably close to 100 million, Chinese interlocutors and citizens had the chance to review his comments and see his views online.

I think the matter that you have raised about, for instance, the Uyghurs in Cambodia, was raised, not just with the Cambodians. And I do fundamentally agree that the pressure brought on Cambodia was substantial, but we have also raised it with Chinese interlocutors.

So, I do believe that this is an issue that is part of our strategic dialogue with China. Chinese interlocutors expect it. It would be an enormous mistake for any administration to neglect this critical dimension of our foreign policy. I think it is also the view of particularly President Obama and Secretary Clinton that not only is it important to talk about these values, but to live them. So, when

the President talks about specific issues, he believes it is extraordinarily important to be consistent on Guantanamo and torture and the like. And so, he has been very clear with interlocutors, both domestically and internationally, that he believes that the United States itself has to stand by a higher standard.

So, I would just say, Senator, that the administration believes that these issues are of central importance. They are not stand-alone issues, they have to be taken in consideration with a broad range of issues, such as China's role in the fledgling financial revival; the strategic issues arising from Chinese military capabilities; a very dynamic Chinese strategy to play a larger role, not just in Southeast Asia, but in Asia as a whole. And so, it is very clear that, to have a successful strategy toward China—and that is an enormous challenge—this has to be part of that overall strategy. But, it can't be a stand-alone issue, either.

Senator WEBB. All right. Let me give you my reaction to—

Mr. CAMPBELL. Yes.

Senator WEBB [continuing]. To that statement, and ask you another follow-on question.

Those are all valid points. They basically go to human rights issues rather than democratic-systems issues, which sort of is illustrative of the concern that I was just mentioning. And this doesn't just to go into the China situation. It's to talk about, fundamentally, whether we have a consistent policy that people in all countries in Asia can understand.

You mention Internet access, and I agree with you that it's a great tool, in terms of getting information in and elevating of public consciousness. You can see it also in Vietnam; I think there are now 40 million Internet users in Vietnam, which, per capita, probably is even higher than China.

At the same time, we know of the situation, last week, where Google announced that it had been the target of cyber attacks. They've confirmed that it came from within China. They've also made statements that this is a general pattern, not simply designed toward Google and not necessarily designed toward business interests. And, at the same time, there was an article in the Washington Times yesterday indicating that the administration had downgraded the level of concern about Chinese activities. Rather curious timing, in terms of administration policy.

With respect to—staying on the human rights question for a minute—with respect to human rights situations inside China, these are the numbers that I received from my staff, from the State Department's report on human rights. Vietnam has an estimated 35 political detainees, perhaps as high as 400, according to Human Rights Watch. Burma has 2,100, and that includes political prisoners, merchants, violators of state security laws, and those convicted of religious disturbances. China has, "tens of thousands" of political prisoners remaining incarcerated. And the number of Tibetans detained, in the months following the 2007 protests, is estimated at more than 6,500.

So, before we get even to the question of democratic systems or how we articulate our desire to see democratic systems in these very different countries, as I pointed out in my opening statement, we do have serious concerns on human rights issues. And I know

that the State Department and others are watching them. But, they are serious, and they do go to the standards that we apply, no matter what governmental system happens to be in place.

The second question is more a question, I think, of pragmatics, but it's not unimportant, in terms of how people in the region, and in the world, view the credibility of what the United States says when it talks to one country or another about governmental systems.

To my knowledge, we have never suggested to the Chinese Government that they hold free elections or have minority political parties or any of those sorts of things. Nor have we, in Vietnam, at least since the Paris Peace Talks of many, many years ago, as I mentioned. And the Hanoi government signed on to internationally supervised free elections, 1973. That's not been a part of the formula, when realistically and pragmatically, we shouldn't—I'm not saying, today, we should stand up and say that, but if you're in another country where the United States is taking a different line, you look for consistency. And I think that's what the comment was all about from the former Indian minister that I mentioned in my opening statement.

And you see countries like Thailand, which are very evolved in terms of individual freedoms and free press. Even after the coup, the local elections took place. And you see a lot of pressure from the United States, cutting off different types of government-to-government relations.

And then we see the situation in Burma. And I want to be very clear, I'm not trying, in any way, to defend the actions of the military junta. We're trying to figure out a way to open up dialogue.

But, when you see these sorts of inconsistencies, if you are someone sitting in Southeast Asia right now, how would you explain what the overall objectives are of the United States, in terms of governmental systems?

Mr. CAMPBELL. It is a powerful question, Senator, and I will try to answer it with a couple of specifics. And I think your overall point—that one of the most important dimensions of American policy, in its implementation, is to make sure that you are both realistic and pragmatic. And so, when I talk about the number of factors that come into play, in terms of the formulation and execution of policy, let's take a few specifics.

You talk about Vietnam, a country that you have forgotten more about than I will ever know. So, I recognize I am treading into an area of a profound expertise. But, if you look, historically, in the period before diplomatic recognition, we laid out some very clear things that we wanted the government to do, both in terms of closing of reeducation camps, some specific issues associated with its neighbors, and some steps associated with the economy.

I would say, over the course of the last several years, we have seen some enormous progress in a number of areas in Vietnam. Extraordinarily dynamic economic performance, perhaps rivaling and exceeding capabilities and progress in other places in Southeast Asia and in parts of China. Very important, very impressive. The growth of certain kinds of civil society and certain religious freedoms recently has been extremely important.

And an important dimension, Senator, that we have not discussed is, What is the attitude of the government toward the United States? The truth is, unlike some countries, at best, Burma is ambivalent about the United States. I know of few countries who are more actively interested in a better relationship with the United States than Vietnam, something that you know very well.

So, in the plus ledger, there are some very important positive developments that the United States needs to recognize as we look at a larger strategic framework, that you know, again, better than I do, in Asia. But, at the same time, frankly, in the recent period, we have been worried and concerned by some developments that we have seen domestically in Vietnam.

What we try to do in that dialogue is, again, recognizing that no cookie-cutter-like approach works, we have to sculpt each strategy toward each bilateral relationship and make very clear to our Vietnamese interlocutors that we, too, want a better relationship; we, too, want to work more closely together. Some of the domestic problems, not just human rights, but the lack of progress in certain areas, societally, that you underscore, make it difficult for the United States. But, over the course of the last 15 or 20 years, through suggestions from the United States, we have seen enormous progress on a variety of fronts in Vietnam.

Burma is a very different case, Senator, and, I think, one that you know well. Burma has had elections. Those elections have been overthrown.

I think, one of the things that we could argue about, and could debate—I think, in the past, perhaps the leadership of Vietnam was not as interested in the welfare of the people. Through a variety of interactions, including those of yourself and others in the United States, although we still have a repressive Communist regime, there is clearly a greater interest in the welfare, economically, of its people than 15 or 20 years ago.

I am not sure we have yet seen that corner turned in Burma. I think there are some very substantial concerns about how its leadership views the people; the quality of life of the people; issues associated with ethnic minorities; treatment of legitimate politically elected groups; and, on top of that, attitudes toward the United States and concerns about proliferation.

And so, what we try to do, Senator, when we look at each country, is look at the full range of issues that we are confronting. But, at the same time, what we are trying to do, under your encouragement, is to be more pragmatic and to improve our standing, across the board, and to recognize that we must engage with the world, as we find it, not always as we wish it to be, and we seek improvements in each situation according to what is possible, what is pragmatic, and what is achievable.

Senator WEBB. Well, let me first say that, if you looked at Vietnam in 1991, when I first started going back there, you wouldn't see much difference from the attitude in Burma today. Among governing people, they were very isolated; they were a part of the Soviet sphere; they were, you know, getting billions a year from the Soviets; they were suspicious of the outside world.

We didn't have trade relations, because of the trade embargo that followed the Communist takeover, which I supported, by the

way, as you know, for many years. I changed my mind in the mid-1990s and early 1990s, once the Japanese lifted their trade embargo.

But, certain of the conditions that you mentioned really are a product of isolation. And when you have small opportunities, the smartest thing to do is to take them, and to see if you can build something on them, which is actually what happened in Vietnam.

And Vietnam is not perfect. It's far from perfect. It doesn't allow an opposition party. And I don't want this whole testimony to get into a discussion between Vietnam and Burma, because—

Mr. CAMPBELL. Yes.

Senator WEBB [continuing]. There's many, many other issues for us to discuss.

But, the best way for the United States to be understood inside these isolated countries is to do what we can, according to the precepts which we believe as a nation, to open up those societies and let them see the outside world.

And a concern that I have is, if you on the other side of this is that if we, as a nation, tolerate certain activities by closed systems that have a great deal of power, as with some of the recent activities from China, then these emerging governments will see that there is no accountability for negative behavior and, as a result, will continue in the other direction.

For instance, we just saw, very recently, in the last couple of weeks, in China and then in Vietnam, the decision to imprison certain dissidents who were, essentially, speaking their minds, as much as anything else. What would your thoughts be about that sort of behavior?

Mr. CAMPBELL. Thank you, Senator. I agree, we—just back on one point, I agree with your statement about Vietnam in 1991. But, what we saw throughout the 1990s were occasionally dramatic, but most often incremental, steps by the leadership in Vietnam, a direct communication with the United States about a desire to have a better relationship. And over a period of 10 years, that relationship was fundamentally transformed, largely due to the encouragement of people like you and Senator McCain and others, who shed blood and committed themselves to a profound engagement with that country.

We are attempting to take that first step with Burma—again, with the encouragement of people like you. But, I do want to underscore that one cannot dance on a dance floor alone. We have been very clear about the things that we are prepared to do. We have communicated them at a high level. And, Senator, I must say, you know this, we've done some of those things already. We are looking for some clear signals from the junta about their intentions on the way forward.

And so, I fundamentally, violently agree with your logic here. And we acknowledge that we are at the very beginning of this process, but this will not be a one-way affair. We will need to see reciprocal steps, even if those steps are small ones. And we think it is important. So, I completely agree with you, more generally.

On the issue of—

Senator WEBB. Let me just—

Mr. CAMPBELL. Please.

Senator WEBB [continuing]. If I may, having visited Burma last August and having met with all their top leadership, and then had subsequent meetings in the United Nations here, I was a part of that journey in the 1990s with Vietnam. And people are right, Burma is not Vietnam. Vietnam is not Burma.

At the same time, the process, as you correctly say, is a gradual process over time. But, it was not simply the Government of Vietnam deciding that they wanted better relations in the early 1990s. They had faced a situation, with the demise of the Soviet Union, where they were not receiving the same support, financially and otherwise, from the Soviet Union. But, there was a lot of resistance, inside the Government of Vietnam, to moving forward. And it was very important for people, at a lot of different levels, to bring the mid-level people from the Vietnamese Government out—the future leaders—to allow them to see, with their own eyes, the way that the rest of the world was working, and to do a lot of other things.

So, I didn't see a complete resistance in the Burmese Government. And this is not the appropriate place for the discussion, and I would say that looking at the situation, I have seen some positive movement, in terms of how they are dealing with Aung San Suu Kyi and her political party, and having met with a number of groups here, too, as well. So, I didn't want to—

Mr. CAMPBELL. Yes.

Senator WEBB [continuing]. To let that go without some sort of a reaction to it, that it's, by no means, a slam dunk, but I don't think you're out there on a dance floor all by yourself—

Mr. CAMPBELL. Yes.

Senator WEBB [continuing]. Either.

Mr. CAMPBELL. I did not mean to indicate that I was. What I was trying to indicate to you was that when the United States articulates a strategy, a desire to engage, whether it's in North Korea or it is in Burma, there is an understanding that we will be pragmatic, we will demonstrate where we can be flexible, but we expect results. And I would be the first to say that I think we see at least some signs that we are looking forward to follow up on. But, it is also the case, Senator, if we are both honest, it is still too early to tell, and much more needs to be done.

On your earlier point about a variety of developments in Southeast Asia, and also in China, in terms of treatment of both dissidents and minority groups, I think it is incumbent on the United States to raise those issues at the highest levels.

I think, occasionally, and again, I am relatively new to the State Department, to be perfectly honest, we have dialogues internally with senior-level people, and we sometimes discuss and debate about what is the most appropriate way to manage and handle situations. Is it better to be outspoken and public? Is it better, in certain circumstances, to use the quiet channels of diplomacy? And, truth be told, probably the most successful strategies involve elements of both. And that is what we have tried to do, across the board.

And so, there have been times where we think it's important to speak out loudly and clearly, in circumstances in China and other parts of Southeast Asia, and there have been other circumstances

where we think it perhaps is more prudent, and we have a better chance at getting the short-term achievements that we're looking for, by managing things quietly and carefully behind the scenes.

I mean, that is the essence of diplomacy. It also leads, often, to substantial second-guessing, which I understand. But, I think what is important to underscore is that I would say that I spend a substantial part of every day thinking about both individual cases and also questions of state policy when it comes to these critical matters.

Senator WEBB. And you mentioned something in your oral remarks that I think it's worthwhile to follow up on, and I'd like to hear your specific thoughts on it. And that is that, as we both know, as all of us in this room know, Asia is really moving toward multilateral relationships. And it's positive. ASEAN is one of the great things that's happened in East Asia in the post-World War II period.

If we are desirous of promoting certain types of governmental behavior, it would seem to me that the best way to do so, along with our economic and cultural interests, are to reaffirm our relationship with countries like Japan, and to build partnerships that demonstrate the validity of the way that these systems work. What are your thoughts on that?

Mr. CAMPBELL. Thank you. I really appreciate the question. Let me try to answer it in two parts, and I will do the last part first.

I think there is a recognition now—and again, this is not new, it is something that you see consistently, over several administrations—but we have a much greater chance at success at major initiatives if we bring our like-minded partners along.

So, for instance—you know, yes, there is a lot of debate about a particular base in Japan. Well, we do not need to get into that—but, the truth is, if you look at what Japan has done over the course, Senator, of the last several months in a variety of areas, it is really almost unprecedented. And they have gotten remarkably little credit for it.

Who, today, is the largest provider of aid in Afghanistan? It is Japan, a \$5 billion commitment, the largest by far. They pay the salaries of most of the policeman and other critical parts of civic society in Afghanistan.

Which country stepped up with the United States at Copenhagen to say, "Look, yes, we can talk about limits, we can talk about quotas, but let us talk specifically about the urgent programs that will be necessary to deal with the poor that will bear the burden of climate change"? Japan.

Which country has been helpful, in terms of piracy prevention in the Gulf of Aden? Japan.

Which country, immediately after the Secretary's announcement of the Mekong Initiative, stepped up with resources to try to help support this overall effort? Japan.

We are trying to work with Japan and a new Korea Government that has adopted an outward profile, a sort of global Korea, much more interested in the promotion of shared values and expectations. We are trying to work with other like-minded states in the Pacific as we step up our game, something that you've talked about. We are proud, we have opened up USAID offices. We are



working more closely with our partner nations on development objectives in the Pacific.

These programs extend, not just to Japan and Korea and Australia, but, increasingly, to India, a country that is now demonstrating a greater desire to play a role in the Asia-Pacific region.

So, no element of American policy could be more important, in my view, than the sort of value-added multiplicity associated with not working alone, but working with other like-minded states.

And, Senator, I have gone on so long, this shows you how out of step I am, I have forgotten your first question. So, I apologize. I—

[Laughter.]

Senator WEBB. You answered it.

Mr. CAMPBELL. OK. Did I? I think I answered the second question.

Senator WEBB. Well, I think—well, you know, I totally agree with you. We tend to forget, in this country, the amazing story of Japan since the end of World War II—

Mr. CAMPBELL. Yes.

Senator WEBB [continuing]. In terms of its form of government and the economic energy and the vitality of its culture and the contributions the Japanese have made alongside us in many, many areas. So, I would very much appreciate your observations.

Mr. CAMPBELL. I just remembered the point that you made about multilateralism and about institutions in Asia. I think there is a general perception that, you know, if you look—if there is this tendency to want to compare Europe and Asia. And although Asians are very polite, one of the things they hate is when people come and explain how their institutions are inferior to European institutions, or different.

The biggest and most pleasant surprise I have had there have been many, but one of them since coming to office has been to see the dramatic progress that an organization like the ASEAN Regional Forum has made in just a short period of time. It is much more serious, much more focused on the critical issues that define the region; and the United States wants to be part of that.

When we talk, Senator, about the great achievement, institutionally of ASEAN, it seems to me that what you are describing, this inconsistency, this difficulty in coherence, is occasionally not simply exhibited or demonstrated by the U.S. Government. You see it, actually, is in the region, as a whole. And so, there is this desire, in ASEAN, to act in a unified, collective, coherent way, but one of the challenges that ASEAN has faced in recent years is the dramatic differences between their government structures and their outlooks.

And so, we see, increasingly, gaps developing between emerging dynamic democratic states like Indonesia and countries like Burma that are still struggling at a much different level of development.

And so, for us, we think one of the reasons why it is important to promote these shared values and goals is that, ultimately, for ASEAN to be effective, to be the dominant institution of Asia and when you talk about ASEAN, Senator, it is not just some modest success. ASEAN is economic performance, in terms of overall trade,

exceeds economic interaction with Europe. And I do not think that is appreciated or well known by most Americans.

But, for the organization to be successful, it has to have a greater leveling effect. And the only way that happens, I think, over time, is if there is a shared aspects and aspirations associated with government attitudes and the like.

Senator WEBB. I would agree. At the same time, one of the precepts in ASEAN is that, if you are a member, then you are treated equally inside ASEAN, as a member. It creates something of a difficulty for the efforts that we have been looking at here, in terms of putting together a Free Trade Agreement with ASEAN, which is something that I believe would be beneficial to the country, if we were able to do it. And I say that because of the situation with the sanctions in Burma at the moment.

But, as we move forward in the region, again, we've got this two-headed difficulty here, the two parts that seem to collide on all issues of policy; and that is, on the one hand, we must be pragmatic as a nation, and, on the other hand, we cannot retreat from the values that we espouse. And that goes to systems of government.

And there's an old saying in Asia, many years ago, I remember, from when people were discussing some incidents in China during World War II, "Did you kill the chicken to scare the monkey?" You know, you take a small incident, and it has larger reverberations.

Mr. CAMPBELL. Yes.

Senator WEBB. And if we are not consistent in how we deal with these incidents, such as locking up dissidents and these sorts of things, in a country like China, then the rest of the region does not believe we're serious about what our policies really are. Would you not agree?

Mr. CAMPBELL. I agree with that, Senator.

Senator WEBB. Well, I appreciate, very much, your coming today. This is, I think, a fresh opportunity to try to bring some consistency into our policies. And, again, I thank you for your testimony.

Mr. CAMPBELL. Thank you, Senator.

[Pause.]

Senator WEBB. We will now begin our second panel.

We would like to welcome Dr. Robert Sutter of Georgetown, and Dr. Robert Herman of Freedom House. I—

Dr. HERMAN. Thank you.

Senator WEBB [continuing]. Related their extended biographical information at the beginning of this hearing. And, once Secretary Campbell departs—

Dr. HERMAN. He is here.

Senator WEBB [continuing]. With his entourage, we will—

[Laughter.]

Senator WEBB [continuing]. Begin.

Dr. Sutter—

Dr. HERMAN. He is here. He stepped out—maybe he got swept away with the entourage. [Laughter.]

Senator WEBB. Well, Dr. Herman, welcome. And when Dr. Sutter, shows up we will give him, also, the opportunity to testify. Thank you very much for being with us today.

**STATEMENT OF ROBERT HERMAN, DIRECTOR OF PROGRAMS,  
FREEDOM HOUSE, WASHINGTON, DC**

Dr. HERMAN. My pleasure. Thank you. Thank you, Mr. Chairman.

Let me begin by thanking you for convening this important and timely hearing on Principles of U.S. Engagement in Asia. I'm honored to appear before the subcommittee as a representative of Freedom House, an independent nongovernmental organization committed to the expansion of freedom around the world.

We carry out that mission through a variety of—or, through a combination of research and analysis, advocacy, domestically and internationally, and programs, some that are funded by the U.S. Government that provide direct support to democracy and human rights activists, particularly in repressive political environments.

It is our considered view that U.S. policy must accord high priority to the advancement of democracy and human rights around the world. Indeed, over several decades successive administrations, Democratic and Republican, have understood that helping to build a world in which governments respect the fundamental rights of their people, and those in power derive their authority and legitimacy from the consent of the governed, advances U.S. vital interests.

As importantly, the United States and like-minded allies have sought to protect and strengthen universal human rights as an end in itself. History has demonstrated that nurturing democracy and human rights, and the values that underpin them, is both the right and the smart thing to do.

Recent statements by President Obama and Secretary of State Clinton, reaffirming the centrality of democracy, human rights, and the rule of law in the formulating of U.S. foreign policy, are especially welcome in light of the siege against activists launched by authoritarian regimes in every region of the world.

Asia, as we heard this morning, is a region of seminal importance to the United States. American policymakers confront an exceptionally diverse landscape, in terms of history, language, culture, and levels of economic and political development. The principles that shape our engagement with those countries of the region should reflect our core values, which include support for democratic governance, rule of law, and fundamental freedoms.

But, the precise nature of our engagement will, and should, vary from country to country, due to a different constellation of local conditions, challenges, and opportunities largely shaped by the character of the political system. Our relationship with China or North Korea will qualitatively—will be qualitatively different than our relationship with Japan, Australia, or Indonesia. But, by the same token, strategies to support human rights in Cambodia will differ appreciably from strategies pursuing the same goal in other equally inhospitable settings—for example, Vietnam.

Rather than an inconsistent application of essential principles, what might be termed “pragmatic idealism” blends normative commitment and the crafting of circumstances, tailored policies that work.

In Asia, United States engagement necessarily involves sustaining and deepening ties with allies, and should include cooperating

with these established and nascent democratic states, both bilaterally and in international fora, to bolster fundamental rights.

At the same time, the United States must pursue constructive relations, as you made clear, with authoritarian states, where shared interests will be less robust. In these cases, engagements should not be confined to relations with the governments, it should also entail reaching out to the respective citizenries of these countries directly and through U.S. NGOs. In most, though not all, instances, this elevates the stature and boosts the legitimacy of democracy and human rights activists in their own societies.

Any effort to design and implement effective policies should be grounded in an accurate assessment of political conditions in the given country. For almost 40 years, Freedom House has applied a rigorous methodology to analyze the state of political rights and civil liberties in every country in the world. Our annual survey, “Freedom in the World”—and we have a map here that is the result of that analysis—we found that in 2009, what we have termed a “global political recession” has deepened, as twice as many countries registered declines as advances. This sober state of affairs reflects a systematic, coordinated, global effort to counter the push for greater political freedom.

Repressive regimes, and even some marginally democratic ones, attempted to shrink the space for independent political activity; restricted the flow of ideas and information, including on the Internet; misused the law to silence domestic critics; and prevented civic activists from receiving assistance from the international community.

According to Freedom House’s tripartite categorization, 89 countries, or 46 percent of the total, are rated “free,” about a quarter are “not free,” and 30 percent are deemed “partly free.” Over 2.3 billion people, or one-third of the world’s population, live in “not free” countries. Over half of them in China.

The performance profile of the Asia-Pacific region, as it is delimited geographically by this subcommittee, is quite similar to the global picture, but the authoritarian shadow cast by China is much more pronounced. Almost 70 percent of the region’s people live in “not free” countries.

In 2009, modest gains were registered in Indonesia, Taiwan, Mongolia, while in Japan—while Japan saw an election that brought to power the opposition democratic party. However, these advances were eclipsed by declines in both authoritarian and nominally democratic societies, from Cambodia and North Korea and Vietnam to the Philippines.

The established consolidated democracies, such as Japan, Australia, New Zealand, South Korea, Taiwan, and many of the small island nations, continued to perform at high levels. In addition to security and economic ties, several allies and partners in promote—several of these allies are partners in promoting democracy and human rights in the region and beyond.

The middle category, of “partly free” countries, has two tiers. The first consists of democracies, such as Indonesia and Mongolia, that have made important strides even as they continue to grapple with challenges to buttress their democratic institutions.

The second tier finds struggling former or would-be democracies, such as the Philippines, Thailand, East Timor, and Malaysia, countries that have some of the components of a democratic polity, but where weak rule of law, widespread corruption, concentration of political power, and restrictions on civil liberties retard progress. These countries are prime candidates for various types of support designed to enhance the prospects for democratic consolidation.

The Asia-Pacific region is also home to several of the world's most repressive societies. China, Burma, North Korea, Laos, and Vietnam rank among the worst performers with respect to political rights and civil liberties. Cambodia is only marginally better. These countries systematically violate human rights, permit very little, if any, space for independent political activity, suppress any hint of independent media, and lack even those rudimentary mechanisms for holding those in power to account.

Those seen as a threat to the regime are dealt with harshly—again, as was raised this morning—imprisonment and torture are common. While some of these countries have made impressive economic gains that have lifted millions of people out of poverty—no small achievement—the possibility for citizens to exercise freedom of expression, freedom of association and assembly, and other fundamental rights, is severely circumscribed.

As the United States engages with authoritarian governments, the agenda with China being particularly broad, political liberalization and human rights must be an important part of the dialogue. These governments have come to expect it, and will not shun relations because America's leadership, its diplomats, and Members of Congress insist on discussing human rights. Moreover, this is who we are as a nation and as a people.

And while devising strategies incorporating a mix of carrots and sticks to influence government behavior, the United States and its allies should continue to expand efforts to support front-line activists who are running tremendous risks in advocating for political reform and adherence to human rights norms. This support is often the lifeline they need to carry—to continue on with their work.

The state of democracy and human rights in the Asia-Pacific is far from grim. As I was reminded again on my recent trip to Indonesia and Malaysia, and by virtue of the ongoing work that Freedom House does with activists across the region, brave and resilient men and women are making their voices heard and organizing to pressure those in power to respect rights and embrace democratic reform.

ASEAN, which we discussed a lot this morning, the Intergovernmental Commission on Human Rights, ICHR, marks the first time the organization has established a mechanism to support human rights. It is the product of a decade-long campaign by civil society groups, parliamentarians, and sympathetic government officials from member states. Whether it becomes an effective instrument for influencing the actual behavior of governments remains to be seen, but it does provide a venue and a means for civil society to engage decisionmakers.

Paradoxically, even the repression experienced by so many people in the Asia-Pacific region is cause for hope. Governments are cracking down, precisely because citizens, civil society activists,

journalists, bloggers, political party and labor activists, are overcoming daunting obstacles to exercise their fundamental rights and press those in power to move these countries in the direction of democracy and the rule of law.

Mr. Chairman, the U.S. Government and the broader policy—foreign policy community should leave no doubt we stand in solidarity with them while simultaneously pursuing our mutually beneficial relations with those governments.

Thank you, and I look forward to your questions.

[The prepared statement of Dr. Herman follows:]

PREPARED STATEMENT OF DR. ROBERT HERMAN, DIRECTOR OF PROGRAMS, FREEDOM HOUSE, WASHINGTON, DC

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 United States 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 U.N. General Assembly adoption of that historic document more than 60 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 4 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 runup 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 prodemocracy 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 anticorruption 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, longstanding 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 anticorruption 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 12 speech on United States-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 United States-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 longstanding 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 policymaking 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 and 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 20 years. But in dealing with these countries on security, trade, environmental, or other important interests, Freedom House believes that the United States 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 United States 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.

[EDITOR'S NOTE.—An addendum submitted with Dr. Herman's prepared statement was too voluminous to print in this hearing. It will be maintained in the subcommittee's permanent record.]

Senator WEBB. Thank you very much, Dr. Herman.  
Dr. Sutter, welcome.

**STATEMENT OF ROBERT SUTTER, VISITING PROFESSOR OF  
ASIAN STUDIES, GEORGETOWN UNIVERSITY, WASHINGTON,  
DC**

Dr. SUTTER. Thank you very much, Mr. Chairman. It's a pleasure for me to be here and talk with you about this important topic.

It is an ongoing challenge of U.S. policymakers to find an appropriate balance in promoting American values abroad, on the one hand, while sustaining important security, economic, and other interests and relations with Asian governments that do not share our values, on the other hand.

My argument is that the United States is in a strong position to promote its values in Asia, and has various ways to do so that will not seriously disrupt other U.S. interests, even with governments that do not share American values.

Coercion and pressure may be needed to promote U.S. values in the face of egregious violations of U.S.-supported norms, but the United States seems better advised to use its strong position as the responsible leader in the region to advance the values Americans hold dear in less confrontational ways.

I see four major strengths of the United States in Asia that often don't get enough attention, it seems to me.

No. 1, security. In most of Asia, governments are strong, viable, and make decisions that determine direction in foreign affairs. Popular elite media and other opinion may influence government officials and policy toward the United States and other countries, but, in the end, the officials make decisions on the basis of their own calculus. In general, the officials see their governments' legitimacy and success resting on nation-building and economic development, which require a stable and secure international environment.

Unfortunately, Asia is not particularly stable, and most governments, privately, are wary of, and tend not to trust, each other. As a result, they look to the United States to provide the security they need to pursue goals of development and nation-building in an appropriate environment. They recognize that the U.S. security role is very expensive and involves great risk, including large-scale cas-

ualties, if necessary, for the sake of preserving Asian security. They also recognize that neither rising China, nor any other Asian power or coalition of powers, is able or willing to undertake even a fraction of these risks, costs, and responsibilities.

Second strength, economic. The nation-building priority of most Asian governments depends, importantly, on export-oriented growth. Chinese and Asian trade heavily is dependent on exports to developed countries, notably the United States. And we all know about the United States recent trade deficits with China and with Asian traders. Asian government officials recognize that China, which runs a large overall trade surplus, and other trading partners in Asia are unwilling and unable to bear even a fraction of the cost of such large trade deficits that are very important for the Asian government's agenda.

Third feature has to do with government engagement and Asian contingency planning. The Obama administration inherited a U.S. position in Asia, buttressed by generally effective Bush administration interaction with Asia's powers. The Obama government has moved to build on these strengths, notably with a series of initiatives designed to remove obstacles to closer U.S. cooperation with ASEAN and Asian regional organization. Its emphasis on consultation and inclusion of international stakeholders before coming to policy decisions on issues of importance to Asia also has been broadly welcomed and stands in contrast with the previously perceived unilateralism of the U.S. Government.

Meanwhile, in recent years the U.S. Pacific Command and other U.S. security apparatus have been at the edge of wide-ranging and growing U.S. efforts to build and strengthen webs of military relationships throughout the region. Part of the reason for the success of these efforts has to do with active contingency planning by many Asian governments. As power relations change in Asia—notably on account of China's rise—Asian governments generally seek to work positively and pragmatically with rising China, on the one hand, but, on the other hand, they seek the reassurance of close security, intelligence, and other ties with the United States, in case rising China shifts from its current generally benign approach to one of greater assertiveness or dominance.

And a fourth feature, which gets very little attention, it seems to me, has to do with nongovernment U.S. engagement and immigration. And here, my friend Dr. Herman is an excellent example of nongovernment U.S. engagement with Asia. For much of its history, the United States exerted influence in Asia much more through business, religious, education, and other interchange than through channels dependent on government leadership and support. Active American nongovernment interaction with Asia continues today, putting the United States in a unique position, where American nongovernment sector has such a strong and usually positive impact on the influence of the United States exerts in the region.

Meanwhile, over 40 years of generally colorblind U.S. immigration policy since the ending of discriminatory U.S. restrictions on Asian immigration in 1965 has resulted in an influx of millions of Asian migrants who call America home and who interact with their countries of origin in ways that undergird and reflect well on the

U.S. position in Asia. No other country, with the exception of Canada, has such an active and powerfully positive channel to influence Asia.

So, what does this mean for American values in Asia? These four sets of determinants of U.S. strengths show the United States is deeply integrated in Asia at the government and the nongovernmental level. U.S. security commitments and trade practices meet the fundamental security and economic needs of Asian government leaders, and those leaders know it. The leaders also know that neither rising China nor any other power or coalition or powers is able or willing to meet even a small fraction of these needs.

Meanwhile, Asian contingency planning seems to work to the advantage of the United States, while rising China has no easy way to overcome pervasive Asian wariness of China's longer term intentions.

So, what should the United States do in using this influence in order to deal with values that it holds dear? There are obvious choices in this regard. One is the option of the United States trying to soft pedal its concerns with values in the interest of pragmatic interaction with countries such as China. This has been the case in the past, and it hasn't worked out very well in U.S. history.

At the other end of the spectrum are policy options that are assertive and unilateral in dealing with salient human rights and democracy questions in Asia. As shown above, U.S. values are not among the most salient aspects of U.S. strength among the generally pragmatic decisionmaking officials in Asia who are focused on nation-building and national legitimacy. American values and support of transparent decisionmaking, open markets, and good governance do indirectly or directly reinforce the salient U.S. strengths. However, a strong U.S. insistence on its values in various policy areas that are value-laden probably would result in serious and disruptive changes in the prevailing Asian order.

Between these extremes, there is much the United States can do to promote American values in Asia. U.S. care and attentiveness in dealing with security and economic responsibilities in the region highlight the positive example of the United States for Asian elites and popular opinion. A good American stewardship protecting the common goods important to all redounds to the benefit of U.S. officials pursuing their approach to American values, and also redounds to the benefit of nongovernment Americans pursuing these kinds of interests, as well.

And so, the Obama government has moved to improve U.S. stewardship in Asia with its consultative-engagement approach, and, in this context, it's been quite effective in raising the salience and improving the image of the United States in the region.

And so, how should the United States promote American values like human rights while dealing in a consultative way with Asian governments' leaders? This seemed on display when President Obama spoke about this at the China/United States dialogue last year. He basically said—I quote this in my prepared statement—he basically said, "This is who we are. We will pursue our values because this is what Americans are."

And so, I would conclude by saying, remembering and being who we are, as American officials and nongovernmental U.S. represent-

atives supporting human rights and other American value in interaction with Chinese or other Asian government officials opposed to or challenged by these values, should continue strongly. By and large, these governments want to improve relations with the United States, the Asian regional leader on whom they depend. They know who we are and obviously should not, and do not, expect us to change in order to favor their political interests.

In general, I believe they will live with, and hopefully gradually adjust to, a regional and world order heavily influenced by the United States through example, responsible stewardship of common goods, and persistent but respectful advocacy.

Thank you.

[The prepared statement of Dr. Sutter follows:]

PREPARED STATEMENT OF ROBERT SUTTER, VISITING PROFESSOR OF ASIAN STUDIES,  
SCHOOL OF FOREIGN SERVICE, GEORGETOWN UNIVERSITY, WASHINGTON, DC

Chairman Webb, members of the subcommittee, thank you for the opportunity to testify on this important topic.

It is an ongoing challenge of U.S. policymakers to find an appropriate balance in promoting American values abroad on the one hand, while sustaining important security, economic, and other interests in relations with Asian governments that do not share our values on the other.

My argument is that the United States is in a strong position to promote its values in Asia and has various ways to do so that will not seriously disrupt other U.S. interests, even with governments that do not share American values. Coercion and pressure may be needed to promote U.S. values in the face of egregious violations of U.S.-supported norms, but the United States seems better advised to use its strong position as the responsible leader in the region to advance the values Americans hold dear in less confrontational ways.

#### U.S. STRENGTHS IN ASIA

It often has been fashionable for media commentators, specialists, and others to discern evidence of American decline in Asia. Today's projections of U.S. leadership being overshadowed by rising China recall the common view after the fall of Saigon that the Soviet Union was expanding to regional leadership while the United States declined; and the common view in the 1980s that Japan's economic "juggernaut" was marginalizing America's leading role. The projections of U.S. decline often have a common pattern: They emphasize the strengths of the rising power and emphasize U.S. weaknesses. They tend to soft-pedal or ignore the weaknesses of the rising power and the strengths of the United States.

More balanced treatment shows the United States in a strong leadership position in Asia based on four sets of factors.

#### *Security*

In most of Asia, governments are strong, viable, and make the decisions that determine direction in foreign affairs. Popular, elite, media and other opinion may influence government officials in policy toward the United States and other countries, but in the end the officials make decisions on the basis of their own calculus. In general, the officials see their governments' legitimacy and success resting on nation-building and economic development, which require a stable and secure international environment. Unfortunately, Asia is not particularly stable and most governments privately are wary of and tend not to trust each other. As a result, they look to the United States to provide the security they need to pursue goals of development and nation-building in an appropriate environment. They recognize that the U.S. security role is very expensive and involves great risk, including large scale casualties if necessary, for the sake of preserving Asian security. They also recognize that neither rising China nor any other Asian power or coalition of powers is able or willing to undertake even a fraction of these risks, costs, and responsibilities.

#### *Economic*

The nation-building priority of most Asian governments depends importantly on export oriented growth. Chinese officials recognize this, and officials in other Asian countries recognize the rising importance of China in their trade; but they all also recognize that half of China's trade is done by foreign invested enterprises in China,

and half of the trade is processing trade—both features that make Chinese and Asian trade heavily dependent on exports to developed countries, notably the United States. In recent years, the United States has run a massive trade deficit with China, and a total trade deficit with Asia valued at over \$350 billion at a time of an overall U.S. trade deficit of over \$700 billion. Asian government officials recognize that China, which runs a large overall trade surplus, and other trading partners of Asia are unwilling and unable to bear even a fraction of the cost of such large trade deficits, that are very important for Asia governments.

Obviously, the 2008–09 global economic crisis is having an enormous impact of trade and investment. Some Asian officials are talking about relying more on domestic consumption but tangible progress seems slow as they appear to be focusing on an eventual revival of world trade that would restore as much as possible previous levels of export-oriented growth involving continued heavy reliance on the U.S. market. How cooperative China actually will be in working with the United States to deal with the various implications of the economic crisis also remains an open question, though the evidence on balance appears to show great care on the part of the Chinese administration to avoid pushing controversial policies that would further undermine international confidence in the existing economic system and thwart meaningful efforts at economic recovery. The Chinese leadership appears to give priority to stability in its continued adherence to international economic patterns that feature the leading role of the U.S. dollar, strong direct and indirect U.S. influence on foreign investors in China, and the United States as a market of top priority for Chinese products.

#### *Government Engagement and Asian Contingency Planning*

The Obama administration inherited a U.S. position in Asia buttressed by generally effective Bush administration interaction with Asia's powers. It is very rare for the United States to enjoy good relations with Japan and China at the same time, but the Bush administration carefully managed relations with both powers effectively. It is unprecedented for the United States to be the leading foreign power in South Asia and to sustain good relations with both India and Pakistan, but that has been the case since relatively early in the Bush administration. And it is unprecedented for the United States to have good relations with Beijing and Taipei at the same time, but that situation emerged during the Bush years and strengthened with the election of Taiwan President Ma Ying-jeou in March 2008.

The Obama government has moved to build on these strengths, notably with a series of initiatives designed to remove obstacles to closer U.S. cooperation with ASEAN and Asian regional organizations. Its emphasis on consultation and inclusion of international stakeholders before coming to policy decisions on issues of importance to Asia also has been broadly welcomed and stands in contrast with the previously perceived unilateralism of the U.S. Government.

Meanwhile, in recent years, the U.S. Pacific Command and other U.S. military commands and organizations have been at the edge of wide-ranging and growing U.S. efforts to build and strengthen webs of military relationships throughout the region. In an overall Asian environment where the United States remains on good terms with major powers and most other governments, building military ties through education programs, onsite training, exercises, and other means enhances U.S. influence in generally quiet but effective ways. Part of the reason for the success of these efforts has to do with active contingency planning by many Asian governments. As power relations change in the region, notably on account of China's rise, Asian governments generally seek to work positively and pragmatically with rising China on the one hand; but on the other hand they seek the reassurance of close security, intelligence, and other ties with the United States in case rising China shifts from its current generally benign approach to one of greater assertiveness or dominance.

#### *Nongovernment Engagement and Immigration*

For much of its history, the United States exerted influence in Asia much more through business, religious, educational, and other interchange than through channels dependent on government leadership and support. Active American nongovernment interaction with Asia continues today, putting the United States in a unique position where the American nongovernment sector has such a strong and usually positive impact on the influence the United States exerts in the region. Meanwhile, over 40 years of generally color-blind U.S. immigration policy since the ending of discriminatory U.S. restrictions on Asian immigration in 1965 has resulted in the influx of millions of Asian migrants who call America home and who interact with their countries of origin in ways that under gird and reflect well on the U.S. position

in Asia. No other country, with the exception of Canada, has such an active and powerfully positive channel of influence in Asia.

#### IMPLICATIONS AND POLICY OPTIONS FOR PROMOTING AMERICAN VALUES

These four sets of determinants of U.S. strengths show that the United States is deeply integrated in Asia at the government and nongovernment level. U.S. security commitments and trade practices meet fundamental security and economic needs of Asian government leaders and those leaders know it. The leaders also know that neither rising China nor any other power or coalition of powers is able or willing to meet even a small fraction of those needs. Meanwhile, Asian contingency planning seems to work to the advantage of the United States, while rising China has no easy way to overcome pervasive Asian wariness of Chinese longer term intentions.

Though a lot is written about the so-called Beijing consensus and the attractiveness of the Chinese "model" to Asian and other governments, the fact remains that the Chinese leadership continues to emphasize a narrow scope of national interests and assures that its policies and practices serve those interests. Thus, China tends to avoid the types of risks, costs, and commitments in security and economic areas that undergird the U.S. leadership position in Asia. By and large, Asian government officials understand this reality. China continues to run a substantial trade surplus and to accumulate large foreign exchange reserves supported by currency policies widely seen to disadvantage trading competitors in Asia and elsewhere. Despite its economic progress, China annually receives billions of dollars of foreign assistance loans and lesser grants from international organizations like the World Bank and the Asian Development Bank and from foreign government and nongovernment donors that presumably would otherwise be available for other deserving clients in Asia and the world. It carefully adheres to U.N. budget formulas that keep Chinese dues and other payments remarkably low for a country with Chinese international prominence and development. It tends to assure that China's contributions to the broader good of the international order (e.g., extensive use of Chinese personnel in U.N. peacekeeping operations) are paid for by others. At bottom, the "win-win" principle that undergirds recent Chinese foreign policy means that Chinese officials make sure that Chinese policies and practices provide a "win" for generally narrowly defined national interests of China. They eschew the kinds of risky and costly commitments for the broader regional and global common good that Asian leaders have come to look to U.S. leadership to provide.

#### *Policy Options*

In sum, the main question for U.S. policymakers is how to use the leverage and influence that comes from U.S. leadership in Asia in order to promote American values without major negative side effects.

At one end of available options is an overly cautious approach by the U.S. Government seeking to avoid raising issues of values in a pragmatic effort to build better ties with Asian governments that oppose American values. U.S. policy toward China often has seen U.S. policymakers strongly identified with human rights promotion (e.g., Jimmy Carter, George W. Bush) appear to pull their punches in seeking better relations with Chinese leaders. This policy approach has proven unsustainable over the long term in an American political context, even though it may provide some expedient benefit for the U.S. Government in dealing with China over the short term.

At the other end of the spectrum of policy options is an assertive and unilateral U.S. posture on salient issues of human rights questions and other value-laden subjects. As shown above, U.S. values are not among the most salient aspects of U.S. strength among the generally pragmatic decisionmaking of officials in Asia focused on nation-building and national legitimacy. American values in support of transparent decisionmaking, open markets and good governance do indirectly or directly reinforce the salient U.S. strengths. However, the strong U.S. insistence on its values in this policy option would probably result in serious and disruptive changes in the prevailing Asian order; Asian governments challenged by the U.S. insistence on its values, even Asian states that relied on the security and economic support provided by the United States, would feel compelled to seek their interests in a more uncertain environment of less reliance on and more distance from or even opposition to the United States.

Between these extremes, there is much the United States can do to promote American values in Asia. U.S. care and attentiveness in dealing with security and economic responsibilities in the region highlight the positive example of the United States for Asian elites and popular opinion. Good American stewardship protecting the common goods important to all redounds to the benefit of U.S. officials pursuing

policies promoting American values; it also benefits the wide array of nongovernment American organizations and entities that interact with counterparts throughout the region, frequently explicitly and more often implicitly, promoting American values. As Asian officials, elites and public opinion see their success in nation-building tied to the effective and responsible policies and practices of the United States, they likely will be inclined to emulate American policies and practices at the root of U.S. leadership and strength. These include those values supported by the United States.

Improving on U.S. stewardship in Asia, the Obama government has adjusted U.S. policy in order to build on the strengths inherited from the Bush administration while correcting some weaknesses. The new U.S. Government stresses consultative engagement and greater attention to the interests and concerns of Asian leaders. U.S. leaders should continue to use U.S. power and leadership in close consultations with Asian governments in order to establish behaviors and institutions in line with longstanding U.S. interests and values. Listening to and accommodating whenever possible the concerns of Asian governments helps to insure that decisions reached have ample support in the region. The Obama government has gone far to change the U.S. image in Asia from a self-absorbed unilateralist to a thoughtful consensus builder.

How the United States should seek to promote American values like human rights while dealing in a consultative way with Asian government leaders seemed on display when President Obama spoke to the annual Sino-American leadership dialogue meeting in Washington in July 2009. He advised his Chinese colleagues that the American Government did not seek to force China to conform to its view of human rights but it would nonetheless continue to press China and others to conform to the values of human rights that are so important to the United States. He said:

Support for human rights and human dignity is ingrained in America. Our nation is made up of immigrants from every part of the world. We have protected our unity and struggled to perfect our union by extending basic rights to all our people. And those rights include the freedom to speak your mind, to worship your God, and to choose your leaders. They are not things that we seek to impose—this is who we are. It guides our openness to one another and the world.

Remembering and being “who we are” as American officials and nongovernment U.S. representatives supporting human rights and other American values in interactions with Chinese or other Asian government officials opposed to or challenged by those values should continue strongly in my judgment. By and large, these governments want to improve relations with the United States, the Asian regional leader on whom they depend. They know who we are and obviously should not and do not expect us to change in order to favor their political interests. In general, I believe they will live with and hopefully gradually adjust to a regional and world order heavily influenced by the United States through example, responsible stewardship of common goods, and persistent but respectful advocacy.

Senator WEBB. Thank you very much, Dr. Sutter.

I appreciate the viewpoints expressed by both of you in your testimony, and also thank you, again, for your willingness to come here today and to be a part of this hearing.

Let me, first, ask for both of you—I’m going to start with Dr. Herman’s viewpoint on where we are strongest and where we are weakest, in East Asia and Southeast Asia, in terms of nongovernmental involvement. And I know, from my own personal experience, how important that is, in terms of communicating to the average citizen on the street, what exists outside of their own society, and, in others, just simply helping to create further understanding, even among different governments, about the real intentions of the United States and with respect to how we view our own culture and what it is that we stand for.

Where are we good and where are we not good, Dr. Herman?

Dr. HERMAN. Well, I think as—it won’t come as a surprise to say that I think it’s a bit of a mixed record. U.S. NGOs, like Freedom House and others, have had, I think, a longstanding relationship, and building partnerships in that part of the world, trying to



strengthen regional networks of activists in that part of the world—I think one of the tools in the—or one of the—in the toolbox of authoritarian states—is to try to isolate their citizens, especially their activists, both from one another in the country, but also in terms of transnational linkages, regionally and more globally. And I think what a lot of civil society groups from the outside, United States and others, have tried to do is provide a way of reaching out to them, also sometimes giving them a forum in order to come together, discuss common strategies, common experiences. So, I think that's one of the most valuable contributions that have been made by the U.S. NGOs.

It varies, in terms of where we can do this. The more repressive the society, the harder it is to do that. In places like China, where you have more people traveling, perhaps, than you do in others, there are these networks that are established. In places like Laos or Cambodia, I think it's much harder.

But, what's—again, what's encouraging to me is that, in all of the societies, even the most repressive ones, perhaps with the exception of North Korea, there is emerging a civil society overcoming the constraints that they face in order to, again, organize themselves politically, domestically, sometimes through the Internet—that seems to be one of the most promising mechanisms for doing that—but, increasingly, looking even beyond their countries.

I think, also, one of the important developments here is the role of Indonesia and other emerging democracies. To be discussing, not only with their fellow governments about the roles that NGOs—that they have nothing to fear; in fact, NGOs can be a partner in the development process. Of course, the reality is, in many of these societies, they are seen as a threat, in part because they are viewed as trying to dislodge, from their privileged position of power, those who hold power.

And so, I think what the U.S. Government can do, as we said before, both engaging those governments, but also providing support that's needed to do two things. One, engage also with the citizenries of those countries directly. We do that through a whole variety of ways. But, also take advantage of something that Dr. Sutter had said—the great strength of the United States is, in part, its own civil society. And that has enormous benefits. We can do—both NGOs and U.S. Government can do, I think, a much better job, across the board, in trying to elevate the status, the standing, and the legitimacy of civil society in those countries.

Oftentimes, these governments will go to great lengths to tarnish their reputation, to call into question their patriotism, and the rest. I think there's a lot that we can do, by bringing them together in regional fora, and others, to talk about strategies to combat that tactic on the part of governments.

Senator WEBB. Thank you.

Dr. SUTTER. If I could, I'd like to—

Senator WEBB. Yes.

Dr. SUTTER [continuing]. Broaden the scope, when you say “non-government involvement,” because I really think it's so broad. And this is what I really would hope we'd consider in this kind of issue—and the impact of the United States.

Business. Business is nongovernment. And in China, it isn't always nongovernment, as you know.

And you talk about—you mention China and this ASEAN Free Trade Agreement, and so China does more trade with ASEAN than the United States now. But, China's trade with ASEAN is 11 percent of ASEAN's trade. It's 11 percent. It's not enormous.

And so, China runs a \$20 billion trade surplus with ASEAN, whereas the United States runs a \$20 billion trade deficit with ASEAN. And the ASEANs appreciate the deficit more than they appreciate the surplus.

And China's investment in ASEAN—this is according to ASEAN Web site figures—China's investment in ASEAN is 2 percent whereas U.S. investment is much larger.

And so, business has a big impact in all areas. This is just one example.

And then, education. I come from Georgetown University. We do all sorts of things with the countries of Asia. And we—and all the universities I'm familiar with—do all sorts of things with the countries in Asia. This has been going on for years—for decades.

Foundations. And then, religious institutions, the Catholic Church. Georgetown is a Jesuit Catholic university—these various religious groups foundations and others do all sorts of interaction throughout the region—as well as immigrants, individual immigrants and what they do.

And so, when we add all this up, you don't have to be an advocate, you don't have to be part of an organization pushing for certain things; this is where example comes into play. This is where the impact of the United States is felt everywhere you look. And I didn't even get into the media.

And so the point I would urge everyone to think about is that this nongovernmental impact of the United States is enormous in Asia. And it has been enormous for a long, long time. This is not new. And it's generally positive, and generally, I think, it moves Asia in this kind of—in the direction that you—that we all would like to see.

Senator WEBB. Right. Actually, I appreciate that. That was the intended nature of my question. Not simply to focus on NGOs. Even going back to the discussion I had with Secretary Campbell about Vietnam in the 1990s, when it was beginning to open up. There were a lot of private initiatives, just people who affiliated with veterans organizations, incipient business attempts, these sorts of things. Bringing people out—

Dr. SUTTER. People like John McAuliff.

Senator WEBB. A lot of different people. I did a lot of it myself. So, I fully agree with you.

But, with respect to the China-ASEAN trade agreement, I think we need to be clear here, it was just signed, as of this month. And the numbers that exist right now don't necessarily represent what this is going to look like if we do not engage in a similar way, in my view.

They are looking at dropping their tariff rates down to, basically, zero in the fairly near future. And we are now attempting to put together something, but we have yet to do so.

And also, that ties in to the security situation in the region, which you mentioned and which is, you know, true, in the way that you mentioned it, but also is occurring in the face of expanded Chinese military operations, including, just recently, the announcement that China and the Thais are going to do a fairly large cooperative military operation.

So, I'm saying this, as a way of attempting to communicate, here, how vital it is that the United States remain involved, on a security level, but also in a business, economic level, and cultural level—I've said this many, many times—in the region. We are a very important balancing point in the region. And we tend, I think, too often, simply to think of that in national security terms, up here. But, it's an across-the-board concern that we have.

And I see that you wanted to say something, Dr. Sutter, so you're certainly welcome to.

Dr. SUTTER. Oh, I just—on the China ASEAN—the China—the initial agreement was signed in—the intent was 2002. It's been undergoing development. It's now reached the point where it's ready to be implemented, but parts of it have been implemented over the course of 2002 to 2010.

And this is a very common pattern in ASEAN trade. No country has more than 12 percent of trade with ASEAN. It's a very diversified trade, so it's—that's just a minor point, sir. But it—

Senator WEBB. But in terms of actual tariff arrangements and these sort of things the agreement went into effect this month.

Dr. SUTTER. It probably will have some effect. I'm not sure how much, I wouldn't—I guess, my point is that often, China's depicted as this controlling power in Asia. And my sense is—and I've tried to examine this very carefully—the United States is the leading power of Asia. And China knows this. And until China really undertakes risks, costs, and commitments that it wouldn't ordinarily do, China's really not going to be seen as a leader of Asia. And it doesn't do risks, costs, and commitment that it wouldn't ordinarily do, because it's too risky and too costly, and they don't do this. And the United States does.

Senator WEBB. Well, first of all, my viewpoint, and the viewpoint of a lot of people with whom I agree, is not that China is the controlling power in Asia. It is an expansionist nation, by virtue of its growing economic power, the accumulation of its reserves, and where it is investing. Actually, the other side of that equation is where my concern is, and that, it is vital for the United States to remain actively involved in the region. Our trade numbers have not looked good over the last couple of years in the region, particularly last year, part of that being, obviously, the recession. And so, this is more an attempt to speak affirmatively about how vital this region is to the United States than to speak negatively about the fact that China is becoming more active.

Dr. SUTTER. I fully agree, sir. And I applaud your efforts in doing this. I very much do. I think that this is what should be our focus, is the United States—what are our interests and how do we expand them? Because we have tremendous interest in the region.

Senator WEBB. And there is a question that derives from that, though, and it's one of the purposes of the hearing, and I would appreciate getting both of your thoughts on it. And that is, To what

extend does the United States become vulnerable through an increasing dependence on a governmental structure that's not like our own? And I think it's a worthwhile question. I'd like to hear your thoughts.

Dr. SUTTER. Are you referring to China, sir, or the—

Senator WEBB. The interdependence we have with the Chinese Government.

Dr. SUTTER. Yes. Yes, it's—in my view, it's a very—it's a constraining factor on both sides. This interdependence is something that—in a way, we tried—this is part of our plan. I mean, we wanted to engage China. And by engagement, we brought them into these various webs of relationships, economic relationships. And that made us more interdependent with China.

And China has worked assiduously to make the United States economically interdependent with it. And this constrains our ability to do things that we would like to do in areas of differences with China, in a hard way, because we're interdependent. It makes it very difficult to do that. And they have the same constraint.

And so, even though our interests and values drive us against each other, neither side is really going to take tough action to do this, because they have the interdependence. It's—both sides, in a way, followed a Gulliver strategy. They tried to web down the other side so that they wouldn't do negative things. We certainly tried that, and did it, and it worked. China is much more cooperative than it was 25 or 30 years ago. And so—and, at the same time, they did it to us.

And so, we're in that sort of situation where it's harder, in areas of differences like human rights and values, for us to really put that as a top priority and push hard on that issue, because it affects these other interdependencies that we have.

And so, yes, we have, I think, a realistic view of the situation.

Senator WEBB. Dr. Herman.

Dr. HERMAN. You know, whether it constrains behavior, I'll defer to Professor Sutter, but I think the logic behind interdependence, not just economically, but also that it was going to create an open space, as you said before, to make these closed societies more open; more open in terms of what citizens could do; more open in terms of the ability for people to engage with the outside world, not just through commerce and business, but also through the flow of ideas and information. We've seen a little bit of that with the Internet.

But, I think, for those who thought that opening them up—opening up China or Vietnam or other countries to commerce was going to lead us on a path that inexorably would lead to democracy, I think we've seen that that's not necessarily the case. Which goes back, I think, to the earlier point that democracy, human rights have to be part of the dialogue, on an ongoing, consistent basis. I think, it's what you said before, people are looking to us for that consistency. How we apply that may vary from country to country—as we've said before, the constellation of opportunities and challenges is going to vary—but, I think we should be very clear, in terms of that we lead with those values that—and we are determined, I think, to, again, engage the citizenries in the society, to help give them a voice.

I mean, ultimately, this is—the fate of these societies and their political evolution rests not with us, the United States Government or NGOs, it rests with the citizens. We're in a supporting role, at best. But, to the extent that we can help create more space for them, for the bloggers, for activists, for others to begin to raise these issues with their own governments, that's the key.

The other—one other thing I wanted to mention is that—in my testimony I had talked about a siege, really, that's happening against activists. The leading authoritarian states in the world, which includes China and countries like Russia and others, many of them petro-authoritarian states, they're not just putting the clamps on their own populations, they are engaging more and more in efforts to weaken regional and global institutions that have democracy and human rights as part of their mandates, so whether that's the OSCE or the OAS, in terms of Venezuela—but, we also see that, a little bit, in terms of Asia, where the infrastructure for democracy and human rights has been much behind what we've seen in other regions of the world.

In this last trip, I was very taken by the fact that the democracy and human rights activists that I talked with—this new mechanism that's been created at ASEAN, they're intent on using it. They were also very, very interested to see what the experiences is of other democracy and human rights activists in other regions, and how they can access this mechanism, again, in order to be able to bring more pressure to bear on these authoritarian governments.

Moreover, these linkages that are created, I think, it's important to remember, not only are they sometimes a lifeline to these human rights activists, they also are transmission belts for ideas, for values. It's part of what you said earlier, before, How do we try to open up these societies? And I think there is a whole panoply of ways that we do that. And, as you said, NGOs, business community, that's all part of the equation.

Senator WEBB. Well, that actually leads to, maybe, a question that could be the final summation of our hearing here. We have clearly articulated, from a governmental perspective, different standards, in terms of electoral process, openness of the media, freedom of movement, et cetera—China, Japan, Vietnam, Thailand, Burma. How would you both say that is interpreted among people who are in the region, looking at the consistency, or lack thereof, of American policy?

Dr. SUTTER. I'm not sure we have articulated a different standard, sir. Maybe, in practice, it's carried out in different ways. And I think Mr. Campbell made it clear why the priorities will be different in different situations.

If you look at the State Department Report on Human Rights, I think it's pretty consistent. I've been reading it for a long, long time, and it's very consistent, it seems to me, in the issues they look at, and that's the U.S. Government position—

Senator WEBB. Well, if I may, right there—

Dr. SUTTER. Yes, sir.

Senator WEBB [continuing]. Because, you know, as I said to Secretary Campbell, we tend to focus on human rights, which are separate from governmental systems, in terms of analysis. But, if you're looking at the approach that we have taken, in terms of ac-

tually how governments operated, we have taken different positions on these different positions on these different countries. And some of them—for instance, as I mentioned earlier, the Thais, who I think have worked very hard over a long period of time to open up their society, they've got great free press—even after the military coup, the local elections went forward. We take one standard on electoral process in a place like Thailand, and then we'll say—or we will not say, to Vietnam or China, that they should even have elections. I'm not saying today that we should say that. And then when the junta, in Burma, says they are going to have elections, it's a flawed process, we know it's a flawed process, but it's allowing an opposition party. There are no opposition parties in Vietnam, and there are no opposition parties in China. So, if you're sitting on the ground in Asia, you're seeing that there are a variety of different policies, in terms of their articulation from the government. And how do people digest that?

Dr. SUTTER. I've done a lot of interviewing in Asia. This issue has come up from time to time. That's the basis of what I'm going to say. And I think they see it as, basically, a factor of interest, that you have certain interests in China, so therefore, you don't push very hard with China in a public demeanor. You have a dialogue, which is secret. Nobody knows what's going on in the dialogue. And that's how you handle human rights with China.

Whereas, the examples you gave of smaller countries being given more pressure in a public way—and so, it's a matter of interest. It's interpreted that the United States has big interests with China, and therefore, it doesn't do these kinds of things. And I think that's not an unfair judgment, it seems to me. I think that is what happens. And we can try to explain it in various ways, but I think that is why the differentiation. I think, because if we pushed hard on China, it would be, probably, counterproductive given the circumstances.

So, you have to look at the circumstances. And it really makes it hard to have this consistent approach, because that puts human rights—look at the way we have dealt with China over the past 20 years. The Congress, 20 years ago, was focused on China in such a negative way; it's very different now, very different. We learned. I mean, I assume we learned. And so, if there's not even consistency with China, I think this is subject to circumstances and different interests and how they play. And therefore, you have to pursue these different things. It's not because you don't want to—

Senator WEBB. Well—

Dr. SUTTER [continuing]. It's because you have these other—

Senator WEBB [continuing]. This is the division, in terms of the debate.

Dr. SUTTER. Yes.

Senator WEBB. You know, some people would say we have to adjust to different conditions, other people would say we don't have consistent standards. And there are realities in play. But, this is the perception we're trying to examine in this hearing.

And, Dr. Herman.

Dr. HERMAN. Yes, I just wanted to say—from the standpoint, I think, of the activists that we deal with, I've noticed an increased sophistication on the part of these activists, which is to say that

they recognize that the United States has a multiplicity of interests. They also look to the United States for leadership in Asia, especially in terms of democracy and human rights, speaking out, also, hopefully, comporting ourselves in ways that are consistent with our values and our ideals. I think they're very sensitive when there is a gap between the two.

But, I think they recognize that, how the United States is going to pursue support for democracy and human rights is going to vary from country to country. Indeed, many of the activists from these more closed societies, they want the U.S. Government to engage with their government. They don't want strategies of isolation, for all the reasons you said before. But, at the same time, they want to have confidence that the United States is going to continue to make sure that democracy and human rights is central to that engagement. I think that's where they worry. And, that's why I think public diplomacy is important. When the United States, whether it's Members of Congress, whether it's leadership, when they meet with activists in these societies, and do so in a public way, which sometimes runs risks because you can have the meeting, everybody goes home, and we know what happened to the activists. So, we have to be careful. We have to apply the "do no harm" principle. But, I can tell you, it makes a huge difference, in terms of the stature, the legitimacy of them, being elevated in the eyes of the citizenry in those countries.

And I think that's part of this broader diplomatic strategy of not just engagement with the governments, but also with the civil societies. And it sends a very important message, also, to those governments to say, "These are also our partners, as we try to move these countries forward in a variety of ways."

Senator WEBB. Well, I thank you both very much for your testimony today, and for sharing your views.

I think this has been a very good opportunity for us to exercise some oversight, here in the Congress, on the evolution of policy, and also, hopefully, to give all of us some things to think about, in terms of how the United States is perceived in this very vital part of the world.

Thank you, again.

This hearing is closed.

[Whereupon, at 11:55 a.m., the hearing was adjourned.]

#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF ASSISTANT SECRETARY KURT CAMPBELL TO QUESTIONS SUBMITTED BY SENATOR RICHARD LUGAR

*Question.* As part of your confirmation hearing, you committed to working toward the return of the hundreds of American children who have been abducted by their Japanese parents. Please provide for the committee a comprehensive report on the meetings and activities related to this that you, Ambassador Roos, and other officials of the State Department have conducted since your confirmation. Did Secretary Clinton raise the issue with Japanese Foreign Minister Katsuya Okada during their meeting in Hawaii earlier this month, what commitments did she receive, and how will the Department follow up on those commitments?

*Answer.* Secretary Clinton remains very committed to pressing Japan and other countries on the issue of international parental child abduction. She raised this issue during her first meeting with Foreign Minister Okada on November 11, and will continue to raise the issue in the future as opportunities arise. The Secretary

did not discuss this issue during her January 12 meeting with FM Okada to discuss the U.S.-Japan Security Alliance in Hawaii, but has ensured Department officials at all level engage with the Government of Japan frequently in order to keep the issue in the forefront of our bilateral relationship with Japan.

The following is a list of the meetings and activities of Department of State officials have conducted regarding international parental child abduction since my confirmation:

- June 30, 2009: Consul General (CG) Ray Baca met with Left Behind Parents (LBP) in Nagoya to discuss his situation.
- July 16, 2009: American Citizen Services (ACS) Chief Bill Christopher met with representatives of newly established SOS-Japan, an organization for LBPs, regarding Embassy's assistance to LBPs.
- July 17, 2009: A/S Kurt Campbell raised International Parental Child Abduction (IPCA) in a private meeting with Vice Foreign Minister (FM) Yabunaka.
- July 23, 2009: Chargé d'affaires (CDA) James Zumwalt participated in a demarche of Ministry of Justice (MOJ) with Deputy Heads of Mission from the British, Canadian, and French Embassies. Japanese MOJ Civil Affairs Bureau Director General (DG) Mr. Masaru Hara received the demarche.
- July 30, 2009: CDA James Zumwalt discussed the Hague Convention on Child Abduction and the demarche by the United States, United Kingdom, Canada, and France at MOJ with North American Affairs DG Umemoto.
- July 30, 2009: CDA James Zumwalt discussed child abduction with MOJ International Legal Affairs DG Koji Tsuruoka.
- August 28, 2009: Ambassador Roos raised child abduction with Vice FM Yabunaka.
- September 3, 2009: Tokyo CG Raymond Baca, Osaka Consular Chief Dave Hillon chaired a Consular Conference Panel Discussion on IPCA. Consular officers from Tokyo, Osaka, Naha, Fukuoka, Sapporo, and Seoul; Tokyo DHS/CBP and ICE Officers; DHS USCIS Officer from Seoul; and military legal assistance office representatives attended.
- September 9, 2009: CG Osaka issued passports to two children, with only the consent of the Amcit father as per instructions from the Department of State (DOS), Consular Affairs Bureau. Children were taken from their home in the United States in March 2008 by the Japanese mother, to whom the father is still married. Passports were issued with the father's signature only under Special Family Circumstances. Father and children returned to United States.
- September 10, 2009: ACS Chief Bill Christopher and ACS Deputy Chief Joe Koen met with Ministry of Foreign Affairs (MOFA) officials to discuss an IPCA related case. MOFA attendees were Oyama Hiromoto and Yukiko Haromoto—Deputy Directors First North America Division, North American Affairs Bureau.
- September 11, 2009: CG Ray Baca met with American parents in Japan who are experiencing difficulties visiting their children in Japan. CG updated them on meetings Ambassador and DOS officials held with Government of Japan (GOJ) officials.
- September 11, 2009: Consular Affairs/Overseas Citizen Services/Children's Issues (CA/OCS/CI) Director Michael Regan, CA/OCS/CI Ann McGahuey, Japan Desk Political Officer Todd Campbell held negotiations related to the formation of a working group to address the Hague Convention and resolution of current IPCA cases. The Embassy of Japan was represented by Legal Attaché Yoshihiro Ohara, Consul Kiyoshi Itoi, 2nd Secretary Zenichiro Uemura, 3rd Secretary Makiko Asami.
- September 21, 2009: Under Secretary of State for Political Affairs William Burns raised IPCA with Vice FM Mr. Mitoji Yabunaka.
- September 28, 2009: Fukuoka Principal Officer Margot Carrington reports that an American citizen (Amcit) has been detained by the police. PLEASE NOTE THIS CASE REOCCURS THROUGHOUT THE TIMELINE UP THROUGH OCTOBER 29, 2009; RELATED ENTRIES DENOTED WITH ASTERISK\*.
- September 29, 2009: \*Fukuoka Consular Officer Jay Avecilla visits Amcit arrested for allegedly kidnapping minors.
- September 30, 2009: \*Political Minister Counselor spoke with Mr. Kazuyoshi Umemoto, DG First North American Affairs Bureau, to express Embassy's concern about the arrest of Amcit for allegedly kidnapping his children outside Fukuoka.
- September 30, 2009: \*Deputy Chief of Mission (DCM) James Zumwalt called Mr. Kazuyoshi Umemoto, DG First North American Affairs Bureau, to express concern about the Amcit arrest case and the hope they could be released soon.



- September 30, 2009: \*In response to DCM James Zumwalt and Political Minister's separate telephone conversations with MOFA officials (see Sept 30), MOFA official called ACS Chief Bill Christopher and reports the "facts of the arrest."
- October 1, 2009: ACS Chief Bill Christopher met with MOFA officials to discuss several IPCA cases.
- October 1, 2009: DCM James Zumwalt called MOFA Deputy FM, Koro Bessho, regarding an IPCA case, IPCA issues, and the Hague Convention.
- October 6, 2009: CA/OCS/CI Director Michael Regan, CA/OCS/CI Ann McGahuey, Abduction Division Chief Marco Tedesco, and Japan Desk Political Officer Todd Campbell negotiated formation of working group to address the Hague Convention and resolution of current IPCA cases. The Japanese Embassy was represented by Legal Attaché Yoshihiro Ohara, Consul Kiyoshi Itoi, 2nd Secretary Zenichiro Uemura, 3rd Secretary Makiko Asami.
- October 7, 2009: \*Embassy Tokyo consular officer visits LBP arrested for allegedly kidnapping minors. This is the third jail visit since the September 28 incident. LBP says he wants the consular officer to try to visit his children. Consular staff calls Taking Parent (TP) but she refuses consular visit.
- October 7, 2009: ACS Chief Bill Christopher hosts meeting for consular officers from United States, Canada, France, Italy, and United Kingdom meet regarding upcoming demarche. Australia agrees to participate.
- October 9, 2009: CG Ray Baca and ACS Chief Bill Christopher met with LBP who traveled to Japan to try to visit his daughter.
- October 9, 2009: \*Fukuoka consular officer visits a LBP arrested for allegedly kidnapping minors. This is the fourth jail visit since the September 28 incident.
- October 9, 2009: \*Diplomatic Note sent to MOFA requesting assistance arranging a welfare and whereabouts (w/w) visit with LBP's children. LBP's ex-wife turned down request during phone call with Fukuoka staff on Oct 7.
- October 12, 2009: A/S Campbell raised the Hague Convention during a lunch with Ministry of Defense (MOD) and MOFA counterparts. He advocated for Japan to accede to the convention. Mr. Mitoji Yabunaka, Deputy FM, and Kazuyoshi Umemoto, DG First North American Affairs Bureau, were the ranking Japanese officials present.
- October 14, 2009: Embassy Tokyo Political section's Deputy Chief, Marc Knapper, met with Diet Member Edano to discuss the parental abduction issue.
- October 15, 2009: \*CG Ray Baca, ACS Chief Bill Christopher met with MOFA Director to follow up on Embassy's note verbale requesting assistance arranging a consular visit with LBP's children. MOFA stated they would contact the ex-wife. During the meeting MOFA said LBP would be released that same day.
- October 15, 2009: \*Fukuoka Consular Officer Jay Avecilla confirms that the LBP was released from jail.
- October 16, 2009: During a meeting with Diet member Yori-hisa Matsuno (Deputy Chief Cabinet Secretary) Embassy Tokyo's Deputy Political Counselor noted that Ambassador Roos is actively pursuing the parental abduction issue.
- October 16, 2009: Ambassador Roos, accompanied by six ambassadors and one deputy head of mission from other embassies in Japan, demarched new Minister of Justice, Keiko Chiba, on IPCA.
- October 19, 2009: CG Ray Baca, ACS Chief Bill Christopher, and Deputy ACS Chief Joe Koen met with Tokyo based Left Behind Parents.
- October 19, 2009: Ambassador Roos during a courtesy call on October 19 raised IPCA with Minister Mizuho Fukushima (State Minister for Consumer Affairs, Food Safety, Declining Birthrate, and Gender Equality).
- October 20, 2009: Ambassador Roos urged Diet leadership to make progress on IPCA. Diet Upper House President Eda, Upper House Vice President Akiko Santo and Upper House International Affairs Bureau Head Ikuo Idaka attended the meeting.
- October 22, 2009: Principal Deputy Assistant Secretary Joseph Donovan raised IPCA with Mr. Koji Tomita, Deputy DG, North American Affairs Bureau.
- October 28, 2009: CA/OCS/CI Director Michael Regan, CA/OCS/CI Ann McGahuey, Abductions Unit Chief Marco Tedesco, and Japan Desk Political Officer Todd Campbell continued negotiations related to the formation of working group to address the Hague Convention and resolution of current IPCA cases. Legal Attaché Yoshihiro Ohara, Consul Kiyoshi Itoi, 2nd Secretary Zenichiro Uemura, 3rd Secretary Makiko Asami represented the Japanese Embassy.
- October 29, 2009: DCM James Zumwalt and Embassy officials briefed new DPJ Diet members on USG policies. Consular briefing including IPCA.

- October 29, 2009: \*MOFA called ACS Chief to inform Consulate Fukuoka that a LBP's ex-wife (the Taking Parent) told MOFA she would accept a consular visit. MOFA contacted TP in response to note verbale sent by Embassy after TP denied Fukuoka's previous request for consular visit.
- October 30, 2009: Briefing given to new DPJ Diet members about USG policies, including IPCA, by DCM James Zumwalt and representatives from Embassy sections.
- November 5, 2009: A/S Campbell and Ambassador Roos urged Japan to take the initiative, and told MOFA officials that Japan must develop a roadmap to accede to the Hague, find a way to resolve existing abduction cases, and develop a framework for visitation in Japan which is enforceable. A/S Campbell offered to have CA/OCS/CI trainers come to Japan to provide training to MOFA officers.
- November 10, 2009: Deputy Chief, ACS Koen participated in meeting to plan multilateral demarches on GOJ by represented embassies and to plan a spring 2010 symposium on IPCA and Hague Convention. Consular officials from the Embassies of Canada, Australia, Italy, France, and Spain were present.
- November 11, 2009: Secretary Clinton raised IPCA in Japan with FM Okada on the sidelines of the 2009 Asia-Pacific Economic Cooperation (APEC) forum in Singapore.
- November 13, 2009: A/S Campbell, CG Baca, Deputy CG Wakahiro, Deputy ACS Chief Koen meet to discuss GOJ amenability to Hague accession; strategy for engaging the GOJ; and near-term prospects for improving conditions for LBPs.
- November 17, 2009: Deputy ACS Chief Koen meets with new Diet member who has shown interest in IPCA issues. Discussion of future Diet roundtables on the issue, March 2010 IPCA symposium.
- December 8, 2009: ACS Chief Christopher meets with MOFA Officials to discuss purpose of newly established Division for Issues Related to Child Custody (DIRCC). DIRCC is coordinating body of Policy Bureau, Legal Affairs Bureau, Consular Bureau, and North American and Europe regional bureaus. Its nine members are from these bureaus.
- December 9, 2009: Embassy Officials Meeting to plan multilateral demarches on Japanese Foreign Minister and Prime Minister by represented embassies and to plan a spring 2010 symposium on IPCA and Hague Convention.
- December 11, 2009: Ambassador Roos meets with the Japan Federation of Bar Associations (JFBA). Ambassador urged JFBA to press the GOJ to accede to the Hague Convention. Ambassador offered Embassy assistance to answer JFBA questions or concerns.
- December 15, 2009: CG Ray Baca, ACS Chief Bill Christopher meet with MOFA's Director of new Division for Issues Related to Child Custody.
- December 15, 2009: CA/OCS/CI Director Michael Regan, CA/OCS/CI Ann McGahuey, Japan Desk Political Officer Todd Campbell continue negotiations related to the formation of working group to address the Hague Convention and resolution of current IPCA cases. Legal Attaché Yoshihiro Ohara, Consul Kiyoshi Itoi, 2nd Secretary Zenichiro Uemura represent the Japanese Embassy.
- December 17, 2009: Ambassador Roos raised IPCA during meeting with former Prime Minister Yasuo Fukuda.
- December 22, 2009: Ambassador Roos raised IPCA during dinner he hosted for FM Okada.
- January 6, 2010: Ambassador Roos, CG Ray Baca, ACS Chief, Bill Christopher, and Deputy ACS Chief Joe Koen met with LBPs in Japan. Ambassador updated the parents on Embassy and Department actions. He welcomed their ideas for how the Embassy can assist them and said that they could also provide input during future meetings with CG.
- January 7, 2010: CA/OCS/CI Director Michael Regan, Citizen Services Specialist (Japan) Anthony Alexander, and EAP Japan Desk Political Officer Todd Campbell finalized negotiations related to the formation of working group to address the Hague Convention and resolution of current IPCA cases. Legal Attaché Yoshihiro Ohara, Consul Kiyoshi Itoi, and 2nd Secretary Zenichiro Uemura represented the Embassy of Japan.
- January 11, 2010: During briefing about United States-Japan relations, Senator Patty Murray and DCM James Zumwalt discussed Embassy efforts regarding IPCA in Japan.
- January 14, 2010: During briefing about United States-Japan relations for Senator Inouye, CDA James Zumwalt, and CG Ray Baca updated the Senator on Embassy efforts regarding IPCA in Japan.

- January 20–21, 2010: IPCA Training Seminar in Naha led by officers from CA/OCS/CI and CA/PRI. U.S. Embassies Tokyo, Manila, and Seoul; consulates in Naha, Osaka, Fukuoka, Nagoya, Sapporo, Hong Kong, and Shanghai, and AIT Taipei attended. Officials from U.S. military bases in Japan and Korea also participated.
- Week of January 21, 2010: Under Secretary of State for Political Affairs William Burns raised child abduction issues with Deputy Foreign Minister for Political Affairs Kenichiro Sasae.
- January 22, 2010: CG Ray Baca, ACS Chief Bill Christopher, Deputy ACS Chief Joe Koen, CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, CA/OCS/PRI Corrin Ferber meet with Japan based LBPs.
- January 22, 2010: CG Ray Baca, ACS Chief Bill Christopher, CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, and CA/OCS/PRI Corrin Ferber attend meeting regarding setting up working group to discuss individual cases. Mr. Koji Tomita, Deputy DG, North American Affairs Bureau; Mr. Tomoyuki Yoshida, Director, First North America Division; Mr. Masataka Okano, Director, International Legal Affairs Division; Mr. Hisanori Yaegashi, Director, Consular Policy Division and other Japanese officials participated in the meeting.
- January 22, 2010: ACS Chief Bill Christopher, CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, CA/OCS/PRI Corrin Ferber, and consular officer Megan Phaneuf met with Ministry of Justice officials to discuss legal issues related to IPCA. MOJ Officials Mr. Tomoyuki Tobisawa, counselor, Civil Affairs Bureau; Mr. Fuminori Sano, Attorney, Civil Affairs Bureau participated in the meeting
- January 22, 2010: ACS Chief Bill Christopher, CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, CA/OCS/PRI Corrin Ferber, and consular officer Megan Phaneuf discussed Japanese passport issuance requirements as a means to prevent IPCA (e.g., how an American parent can request that a Japanese consulate in United States not issue passport to his/her child). MOFA Officials Mr. Masaru Hattori, Deputy Director, Passport Division; and Mr. Takuma Inoue, Official, Passport Division, participated.
- January 22, 2010: Press statement release following the meeting of the working group that was established to address issues related to cross-border child custody issues. The statement communicated U.S. Government hopes that the working group will provide a means to improve American parents' access to and visitation with their children; facilitate visits with children by U.S. consular officers; and explore ways to resolve current child abduction cases.
- January 25, 2010: Deputy CG Wakahiro, Deputy ACS Chief Koen; CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, CA/OCS/PRI Corrin Ferber meet with Japanese family law attorney Mikiko Otani, who has written numerous newspaper articles supporting Japan's accession to the Hague Convention on IPCA.
- January 25, 2010: Deputy CG Wakahiro, Deputy ACS Chief Koen; CA/OCS/CI Ann McGahuey, CA/OCS/CI Tony Alexander, CA/OCS/PRI Corrin Ferber discuss Japan's family law system as it relates to divorce, custody, and parental child abduction with Kyoto University Law Professor.
- January 29, 2010: A/S Campbell, A/S for Consular Affairs Janice Jacobs, Deputy Assistant Secretary Michele Bond, CA/CI Director Mike Regan, CA/CI Anthony Alexander, Japan Desk Deputy Director Simon Schuchat, and Japan Desk Political Officer Todd Campbell meet with 23 LBPs.
- January 30, 2010: Ambassador Roos, accompanied by six Ambassadors and one deputy head of mission from other embassies in Japan, demarche Foreign Minister Katsuya Okada on IPCA. They urged Japan to accede to the Hague Convention and take measures to improve access for parents separated from their children.
- February 2, 2010: A/S Campbell raised International Parental Child Abduction with Vice FM Yabunaka, met with Japan-based Left Behind Parents, and held a press conference during which he publicly urged the GOJ to accede to the Hague and take steps to resolve current cases.

*Question.* Finally, the FY 2009 State Department Report on International Child Abduction states that there were 15 new cases involving 57 children for Japan. Please provide the committee with the total number of abducted U.S. children in Japan that the Department has on file, broken down by year as well.

*Answer.* Since 1994, we have opened 202 cases involving 277 children abducted to or wrongfully retained in Japan. At the end of FY 2009, 75 cases involving 103 U.S. children were still open. Our statistics reflect only children whose left-behind parents report their case to the Department of State's Office of Children's Issues;

therefore, we cannot accurately estimate the actual number of abducted American children in Japan.

A case remains open until the left-behind parent (LBP) reports a satisfactory resolution, we lose contact with the LBP and cannot locate him/her despite significant effort over a period of 1 year, or the child attains age 18, at which point the case is "closed" in Children's Issues, but transferred to our American Citizens Services (ACS) and Crisis Management office, which is colocated with Children's Issues and part of the same Directorate, Overseas Citizens Services. The Office of Children's Issues may continue to assist as requested.

Of the 202 cases in Japan opened since 1994, 127 cases involving 174 children have been closed: 19 because the children were voluntarily returned to the United States, 79 because of lack of response from or loss of contact with the LBP, 9 because they were transferred to ACS when the children attained age 18, and 20 for other reasons. Of the cases closed for other reasons, six cases withdrawn by the LBP, one was resolved because the taking parent had sole custody in the United States, two because the LBP lives in Japan, five because the child was not in Japan, one because the child only lived in Japan and a Japanese court order applied, one because the LBP accepted the Japanese court order granting custody to the taking parent, three because the child's U.S. citizenship was not confirmed, and one because the taking parent was granted sole custody in both the United States and Japan.

Please note that the question appears to state incorrect numbers. The State Department's FY 2009 Report on International Child Abduction reported that in FY 2008, there were 37 new cases opened, involving 57 U.S. children who were abducted from the United States to Japan or wrongfully retained there.

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RESPONSES OF ASSISTANT SECRETARY KURT CAMPBELL TO QUESTIONS SUBMITTED BY  
SENATOR BARBARA BOXER

*Question.* Hundreds of leftist politicians and political activists, journalists, and clergy members have been killed or abducted since President Arroyo came to power in 2001. With only 11 people convicted for 6 of these killings, how is the administration working to pressure the Philippine Government to properly investigate such killings and prosecute perpetrators?

*Answer.* The United States takes allegations of extrajudicial killings (EJKs) and forced disappearances very seriously. Our Embassy in Manila, as well as senior officials in Washington, consistently raise these issues with Philippine Government interlocutors, urging greater progress toward investigating disappearances, eliminating the killings, and increasing prosecutions and convictions for their perpetrators. Secretary Clinton expressed our concern over EJKs when she met with the Philippine Foreign Secretary in Manila on November 12, 2009. The Philippine Government appears well aware that EJKs threaten its international standing and that concern about such killings has contributed to pressure to end preferential treatment the Philippines receives under the U.S. Generalized System of Preference.

Our message is reinforced at the working level and through targeted assistance programs sponsored by the U.S. Agency for International Development, the State Department's Bureau of Democracy, Human Rights and Labor (DRL), and the Bureau of International Narcotics and Law Enforcement Affairs (INL), aimed at building Philippine capacity to conduct proper investigations and effectively prosecute cases. This assistance includes: training on the investigation and prosecution of EJKs, forced disappearances, and torture; workshops providing human rights training for judges, public attorneys, police and military personnel, and other government officials; and training and materials to enhance the capacity of journalists to produce high-quality, accurate reports on human rights investigations and cases, thereby promoting greater public awareness.

The Philippine Government has taken numerous and significant measures to address the problem of EJKs. The Philippine Government in 2006 established a police task force (Task Force Usig) specifically charged with investigating extra-judicial killings of journalists and political and labor activists. In 2009, the government expanded this task force's authority to include investigations into killings of foreign nationals, established and strengthened regional branches, and funded a program to provide rewards for information leading to the resolution of EJK cases.

The number of killings has decreased after peaking in 2006. However, even one EJK is one too many, and we will continue to highlight at every opportunity our concerns about human rights and extrajudicial killings and our efforts to help the Philippines improve its judicial capacity and prosecutorial effectiveness.

*Question.* It is my understanding that to date, no member of the military who was accused of carrying out an extrajudicial killing while on active duty has been brought to justice. How is the administration working to pressure the Philippine Government to investigate members of the military for these crimes, ensure that all military investigations are transparent, and hold senior military officials accountable under “command responsibility?”

*Answer.* The United States regards allegations of Philippine military involvement in human rights abuses and EJKs as a very serious matter, and will continue to press the Philippine Government for greater progress in holding the perpetrators of such crimes to account and promoting a climate of accountability.

Officials of Task Force Usig, which is responsible for EJK investigations, have told U.S. Embassy officials that nine EJK cases involving military and paramilitary elements as suspects have been filed before the courts since 2001, and six cases involving police personnel have been filed for prosecution (not including ongoing efforts against police officials involved in the November 2009 Maguindanao massacre). In 2008, Armed Forces of the Philippines Corporal Rodrigo Billones was sentenced to a minimum of 54 years in prison for the 2000 disappearance of six suspected leftists in Agusan del Sur province.

In addition to the law enforcement and judicial assistance programs cited above, our ongoing military assistance programs are designed to enhance professionalism, strengthen the concept of command responsibility, and encourage respect for human rights. U.S. military personnel provide human rights training, embedded in military training exercises, to thousands of Philippine soldiers each year. We continue to highlight at every opportunity our concerns about human rights abuses and extrajudicial killings, including allegations of Philippine military involvement of these crimes, and seek to identify additional ways the U.S. Government can provide assistance.

*Question.* What is the government doing to push the Philippine central government to ensure that investigations into the November 23, 2009, Maguindanao massacre—in which at least 57 people were killed, allegedly by paramilitary forces acting at the direction of local government officials—are pursued up to the most senior levels?

*Answer.* In the immediate aftermath of the massacre, the U.S. Ambassador to the Philippines spoke with leading members of the Philippine Cabinet and urged a thorough, rapid, and transparent investigation.

The Philippine Government moved quickly to take into custody leading suspects. Virtually all police officials in the province were transferred, to preclude interference in the investigation. Legal proceedings are now underway against the suspected leader of the massacre, while authorities have charged more than a half-dozen police officials with multiple murders in the massacre. We will continue to monitor the situation closely, and underscore to the Philippine Government the need for a speedy, fair, and transparent trial of those responsible, as well as ongoing efforts to prevent further violence.

*Question.* What steps will the administration take to urge the Burmese junta to release the 2,100 political prisoners ahead of elections, including U.S. citizen Nyi Nyi Aung?

*Answer.* Securing the release of all political prisoners in Burma remains one of the administration’s fundamental goals in Burma. We remain deeply concerned by the growing number of political prisoners held by the regime, including much of the opposition leadership. We have underscored to Burmese authorities the importance of making meaningful progress on this issue in order to allow for the possibility that national elections, planned for this year, are conducted in an inclusive and therefore credible fashion. We will continue to raise the issue of all of Burma’s political prisoners in our engagement with Burmese authorities, and continue to urge other governments with influence to do the same.

*Question.* If bilateral talks fail, what further steps will the administration take to pressure the Burmese regime, such as imposing additional targeted financial sanctions?

*Answer.* Our dialogue with the Burmese leadership is at a very early stage. We will examine conditions in Burma and evaluate the progress on our core concerns as this process moves forward. In addition, we continually evaluate the various tools we have available to advance our goals in Burma, including sanctions. We reserve the option of tightening sanctions on the regime and its supporters in the future as appropriate.

*Question.* When will the administration appoint a Burma Special Representative and Policy Coordinator as stipulated in the Lantos JADE Act of 2008?

Answer. The administration places a high priority on the appointment of a Special Representative and Policy Coordinator for Burma, as required by the JADE Act, and intends to appoint an individual soon.

*Question.* When will the administration issue a report on military and intelligence aid to Burma, including on the provision of weapons of mass destruction and related materials to Burma, as stipulated in the Lantos JADE Act of 2008?

Answer. The report is in the final stages of the clearance process. We expect to deliver it to Congress shortly.

*Question.* On November 5, 2009, I sent a letter to President Obama along with Senator Corker and 20 of our Senate colleagues asking him to raise the issue of international parental child abduction with Japanese Prime Minister Yukio Hatoyama during his November visit there. I understand that the Department of State is preparing a response, which I have yet to receive. When will I receive a response?

Answer. The response was sent on March 4, 2010, by the Bureau of Legislative Affairs to Senator Boxer's office. Ariana Reks, legislative aide to Senator Boxer, has confirmed the response was received.

*Question.* What have you learned about the Japanese Foreign Ministry's new division to address international parental child abductions? What has the new division accomplished to date? Have you met with Japanese officials within this new division?

Answer. In December 2009, the Japanese Foreign Ministry established the Division for Issues Related to Child Custody (DIRCC) to study accession to the Hague Convention and to coordinate issues within the Ministry of Foreign Affairs (MOFA). The DIRCC comprises nine members from the Legal Affairs Bureau, Consular Bureau, and North American and European regional bureaus.

On November 15, 2009, Embassy Tokyo Consul General Ray Baca and American Citizen Services Chief William Christopher met with MOFA's Director of DIRCC to discuss the division's future functions. They were informed that the division would study Japan's accession to the Hague Convention, and how to address issues related to cross-border child custody issues. On January 22, Embassy and Bureau of Consular Affairs officials held the first formal meeting with DIRCC officials in Tokyo. We expect the working group will provide a means to improve parents' access to and visitation with their children; facilitate visits with children by U.S. consular officers; and explore ways to resolve current child abductions cases as well as encourage Japan to accede to the Hague.

*Question.* What progress have you made in your discussions with the Japanese on Japan's accession to the Hague Convention on the Civil Aspects of International Child Abduction? What progress have you made in conveying U.S. concern to the Japanese regarding the current cases of abducted American children? Have you been successful in engaging the Japanese Ministry of Justice on this issue?

Answer. The Embassy, the Bureau of Consular Affairs, and the Bureau of East Asian and Pacific Affairs continue to raise this issue during meetings with Japanese officials at all levels. Japanese officials have consistently stated that:

- MOFA and MOJ are studying the Hague Convention.
- Japanese family law is not consistent with the Hague Convention.
- The Diet would have to pass the required legislation to change domestic law.

On October 16, 2009, Ambassador Roos and the Ambassadors of Canada, France, Italy, New Zealand, Spain, the United Kingdom, and the deputy head of mission of Australia, demarched the new Minister of Justice (MOJ) about International Child Abduction. They urged Japan to accede to the Hague Convention and take measures to improve access for parents separated from their children. A joint press statement was issued by the eight embassies following the meeting. There was good media coverage of the meeting and the statement in Japan.

On January 22, 2010, American Citizen Services Chief William Christopher and staff from the Office of Children's Issues met with MOJ officials to discuss Japan's legal statutes as they relate to International Parental Child Abduction (IPCA), in particular the legal definition of domestic violence, how courts determine custody in divorce cases and mechanisms used to enforce court orders.

On January 30, 2010, Ambassador Roos, accompanied by the same six ambassadors and one deputy head of mission from other embassies in Japan, demarched Minister of Foreign Affairs Katsuya Okada about IPCA. The Ambassadors urged

Japan to accede to the Hague Convention and to take measures to improve access for parents separated from their children. Minister Okada expressed appreciation for the meeting and stated that the new government must decide how to deal with IPCA. There was good media coverage of the meeting and the statement in both Japan and overseas.

Assistant Secretaries Kurt M. Campbell and Janice L. Jacobs continue meetings with Left Behind Parents at regular 2- to 3-month intervals. On February 2, 2010, EAP Assistant Secretary Kurt Campbell met with Left Behind Parents in Japan. At the end of the meeting, he held a press conference where he spoke about International Parental Child Abduction. We plan to hold our next meeting with Left Behind Parents in early April.

*Question.* What benchmarks would you like to see the Japanese achieve on this issue, and in what timeframe?

Answer. At the earliest opportunity:

- We urge the Government of Japan to establish avenues for resolving cases of wrongful removal and retention of children from the United States to Japan.
- To prevent child abduction by Japanese parents, we urge Japan to require that both parents sign the child's passport application, or otherwise consent in writing to the issuance of a Japanese passport to a child.
- We call for Japan's accession to the Hague Convention on Civil Aspects of International Child Abduction.

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RESPONSES OF ASSISTANT SECRETARY OF STATE KURT CAMPBELL TO QUESTIONS  
SUBMITTED BY SENATOR JAMES M. INHOFE

*Question.* For over 60 years, the United States and Taiwan have maintained a close partnership as Taiwan remains one of our strongest allies in the Asia Pacific region. The United States has a longstanding commitment, as laid out in the Taiwan Relations Act (TRA), to aid our friends in their capabilities to defend themselves against aggressive neighbors. Additionally, it is vital that a peaceful environment exists in the Strait of Taiwan, and the ability of Taiwan to maintain its defense rests heavily upon its ability to acquire defense articles.

In October 2008, I was pleased that former President George W. Bush approved the sale of 6.5 billion dollars' worth of weapons to Taiwan. For the past 3 years, Taiwan has submitted several requests to the United States for the sale of F-16 C/D Block 50/52 fighters, diesel-electric submarines, Blackhawk utility helicopters, and the PAC-III antimissile defense system. However, none of these requests have been accepted and are all currently pending.

- Is the Obama administration committed to fulfilling the U.S.'s pledge to Taiwan under the TRA by continuing to provide Taiwan with defense articles?
- Does the administration have a plan to approve Taiwan's pending defense requests?
- Do you support selling these pending items to Taiwan?

Answer. The Obama administration's commitment to fulfilling the terms of the Taiwan Relations Act is unwavering.

The administration intends to continue to make available defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability. On January 29, in accordance with the Taiwan Relations Act (TRA), the administration formally notified Congress of its intent to sell to Taiwan UH-60 Black Hawk utility helicopters; Patriot Advanced Capability-3 (PAC-3) firing units, training unit, and missiles; Multifunctional Information Distribution Systems (MIDS) to support Taiwan's Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) communications system; *Osprey*-class mine hunting ships; and Harpoon telemetry missiles.

F-16 C/D aircraft and a diesel submarine design were not notified at this time. The administration has not denied any of Taiwan's requests, and it continues to evaluate Taiwan's defense needs.

TAIWAN AND ICAO MEMBERSHIP

*Question.* In May 2009, the World Health Organization (WHO) Director-General invited Taiwan's Health Minister to lead a delegation to attend the 62nd World Health Assembly as an observer. This decision has opened the door for more involvement for Taiwan in other UN agencies, programs, and conventions as well.

Recently, Taiwan has expressed its desire to participate in the International Civil Aviation Organization (ICAO). Taiwan is a key air transport hub in the Asia Pacific

region serving more than 1 million flights and over 40 million passengers each year. Taiwan's lack of participation in the ICAO results in its incapability to access information regarding important aviation issues, creates a gap in the global aviation network, and prevents it to receive ICAO technical assistance.

- Do you support Taiwan's observer status in the ICAO?
- Could you describe what steps, if any, the Obama administration is taking to assist Taiwan in its effort to gain meaningful participation in ICAO?

Answer. The United States supports Taiwan's membership in international organizations where statehood is not a prerequisite and supports meaningful participation by Taiwan in organizations where statehood is required. Taiwan's ability to gain official status in ICAO or other United Nations organizations is affected by the fact that Taiwan is not a Member State of the United Nations and does not have observer status at the United Nations General Assembly.

It is U.S. policy to support Taiwan's involvement in international organizations, processes, agreements, and gatherings wherever possible. Our overall goal is to ensure that Taiwan has access to information on international standards, restrictions, quotas, etc., so that it can comply with international regulations and guidelines and benefit from international assistance and advice.

We are aware that Taiwan wishes to expand its meaningful participation in ICAO. Given the volume of flights through Taiwan's airspace, there are important practical reasons to support the island's inclusion, in some form, in the work of ICAO entities. The United States supports this objective.

Rule 5 of the Standing Rules of Procedure for the ICAO Assembly declares that "Non-Contracting States and international organizations duly invited by the Council, or by the Assembly itself, to attend a session of the Assembly may be represented by observers." Comprised of 36 Member States (including the United States), the Council is ICAO's governing body that runs the Organization between sessions of the triennial Assembly. The practical question is whether Taiwan can obtain an invitation from the Council or Assembly. The ICAO Council and Assembly both operate by consensus on a matter such as this and, to date, there is no agreement among ICAO Member States on inviting Taiwan to participate as an observer.

Taiwan receives information on ICAO safety, security, and environmental standards and other matters by way of the membership of its airline, China Airlines, in the International Air Transport Association (IATA), which is an active observer in ICAO meetings on behalf of its hundreds of member airlines.

The U.S. Mission to ICAO in Montreal has, and will continue to respond to inquiries for information from Taiwan representatives in Canada about the Organization, to the extent that they seek a better understanding of the structure and rules of procedures of ICAO, including those of the Assembly and the Council.

