

CONFIDENTIAL
Department of State

OUTGOING TELEGRAM

7
ALSO IN FILE

PAGE 01 OF 02 STATE 140421
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STATE 140421

INFO OCT-01 ISO-00 DMA-02 SS-15 NSC-05 SP-02 (-03) M-01
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TO ALL AMERICAN REPUBLIC DIPLOMATIC POSTS IMMEDIATE
USCINCSO

~~CONFIDENTIAL~~ STATE 140421

FOR AMBASSADOR FROM LUERS

E.O. 11652: GDS

TAGS: SHUM

SUBJECT: HUMAN RIGHTS EVALUATION REPORTS

1. THE DEPARTMENT IS UNDERTAKING A BROAD SCALE EFFORT

TO IMPLEMENT THE ADMINISTRATION'S HUMAN RIGHTS POLICY

A EFFECTIVELY AS POSSIBLE. ONE OF THE PRINCIPAL COMPONENTS OF THIS EFFORT WILL BE THE DEVELOPMENT OF SPECIFIC PROPOSED COURSES OF ACTION WITH RESPECT TO EACH INDIVIDUAL COUNTRY. IT IS NOT REPEATED THAT THE DEPARTMENT'S INTENTION TO COMPILE A COUNTRY HIT LIST, BUT THESE "HUMAN RIGHTS EVALUATION REPORTS" (EARLIER CALLED HUMAN

RIGHTS COUNTRY ACTION PLANS) WILL ENABLE US TO DETERMINE WHERE WE SHOULD CONCENTRATE OUR ATTENTION. THE BUREAU HAS BEEN REQUESTED TO SUBMIT THESE REPORTS TO D/HA NOT LATER THAN JULY 1, EXCEPT THOSE FOR BRAZIL, COLOMBIA AND PERU, WHICH SHOULD BE SUBMITTED BY JUNE 15, IF POSSIBLE.

2. D/HA ORIGINALLY INTENDED TO PREPARE A CABLE FOR WORLDWIDE DISTRIBUTION SETTING FORTH THE BACKGROUND FOR THE EFFORT AND PROVIDING AN OUTLINE OF THE REQUIRED REPORT FORMAT. ON JUNE 8 HOWEVER THE DECISION WAS TAKEN TO LEAVE ACTION UP TO EACH INDIVIDUAL BUREAU. THIS CABLE WILL THEREFORE SET FORTH THE BACKGROUND FOR

THIS EFFORT, THE REQUIRED FORMAT FOR REPORTING, AND THE SPECIFIC ACTION REQUESTED OF EACH POST.

3. BACKGROUND. IN HIS LAW DAY SPEECH AT THE UNIVERSITY OF GEORGIA APRIL 30 (COPIES HAVE BEEN FORWARDED TO EACH POST), THE SECRETARY SPECIFICALLY DEFINED THE HUMAN RIGHTS WHICH ARE THE SUBJECT OF OUR POLICY, AND SET FORTH IN DETAIL THE QUESTIONS TO BE CONSIDERED AS WE DETERMINE WHETHER AND HOW TO ACT WITH RESPECT TO HUMAN RIGHTS. FURTHER, HE STATED THAT ONCE WE CHOOSE TO ACT, THE MEANS AVAILABLE RANGE FROM QUIET DIPLOMACY IN ITS MANY FORMS, THOROUGH PUBLIC PRONOUNCEMENTS, TO WITHHOLDING OF ASSISTANCE. EVALUATION REPORTS SHOULD FOCUS ON ALL OF THE MEANS OF ACTION HE INDICATED. BOTH BILATERAL AND MULTILATERAL APPROACHES AND ALL FORMS OF ECONOMIC AND MILITARY ASSISTANCE SHOULD BE CONSIDERED, ESPECIALLY POSSIBILITIES FOR CARRYING OUT OUR POLICY THROUGH THE U.N. AND THE INTERNATIONAL FINANCIAL INSTITUTIONS.

4. EVALUATION REPORTS SHOULD, IN A CONCISE MANNER, DESCRIBE THE CURRENT CONDITION OF HUMAN RIGHTS, THE

EXTENT OF VIOLATIONS, THEIR INTENSITY AND THE MOST RECENT INSTANCES, AND GIVE RECOMMENDATIONS FOR BOTH SHORT AND LONG-TERM STRATEGIES TO IMPROVE THE HUMAN RIGHTS SITUATION. THE FOLLOWING FORMAT SHOULD BE USED.

OUTLINE FOR EVALUATION REPORTS:

A. CONDITION OF HUMAN RIGHTS IN "APPROPRIATE COUNTRY".

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

- A. TORTURE
- B. CRUEL, INHUMAN OR DEGRADING PUNISHMENT
- C. ARBITRARY ARREST OR IMPRISONMENT
- D. DENIAL OF FAIR PUBLIC TRIAL
- E. INVASION OF THE HOME.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES

- A. FREEDOM OF THOUGHT, RELIGION & ASSEMBLY
- B. FREEDOM OF MOVEMENT WITHIN A COUNTRY, FOREIGN TRAVEL AND EMIGRATION POLICIES
- C. DEMOCRATIC PROCESSES ASSURING THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS.

3. RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

- A. POLICIES DESIGNED TO RESPOND TO THE NEEDS OF THE POOR AND POLICIES WHICH TEND TO IGNORE THE NEEDS OF THE POOR.
- B. CORRUPTION OF SUCH A NATURE THAT SIGNIFICANT RESOURCES ARE DIVERTED TOWARD THE NATION'S ELITE AND AWAY FROM THE MAJORITY OF THE POPULATION.

4. DESCRIBE THE LEVEL OF THE GOVERNMENT'S RESPONSIBILITY FOR THE FOREGOING HUMAN RIGHTS RECORD, INCLUDING THE EXTENT TO WHICH POSITIVE HUMAN RIGHTS MEASURES ARE ARTICULATED AS PUBLIC POLICY OR VIOLATIONS CONDONED AS PUBLIC POLICY BECAUSE OF SECURITY OR OTHER JUSTIFICATIONS. EVALUATE THE GENUINENESS OF THOSE JUSTIFICATIONS.

5. DESCRIBE THE WILLINGNESS AND PAST RECORD OF THE GOVERNMENT REGARDING INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.

B. ANALYSIS AND RECOMMENDATIONS

1. IDENTIFY LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX, TWELVE MONTHS IN RELATION TO IMPROVING CONDITIONS IN (FILL IN APPROPRIATE COUNTRY), WITH RESPECT TO CATEGORIES A 1, 2, AND 3 ABOVE. DEFINE IN TERMS OF (A) IMPORTANCE, (B) FEASIBILITY, (C) U.S. LEVERAGE, (D) LIKELY INTERNATIONAL SUPPORT AND (E) PROVIDE OPTIONS AND RECOMMENDED ACTIONS (E.G., QUIET DIPLOMACY, IFB LOANS, SECURITY ASSISTANCE, EXIM BANK CREDITS, ETC.) IN TERMS OF THEIR USE-FULLNESS AND LIKELY CONSEQUENCES.

2. IDENTIFY PRINCIPAL REACTIONS IN THE HOST COUNTRIES, PRO AND CON, TO THE NEW U.S. HUMAN RIGHTS POLICIES AND EMBASSY ACTIONS AND PROPOSED ACTIONS IN SUPPORT OF THOSE POLICIES, INCLUDING REACTIONS OF THE GOVERNMENT, OPPOSITION LEADERS, CHURCH AND THE MOST INFLUENTIAL PRIVATE AND INTELLECTUAL GROUPS AND THE GENERAL PUBLIC.

3. EVALUATE REACTIONS IN 2 ABOVE IN TERMS OF THE IMPLICATIONS FOR POSITIVE AND NEGATIVE CHANGES IN THE HUMAN RIGHTS CONDITIONS.

4 A. WHERE A HUMAN RIGHTS RECORD JUSTIFIES U.S. ACTIONS, EVALUATE THE IMPACT OF THOSE ACTIONS ON OTHER U.S.

DECLASSIFIED

E.O. 13292, Sec. 3.5

NLJ/LIS 06-10

By cbm, NARA, Date 12-19-06

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INTERESTS IN THAT COUNTRY, I.E. POLITICAL, ECONOMIC,
SECURITY, DIPLOMATIC INFLUENCE OF THE HOST COUNTRY
ON U.S. INTERESTS IN THE REGION.

P. WHERE THE HUMAN RIGHTS RECORD IS GOOD OR ENCOURAGING,
INDICATE THE LIKELIHOOD OF THE HOST GOVERNMENT'S SUPPORTING
U.S. EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL
AND NON-GOVERNMENTAL ORGANIZATIONS.

END OUTLINE

5. ACTION REQUESTED: A FEW ARA EMBASSIES HAVE ALREADY
RECEIVED COPIES OF THE ABOVE OUTLINE BY POUCH. THEY ARE
PREPARING COPIES OF THE ABOVE OUTLINE BY POUCH. THEY ARE
PREPARING TO CABLE IN FIRST DRAFTS, OR HAVE ALREADY DONE
SO. HOWEVER, FIRST DRAFTS FOR MOST COUNTRIES WILL BE
PREPARED IN THE DEPARTMENT AND THEN CABLED TO POSTS FOR
COMMENT AND SUGGESTIONS. THE FIRST DRAFT FOR BRAZIL,
PREPARED BY THE DESK, WILL BE CABLED TO BRASILIA UPON
CLEARANCE WITH D/NA AND S/P. THE DRAFTS FOR COLOMBIA AND
PERU, BASED LARGELY ON THE DRAFTS CABLED IN BY BOGOTA
AND LIMA, WILL BE REVIEWED AND CLEARED HERE, AND WILL
THEN BE CABLED BACK TO THE FIELD FOR STILL FURTHER REVIEW
AND COMMENT.

6. ALL MESSAGES ON HUMAN RIGHTS SHOULD INCLUDE SHUM
IN THE TAGS LINE TO ENSURE DISTRIBUTION TO INTERESTED
OFFICES IN THE DEPARTMENT.

7. ASSISTANT SECRETARY TODMAN'S PERSONAL COMMENT AND
GUIDANCE ON THE ABOVE ARE BEING PROVIDED BY SEPARATE
CABLE. CHRISTOPHER

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