

# Interchange



Fostering Cooperation with Cambodia, Laos, Vietnam and Cuba

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## Bush Administration Reaches Watershed on NTR for Laos

by Catharin Dalpino

On February 24 US Trade Representative Robert Zoellick and Secretary of State Colin Powell sent an official request to Congress for support of Normal Trade Relations (NTR) for Laos, and for bringing into force the Bilateral Trade Agreement negotiated in 1997. In order for the administration to bring the Agreement into force, Congress must grant NTR to Laos. The request was made in a letter to Representative William Thomas, Chairman of the House Ways and Means Committee; Representative Charles Rangel, ranking member of Ways and Means; Senator Charles Gassley, Chairman of the Senate Finance Committee; and Senator Max Baucus, ranking member of Finance.

The letter points out that Laos is the only Indochinese country with which the US has maintained unbroken ties in the aftermath of the Vietnam war but that it is the only remaining one of the three which lacks NTR status. USTR Zoellick and Secretary Powell praise Laos for its cooperation in accounting for POW/MIA's, counter-narcotics and counter-terrorism in the wake of September 11, 2001. They also point out that granting NTR for Laos is integral to the President's Enterprise for ASEAN Initiative, which seeks to build a network of bilateral free trade agreements with South-east Asian nations.

Extending Normal Trade Relations to Laos will tie up a longstanding loose end in US-Laotian relations. The United States has had uninterrupted diplomatic relations with Laos since 1954. Relations were not broken by the events of 1975, as they were in both Vietnam and Cambodia. At present, Laos is one of only four countries which does not have NTR status with the United States. Recent economic analysis by the Progressive Policy Institute shows that Laotian exports to the United States face the highest average tariff rates in the world: 45.3% in 2001, compared with a global average of 2.4%.

As momentum has built to urge Congress to grant Normal Trade Relations for Laos, so have opponents of NTR become more vocal. Opposition comes primarily from Laotian-American groups that wish to deny normal economic relations with the present government of Laos in an attempt to reverse the outcome of events in 1975, as well as a few individuals and groups who broadly

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## End of OFAC People-to-People Educational Licenses for Cuba

The Office of Foreign Assets Control (OFAC) of the U.S. Department of Treasury, which enforces a longstanding U.S. embargo against Cuba, said in March that it would no longer issue new licenses for "people-to-people educational exchanges."

According to these recent revisions of the Cuban Assets Control Regulations, OFAC will not grant licenses to educational programs that are "unrelated to academic coursework." The licenses for people-to-people exchanges which have already been issued, however, will be honored.

Many organizations applying for people-to-people licenses, had trouble in the past receiving and renewing licenses, with OFAC often taking as much as half a year to respond to applications. By eliminating the category entirely, the adjusted regulations eliminate much of the ambiguous middle ground of applications that were ignored without being rejected, or were granted with increasingly cumbersome restrictions and reporting requirements. The new regulations will have a severe impact on many U.S. organizations that provide educational travel programs, and will significantly decrease the number of U.S. citizens who visit the island legally.

Treasury Department spokesman Tony Fratto, in defense of the changes, argued that some Americans don't take the education aspects of their trips seriously enough and use the licenses for tourism. However, attorney Bob Muse writes that "This is simply not convincing. First, to get a 515.565(b) [people-to-people]

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## From the Editor... Iraq

For the past three months I have spent 80% of my time reading, writing and organizing about the growing danger of war with Iraq and then in opposition to US bombing, invasion and occupation. Among other consequences has been the delayed publication of *Interchange* and serious inattention to FRD's fundraising requirements and other work.

Frankly, it shocked me that the Bush administration could so blithely turn its back on a majority of the UN Security Council and launch a war that the Secretary General and most nations deemed to be illegal and unnecessary. The inspections process was moving forward with increasing effect and almost universal support. The only reason to go to war in March was that the administration had determined to do so months before. All else was smoke and mirrors and constantly changing rationalizations.

As I write, several things seem clear:

1) Win or lose militarily, the war is a political calamity. Regional and world anger and alienation against the US have grown to unprecedented levels with predictable grave impact on the war against terrorism. In the words of president Hosni Mubarak of Egypt, a longtime US ally, the war will have "horrible consequences... we will have 100 bin Ladens."

2) Iraqi nationalist resistance to foreign invasion was far greater than Bush administration leaders anticipated.

3) Hundreds of civilians have been victims not only of misplaced bombs and missiles but also (in chilling flashbacks to Vietnam) of frightened and hostile US soldiers who cannot identify the enemy, as shown by a graphic article in the Times (of London) available at [www.ffrd.org/terrorism-war](http://www.ffrd.org/terrorism-war) (look for 3/31/03, War on the Ground).

4) The primary post-war issue is whether the administration insists on acting as an occupying power, or discovers the wisdom to quickly hand over authority for interim governance and reconstruction to the United Nations. The more visible and dominant American power is, the more unstable the situation, the faster the growth of nationalist resistance, and the greater the impeachment of US motives for invasion.

5) Those who depend only on the US media will have a very limited understanding of what is going on in and about Iraq. An easy antidote: daily postings available from [www.guardian.co.uk/thewrap](http://www.guardian.co.uk/thewrap)

FRD is committed to continue its work with Cambodia, Laos, Vietnam and Cuba, but I fear that the situation in Iraq will not be possible for anyone to ignore who loves the US and who cares about the future of peace and decency in the world. (see related articles pp 13-15)

If you would like to receive far too regular postings from me about Iraq, send a request to [iraqinfo@ffrd.org](mailto:iraqinfo@ffrd.org). Previous postings can be found at [www.ffrd.org/terrorism-war](http://www.ffrd.org/terrorism-war).

-John McAuliff, 4/8/03

# Interchange

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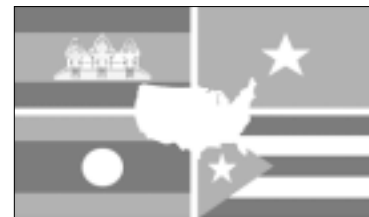
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### **Mission Statement:**

The Fund for Reconciliation and Development (FRD) began in 1985 as the US-Indochina Reconciliation Project. It devolved from a program of the American Friends Service Committee established in 1972. FRD was the first American non-governmental organization (NGO) devoted solely to normal diplomatic, economic and cultural relations with Indochina and expanded its work to include Cuba in 1999. FRD carries out its own programs of cultural and educational exchange and humanitarian assistance. It also facilitates communication and cooperation between private business, NGOs, foundations and educational institutions interested in the region by publishing the quarterly newsletter *Interchange* and by organizing national and international meetings. FRD funding comes from foundations, US and European government agencies, international organizations, and private donations.

## Commerce Makes Preliminary Ruling on Vietnamese Catfish

On January 28 the Department of Commerce announced a preliminary determination that imports of frozen catfish from Vietnam were dumped on the US market. The Department maintained that ten Vietnamese companies were dumping catfish at below margin prices at margins ranging from 37 to 61 percent. Although high, these margins were much lower than those claimed by the Catfish Farmers of America, which held that they were as high as 190 percent. The group has lobbied hard for tariffs, alleging that imports have cut the price of catfish in half in the United States over the past two years.

A final determination is expected from Commerce in June. In the interval, Vietnam is required to place funds into escrow against the tariffs retroactively imposed. If the final ruling is negative (i.e., does not find dumping), these monies will be returned. The imposition of permanent tariffs requires a final determination from the Commerce Department that dumping has occurred, and a ruling from the US International Trade Commission that Vietnamese catfish imports have injured or threatened the corresponding US industry.

Paired with the January determination was a ruling by the Commerce Department last November, that Vietnamese economy is not yet a market economy. The Department contends that the Vietnamese government intervenes in the country's price system, artificially forcing prices down.

The Vietnamese government strongly criticized the determination as an exercise in protectionism and insisted it is contrary to the Vietnam-US Bilateral Trade Agreement.

Some Washington-based economists disagree with the Commerce view of the Vietnamese economy. They point out that prices have been progressively liberalized in Vietnam since the inception of *doi moi* in the mid-1980's; moreover, the number of private companies have increased by nearly 200 percent in the past decade. Viet Vu, a United Nations economist, warned that the preliminary catfish ruling was tantamount to "attacking the private sector that the United States wants to develop in Vietnam."

Some Congressional figures have criticized the Commerce ruling as well. In a letter to Commerce Secretary Don Evans, Senators Diane Feinstein (D-California) and John McCain (R-Arizona) voiced opposition to the determination. The success of Vietnam's catfish exports, they maintained, is due not to illegal trade practices but to the quality of the fish and the relatively low cost of production.

## Vietnam Human Rights Act Reintroduced

On April 3 Congressman Christopher Smith (R-New Jersey) re-introduced the Vietnam Human Rights Act into the House of Representatives. The bill's predecessor passed last year in the House by a large margin (410-1) but was effectively defeated in the Senate when Senator John Kerry (D-Mass) placed a hold on it. The draft Act is expected to pass the House again, but its fate in the Senate is less promising. The bill may receive a more sympathetic hearing in that chamber than it did last year, since Senator Kerry has been replaced as the Asia Pacific Subcommittee chair by Senator Sam Brownback (R-Kansas), who is considered to be part of the Congressional human rights caucus. However, most analysts do not believe that Senator Richard Lugar (R-Indiana), chair of the Foreign Relations Committee, will support the legislation.

Among the policy measures in the 2003 version of the Vietnam Human Rights Act are (a) prohibition of Fiscal Year 2004 US nonhumanitarian assistance to Vietnam unless certain human rights conditions are met; (b) instruction that US Executive Directors of the World Bank and International Monetary Fund oppose loans to Vietnam unless the President certifies that religious freedom has improved; (c) authorization of \$2 million each for FY 2004 and FY 2005 to fund programs for human rights promotion through NGO's and individuals; (d) authorization of increased Radio Free Asia broadcasts to Vietnam, in response to perceptions that existing RFA programs are being jammed; and (e) authorization of funds for refugee resettlement.

## South Vietnam Flag Bill Dies in Virginia, Is Reborn in California

This winter a revealing clash played out among elements of the Vietnamese-American community, businessmen, and the US and Vietnamese governments over a proposed Virginia state bill to require the pre-1975 flag of South Vietnam, rather than the present Vietnamese flag, be flown at state functions. Sponsored by state delegate Robert D. Hull (D-Fairfax), the bill passed in the Virginia House on January 31, the 35<sup>th</sup> anniversary of the Tet offensive in the Vietnam war. Hull maintained that his legislation represented the wishes of the 29,000 Vietnamese-Americans in his district, whom he said "come from communities that were in South Vietnam." Hull's careful demographic description was an attempt to blur any distinction between first-generation Vietnamese-Americans and those who were born in the United States.

Reaction to the bill came quickly from several quarters. The Viet-

*The Washington Update is compiled monthly by Catharin Dalpino and is sent free by email to not-for-profit organizations with programs in Indochina. Other offices and individuals are asked to contribute at least \$25 annually to FRD. To be added to the email list, write update@ffrd.org.*

name Ministry of Foreign Affairs protested the legislation, causing Secretary of State Colin Powell to assure Foreign Minister Nguyen Dy Nien in a letter that the State Department opposed the move on the grounds that any attempt to alter recognition of the current flag was unconstitutional. The Department also conveyed this position to William J. Howell (R-Stafford), Virginia House Speaker, and to Senate Majority Leader Walter Stosch (R-Henrico). In the meantime, the Virginia Chamber of Commerce released a statement of strong opposition to the bill, expressing fear that it would deny Virginia businesses entrée to Vietnamese markets, and that Vietnamese trade could be diverted from Virginia ports to neighboring Baltimore or Charleston. US veterans groups and representatives of international non-governmental organizations with programs in Vietnam also released statements in opposition to the legislation. The NGO group warned that recognition of the South Vietnamese flag "...would focus on the past, instead of the future, where this nation of 80 million citizens - nearly half of them born after the war ended - is moving confidently ahead."

In the Virginia Senate, the bill was rapidly sentenced to death by committee assignment. The Senate Rules Committee sent House Bill 2829 to a subcommittee with a single member, Thomas K. Norment (R-James City), who has announced that the subcommittee will not meet before the General Assembly adjourns. Hull proposed an amendment to make flying the flag of South Vietnam optional rather than mandatory, but that too was quickly turned away in the Senate.

This incident can be viewed in a continuum of efforts by some lobbies in the Vietnamese-American community which oppose the present government in Vietnam and seek to reverse the outcome of the Vietnam war. In June 2002 Virginia Governor Mark Warner (D) declared June 19 Vietnamese American Freedom Fighter Day, and cast the South Vietnamese flag as an "eternal symbol of hope and love of freedom." A more far-reaching, if far-fetched, attempt played out in Congress in 2002 over the Vietnam Human Rights Act. The proposed bill would have required any humanitarian, educational, or business organizations working in Vietnam to submit an annual report on human rights progress in the country or lose federal support. Vietnam's normal trade status with the US would have been predicated on human rights progress as reflected in these reports. The bill last year was blocked in the Senate by John Kerry (D-Massachusetts) and John McCain (R-Arizona).

Such disputes uncover ruptures in the American political fabric and in some segments of American society. Overall, the national political level - in both Congress and the administration - supports an ongoing and forward-looking relationship with the present government of Vietnam and broader Vietnamese society. To be sure, this consensus was hard-fought in the 1980's and 1990's. Not surprisingly, given the grassroots nature of American politics, the local political level is less united on policy toward Vietnam, particularly where there are communities of Viet-

namese-Americans. However, both the Vietnam Human Rights Act and the Virginia flag issue demonstrate that this turbulence at the local level can create national issues and ultimately affect relations between the United States and Vietnam. In addition, these episodes reveal growing political daylight within the Vietnamese-American community itself. Some analysts believe that they are attempts by older generations to assert leadership over those born in the US. Younger generation spokespersons emphasize that their parents' experiences are reflected in their political positions, but that, in the words of one activist quoted in the *Washington Post*, "they should also teach us how to move on..."

These issues have resonance in more than one locality in the Vietnamese-American community. No sooner had the Virginia bill been effectively quashed when a similar resolution was passed in the city of Westminster in Orange County, California. Resolution 3750 calls for the South Vietnamese flag to be displayed at Westminster public institutions, schools attended by Vietnamese-American students, and public functions of the Vietnamese-American community. It also recommends introducing a similar resolution for consideration by the California state assembly. The Vietnam-USA Society in Hanoi has issued a strong statement saying the resolution "does harm to efforts being made by the two peoples for friendship and cooperation between our countries" and requests that American friends work for its repeal.

## **The Millennium Challenge Account: Will Vietnam, Laos and Cambodia Be "Challenged"?**

The Bush administration is seeking to reform US foreign assistance with a new program that will increase levels of core development assistance by 50% over the next three years, to reach the level of \$5 billion in the third year. In its budget proposal to Congress for Fiscal Year 2004, the administration requested the establishment of a Millennium Challenge Account (MCA), which Bush has defined as "a new compact for global development, defined by new accountability for both rich and poor nations alike." The administration plans to administer the MCA through a new government corporation, supervised by a Board of Directors composed of Cabinet-level officials and chaired by the Secretary of State.

The criteria for recipient countries under the MCA are complicated. The first cut is per capita income. In the initial year of the program, recipient countries must have a per capita income below \$1,435; the ceiling rises in subsequent years to include lower middle-income countries. However, recipient countries must also satisfy an extensive formula for performance criteria. Under the category of "governing justly," countries will be assessed according to indices produced by Freedom House and the World Bank, on civil liberties, political rights, good governance and con-

trol of corruption. Under “investing in people,” countries must demonstrate commitment to public health and education, based on the percentage of Gross Domestic Product they devote to these sectors. Under “promoting economic freedom,” countries will be assessed according to credit ratings, inflation, budget deficits and trade policy.

Will Vietnam, Cambodia and Laos qualify for funds under the MCA? All three countries are well under the per capita income ceiling for the first year. However, their ratings under the performance criteria and the indices that undergird them could exclude them. For example, in their annual ratings on political freedom and civil liberties released in January, Freedom House graded all

three countries as “not free,” the lowest rating, although Cambodia was judged to be slightly higher than Vietnam and Laos. Cambodia also is likely to get a slightly higher rating on some aspects of economic freedom. It is not known at this time whether forward momentum - moving in a positive direction - will have bearing on a country’s status. However, all foreign aid becomes politicized in short order, and the MCA is not likely to be exempted. Countries could be affected by their public image in the United States; within the policy community, they are also likely to be assessed according to their strategic importance to US policy goals. The latter will doubtless be influenced by the current war on terrorism, in which none of the three countries of Indochina are considered to be significant players.

## Cambodia, UN Agree to Set up Khmer Rouge Tribunal

Hans Corel, chief negotiator for the United Nations, and HE Sok An, Minister to the Council of Ministers, have finalized the text for the tribunal court to prosecute crimes committed by the Khmer Rouge. The Cambodian cabinet has approved of the draft agreement and it is now in the hands of the UN Third Committee for consideration before it goes to the General Assembly for a vote. The Cambodian National Assembly will vote on the agreement after it is approved by the UN General Assembly.

According to the agreement, the tribunal would look only at crimes committed between April 17, 1975 and January 6, 1979. In addition, the court would only prosecute senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia.

According to Corel, the new agreement differs from previous negotiations which were halted by the UN Secretary General in February 2002 in four key areas:

- First, the General Assembly of the United Nations has taken responsibility for the process, which is now based on its mandate.
- Second, the agreement, if approved and ratified, would be an international agreement governing the cooperation between the United Nations and Cambodia and would have to be implemented in accordance with all requirements under the law of treaties.
- Third, the cumbersome structure with three instances - Trial Chamber, Appeals Chamber and Supreme Court -has been changed to a two-instance system.
- Fourth, the procedural provisions of the text of the agreement are formulated more in accordance with the proposals by the United Nations and are further enhanced in light of General Assembly resolution 57/228.

The draft agreement states that there would be one Trial Chamber with three Cambodian and two international judges and one Supreme Court Chamber with four Cambodian and three interna-

tional judges. Decisions in the two Chambers would be taken by a majority of four judges and five judges, respectively.

In addition, there would be two co-investigating judges and two co-prosecutors. In both cases there would be one Cambodian and one international official. In case they differed on whether to proceed with an investigation or a prosecution, that difference would be settled by a Pre-Trial Chamber consisting of three Cambodian and two international judges where at least four judges would have to agree in order to stop an investigation or a prosecution.

The maximum penalty for conviction would be life imprisonment.

Youk Chhang, director of the Documentation Center of Cambodia, as reported in an Associated Press article, said that the Cambodian side could not easily block indictments, and that a public accounting of the Khmer Rouge’s atrocities, no matter what verdicts are reached, would be ensured.



*Photograph from Yale Documentation Center  
©2000 Stuart Isett/Corbis Sygma*

*Duch, head of the Tuol Sleng prison complex responsible for thousands of deaths, in a photo taken before his arrest.*

# Vietnam Mine/UXO Report Released

by the Hatfield Group.

Hatfield Consultants Ltd. of West Vancouver, Canada, released in January 2003 a report entitled *Development of Methodologies and Technology for Supporting Clearance of Landmines and Unexploded Ordnance in Viet Nam*. The project was carried out with the cooperation of the 10-80 Division, Ministry of Health (Ha Noi, Viet Nam) and other Vietnamese regional government agencies in the Aluoi Valley of central Viet Nam where Hatfield has, for the past 10 years, been studying the residual effects of Agent Orange used by the US military during the war. Hatfield and their Vietnamese counterparts developed and applied alternate approaches to clearance of landmines and unexploded ordnance (UXO) in soils that were potentially contaminated by dioxin that resulted from the use of Agent Orange.

Residents of post-conflict areas of the world often continue to suffer from the impacts of war long after the guns have been silenced. Highly visible effects such as damaged or destroyed buildings, bridges, roads, etc., are fairly easy to assess and rectify. It is the economic, social and environmental impacts resulting from war that are far more difficult to quantify and mitigate. These less visible impacts are often not properly considered during post-conflict remediation. Proper planning and integration of environmental considerations at an early stage can significantly reduce the time and cost required to restore environments impacted by war.

Viet Nam remains highly contaminated with UXO and landmines, almost thirty years after the end of the US-Viet Nam War (1961-1975). **Approximately eight million tons of ordnance were dropped on Indochina during the war, compared to four million tons dropped by US and UK forces in World War II in all theatres.** More than half of this total was dropped on South Viet Nam, approximately one million tons on North Viet Nam, and two million tons on Lao PDR and Cambodia. In addition, approximately eight million tons of US artillery was used in South Viet Nam. It is estimated that 350,000 tons of UXO remain hidden in the country.



*Aluoi Valley resident participating in the UXO Awareness and Education Program (May 2001). Source: 10-80 Committee.*

The Landmine Monitor Report also estimated that at least 5% of Vietnamese territory has been affected by landmines and UXO, or a total of 16,478 km<sup>2</sup> (5,932 squares miles). Most ordnance fell in jungle and rural areas rather than cities. UXO is scattered throughout all 61 provinces and major cities. According to a nationwide survey conducted in 1999 by the Ministry of Labour, War Invalids and Social Affairs, **over 38,000 people have been killed and more than 64,000 have been injured by landmines and UXO since the end of the Viet Nam War**, which is equivalent to approximately 180 casualties per month.

Despite extensive efforts since the end of the war, only a fraction of land area containing landmines and UXO has been thoroughly cleared and is considered safe for human habitation and use. To complicate the problem, demining and/or UXO clearance may be carried out in soils contaminated with war-related chemicals. Studies have shown that many of these chemicals are harmful to human health and local environments. In Viet Nam, widespread soil contamination has resulted from herbicide applications (e.g., Agent Orange contaminated with dioxin), anti-personnel agents, and residual blast munitions used during the war. Contamination is generally most severe in or near the many former US and South Vietnamese military bases and battle fields. Local farmers and minority people now inhabit many of these impacted areas; these people are often the poorest members of society who have little alternative but to reside in or near areas of UXO or chemical contamination.

The goal of the Hatfield project was to develop new methods and technologies to support mine action programs. Its approach included an integration of historical war records, satellite remote sensing data and geographical information systems (GIS) in order to compile and display key elements, including:

- § the bio-physical environment;
- § socio-economic impacts and constraints;
- § risk characterization of UXO and landmine contamination;
- § potential for chemical contamination; and
- § identifying goals for future land use and land rehabilitation.

This project demonstrates the importance of integrating environmental considerations prior to remediation of war-impacted areas.

*For a copy of the report, contact the Hatfield Group directly*

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# Vietnam Outlines New Priorities for International NGO Assistance

by Andrew Wells-Dang

On January 28, 2003, several days before *Tet*, the Vietnamese agencies responsible for cooperation with international non-governmental organizations (INGOs) held their annual meeting to discuss INGO activities in 2002 and future directions in 2003. Several hundred representatives of NGOs working in Vietnam were present, making this probably the single largest NGO gathering held in Hanoi to date. Following the meeting, a reception for INGO representatives and members of the diplomatic community featured remarks by Vice President (Ms.) **Truong My Hoa**, among others.

The main event of the INGO meeting was a presentation by the new chairman of the Committee for Foreign NGO Affairs (COMINGO), H.E. **Le Van Bang**. As former Ambassador to the US (1995-2001), now Deputy Foreign Minister, Bang brings impeccable credentials to the position, as well as enthusiasm and openness. After his opening speech, a multifaceted discussion ensued during the question and answer session on topics relevant to INGOs' presence and work in Vietnam. Amb. Bang's involvement is a positive sign that the government is taking INGOs' contributions seriously at a high level.

The structure of Vietnamese official bodies and organizations cooperating with international NGOs has not changed significantly in recent years. The Committee on Foreign NGO Affairs that is now headed by Amb. Bang was re-constituted in 2001 as the "competent authority" of the Vietnamese Government responsible for hosting INGOs in the country. The Vietnam Union of Friendship Organizations (VUFO), under the presidency of **Vu Xuan Hong**, functions as a standing body for COMINGO as well as a coordinating agency for bilateral and multilateral committees. These include the Vietnam-USA Society (*Hoi Viet My*) and PACCOM, the People's Aid Coordinating Committee. PACCOM, directed by **Phan Trong Thai**, is the primary partner for implementing cooperation with international NGOs. Its vice-director, **Nguyen Van Kien**, also serves as co-director of the VUFO-NGO Resource Center. The new Managing Co-Director of the Resource Center is **David Payne**, an Australian who worked previously as country director for Christian Children's Fund.

In his public remarks, Amb. Bang told the audience that Vietnam's recent economic achievements, especially poverty reduction, have been "contributed to greatly by external assistance" from INGOs. Though total funding last year was \$85 million, much less than from large multilateral donors, he continued, "with the way [INGOs] spend money, you are almost equal to the other donors" in impact.

When the first INGOs came to Vietnam in the late 1980s, Amb. Bang explained, the government did not yet understand what these groups were. Given the statist assumptions present in Vietnam and the socialist bloc at the time, they thought "non-government" meant "anti-government." Now, the ambassador said, the government knows better.

Ambassador Bang outlined four priorities for INGO work in the coming year:

- (1) Poverty reduction, especially in remote, mountainous areas
- (2) Education and vocational training, which now only gets 5% of total INGO funding
- (3) Agent Orange and unexploded ordnance (UXOs)
- (4) Assistance in Vietnam's regional and international integration, including trade advocacy.

During the question and answer session, the ambassador also spoke at length about HIV/AIDS, so that could be interpreted as a fifth priority area.

What is remarkable about this list is how different it is from the traditional spheres of INGO activity in Vietnam. Of current project funding, 26% goes to health care, 24% to rural development, 22% to social welfare (a somewhat unclear category), 6% to environmental protection, 5% to education, and 3% to emergency relief and preparedness. All of these projects are clearly worthwhile, but most of them fall under only one of the priority areas: poverty reduction. Even then, the majority of INGO dollars go to cities or more easily accessible provinces, not the most remote. It could be pointed out that encouraging investment in mountainous regions will also require more flexibility for INGOs to open offices there and to work freely in areas such as the Central Highlands, which has not yet been forthcoming. If Amb. Bang's presentation is any guide, however, the government is prepared to make such changes in accordance with Vietnamese law.

The newest emphases are areas #3 and #4. The idea that INGOs have a major role in clearing and remediating landmines and UXO was not universally accepted in the past. In the late 1990's, as Vu Xuan Hong added later, there were only three organizations involved in landmines; now there are 30. And the advocacy roles played by INGOs such as Oxfam and Action Aid in recent coffee and catfish trade issues are truly an innovation. Amb. Bang's recognition of these areas as legitimate priorities for INGO efforts opens the door to more such projects in the future.

**Charles Bailey** of the Ford Foundation asked further about the issue of Agent Orange: Given that this is a sensitive question in US-Vietnamese relations, how can INGOs best contribute? Amb. Bang answered that while there is no desire to damage relations with the US, INGOs can come in to conduct surveys and engage in humanitarian activities to help victims of toxic chemicals (or those who might be victims). The new Vietnam Fund for the Promotion of Peace, with former Vice President Nguyen Thi Binh as honorary chair, is a possible counterpart for such projects.

Another INGO representative then raised a question about local NGOs. If the government now understands that INGOs are not "anti-government," he argued, doesn't this also apply for domes-

tic organizations? The Law on Associations, which would provide local NGOs with legal status, has undergone nearly 20 drafts, and at present it is “still under discussion,” replied Amb. Bang. In the meantime, INGOs can continue to work with mass organizations such as the Women’s Union and Youth Union, which are also social organizations that can function as local NGOs. Amb. Bang added: “In the future, we will have a way for local NGOs to work in Vietnam and avoid misunderstandings.”

**Bui The Giang**, the knowledgeable Communist Party delegate on the Committee for Foreign NGO Affairs, explained further: “We encourage the work of all organizations and individuals who are for the development of this country.” This includes mass

organizations and “people’s organizations,” of which there are more than 200 by his count, only 20 of which are mostly government-funded. Others are “NGOs in the true sense of the word.” But these organizations need to represent a constituency, not only their leaders, he concluded.

Developing a constituency for local NGOs remains difficult, however, given their lack of legal status. A cross-ministry Civil Society Working Group, which also includes several INGOs, is currently looking for ways to make progress on the question of legal status. Both Mr. Giang and Amb. Bang suggested the possibility of holding a conference or seminar later this year to discuss these issues further.

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## Regulations and Implementation of Foreign NGO Operations in Vietnam

by Andrew Wells-Dang

*In a November 29, 2002 meeting with representatives of international NGOs in Hanoi, Mr. Phan Trong Thai, Director of PACCOM, presented an overview of regulations governing the operation of INGOs in Vietnam and some specific issues regarding INGOs’ legal status. The following is an unofficial summary of his remarks. -AWD*

As far as the operation of INGOs in Vietnam is concerned, there are in fact no new regulations. The regulations and guidelines printed in the INGO Directory were promulgated in 1996 and last revised in April 2001. The revisions include Decision 64 and Directive 11, are intended as an addendum to the older regulations. INGOs are a part of “civil society” in Vietnam, as well as universities, institutes, groups and individuals coming to Vietnam for humanitarian and non-profit purposes.

There are currently 489 such groups, of which 381 have Vietnamese partners and ongoing programs and projects. In the last several years, the amount of support has increased, in particular from US NGOs in education and health care. PACCOM provides these organizations with permits for either (a) operation, (b) project office, or (c) representative office status. At present, approximately 40 INGOs have representative office permits, 65 project office permits, and the others permits for operation only.

Localities in Vietnam can receive funds from different sources: from the central government, district authorities, international organizations and INGOs, etc. It is therefore important to establish transparency. The Decree on Grassroots Democracy [Decree 29] at the commune level is one legal instrument aiming at people’s closer control on how funds are used. INGOs have to abide by these regulations and inform PACCOM in writing of any change or expansion in their objectives, field of work and geographical scope. According to Decision 64, Vietnamese partner institutions are also obliged to inform their respective competent authorities (a Government Ministry, provincial People’s Committee, or central office of a mass organization such as the Women’s Union).

Regretfully, some INGOs are violating the stipulations of their permits. On four occasions, INGO permits have been withdrawn.

In addition, some INGOs are changing their objectives or their geographical area of intervention without informing the competent authorities (in this case COMINGO).

PACCOM will also enforce regulations on visa obtention and extension, using a specific form provided by the immigration authorities. INGOs should submit these forms to PACCOM together with an official letter. Country directors of INGOs with representative or project office status will be able to apply for permanent resident cards and may receive tax free shopping privileges in the future.

Regarding websites, about which there have been questions: The newly issued regulations on Vietnam-based websites of international organisations (including INGOs) relate only to websites with the .vn domain name. Registration of these websites is done through the Ministry of Culture and Information. PACCOM can assist INGOs in preparing and forwarding these documents to the Ministry.

One clear issue that INGOs should not be involved in is that of international adoption services. The new Decree No. 68/2002/ND-CP of the Prime Minister, dated 10 July 2002, restricts these services to adoption agencies which are legally established in the countries having signed international treaty on adoption cooperation with Vietnam.

Recently, some INGOs involved in international adoption services have been asked to leave Vietnam. INGOs are welcome to assist the local institutions which care for orphans or homeless children, but they are not allowed to provide any service of adopting Vietnamese children abroad.

Regarding donations of in-kind assistance, PACCOM can be of assistance provided that INGOs inform their local partners as well as PACCOM beforehand, so that PACCOM can assist the Vietnamese partner to do the necessary procedures with the customs authorities. Vietnam should not, however, become a dumping ground for second-hand goods.

## NGO Profile: Village Focus International

Village Focus International (VFI) is based in Portland, Oregon, and is committed to strengthening the capacity of poor and marginalized rural communities in Southeast Asia to improve the quality of their own lives. VFI has a full country program in Laos, implemented through a national staff of 20 people with over 70 years of experience, and also operates a program through local NGOs in Cambodia. In these countries, VFI is committed to engagement and creating healthy and respectful processes to work with government counterparts and the communities. In every case, VFI is committed to local management, to supporting local organizations and to participating in regional networks related to our four programs.

**Community Education:** Under the leadership of a Lao woman (Dr. Boualaphet Chounthavong, now completing her masters in Bangkok), VFI provides village-based non-formal education and training in health care and agriculture, as well as support for the formal education sector. Activities in the Community Education program include: Mother and Child Health Care; Building Birthing Houses; Malaria Prevention; Kitchen Gardens; School Construction; Teacher Training, and many other services. In every case, VFI places primary emphasis upon education, leadership, and participation at the village level, rather than simply providing physical services. While VFI does build schools, conduct health care trainings, dig wells, and supports other tangible activities in every village in which the organization operates, improving the quality of life for the long term can be accomplished only if local people have the skills to lead and maintain their own development initiatives. In all activities and training, VFI involves government counterparts and places a special emphasis on the participation and leadership of women in the villages.

**Sustainable Agriculture:** VFI works at the village-level to increase and improve the production and marketing of organically-grown vegetables through farmer training and capacity building. This program directly promotes sustainable methods of increasing nutrition and food security at the village level while reducing the reliance on forest gathering. VFI emphasizes income generation by improving post-harvest facilities, marketing skills and developing cooperatives. Activities in this program include: Organic Vegetable Production; Farmer Field Schools; Farmer Leadership Trainings; Food Processing and Preservation; and Fish Farming. These activities are based on environmentally sound practices, coordination with local officials and creation of a direct link between capacity building and increased income for farm families.

**Anti-Trafficking in Women and Children:** VFI's anti-trafficking program assists in efforts to minimize and eliminate the dramatic problem of trafficking in women and children through village-level economic development, awareness raising and legal protection. In January 2002, VFI became the first NGO in Laos to sign a Memorandum of Understanding with the Lao government to start a project against trafficking in women and children signaling a beginning of VFI's commitment to a problem international in scope and that affects tens of thousands of Lao people every year mostly crossing the Mekong border to Thailand. VFI became involved with the anti-trafficking movement with the support of Terre Des Hommes, a donor organization who started Asia ACT (Asia Against Child Trafficking), a Southeast Asian network of organizations to which VFI formally belongs. VFI is also working in coordination with the United Nations International Labor Organization (ILO) and with Lao organizations to address this problem. Activities include: Awareness Raising Campaign (community theater, info kits, participatory videos); Youth Center Development; Farm Based Income Generation; Repatriation Assistance; and Legal Protection.

**Legal Reform & Conservation of Natural Resources:** In 2001, VFI started the International Natural Resources Law Program (INRLP) to work with organizations and governments in SE Asia to draft and implement legislation and train local officials and local people. VFI has recently helped to develop legislation on sustainable forestry, protected areas, wildlife protection, and community forestry in Cambodia and Lao PDR. The natural resources of these countries are not only valuable to global biodiversity but is the source of livelihood for the majority of the population. Although new legislation is necessary in countries with emerging legal systems, it should focus on creating transparent and consultative processes at the community level. INRLP seeks to: gather legislation on management and use of natural resources in SE Asia; improve the dissemination; awareness and understanding of legislation at the local level; provide training and technical assistance to governments and organizations to improve methods of drafting legislation; and ensure the protection and enforcement of legal rights and responsibilities of local communities in natural resource management.

Contact VFI Executive Director Todd Sigaty at 510 SW 3rd St, Suite 420, Portland, OR 97204; phone/fax 503-238-4717. Email [todd@villagefocus.org](mailto:todd@villagefocus.org), website [www.villagefocus.org](http://www.villagefocus.org).



In the Lao PDR contact VFI at PO Box 4697, Vientiane, (856)20-613825 and in Cambodia at (855)12-735105.

# Assessing Cambodia: Which Comparisons are Useful?

by Catharin Dalpino

As Cambodia approaches national elections in July, it also marks the tenth anniversary of the 1993 landmark election managed by the United Nations Transitional Authority for Cambodia. This coincidence invites intense scrutiny of Cambodia's political practices, and of its path toward democratization. Because of UNTAC's role, international involvement in Cambodia's political development has been unusually high, even a decade later. At times, the international community's sense of "ownership" of that process has been palpable. As a result, analysts often compare Cambodia's political processes to those of advanced Western democracies, usually under the rubric of "international standards." Less often is Cambodia examined in light of political development in the Asia region, which is host to the broadest political spectrum in the world. Even less frequently is an attempt made to view Cambodia in the context of its own unique political history.

In conventional analysis, Cambodian political development is divided into institution-building tasks which parallel the constituent elements of a democracy: conducting free and fair elections; fostering a stable but unfettered political party system; developing an independent judiciary; and building an activist civil society that acts as a check on government. Undoubtedly, these are worthy goals, and an increasing number of Cambodians subscribe to them. However, they do not capture the near-term challenges and tasks that Cambodia must address to move its political development process forward. These include:

## 1. Recovering from a Quarter Century of Civil War and Internal Conflict

The political parties that emerged from the peace process in the early 1990's were military rivals a few months prior. Peace settlements for civil wars often transfer the conflict from the battlefield to the polling station. In Cambodia and similar post-conflict nations, building trust between former combatants is an essential but lengthy task as party leaders exchange the rules of conflict for those of democratic contestation.

In civil war, leaders are accustomed to keeping populations under control, in order to maintain factional strength, and initially may find it difficult to view their adherents as constituents whose interests they now represent, or whose votes they must now win. Factional identity - politically, militarily and in broader society as a whole - is often more difficult to abandon than international advisers realize.

Cambodia is unique in the Asia region for the imprint of a past civil war on its political party system. This is not the case in East Timor, where Timorese parties were united politically against Indonesian rule. Given these circumstances, some political violence in Cambodia is likely unavoidable, although deplorable all the same. Analysts typically measure political violence in the lead-up to elections, counting numbers of casualties by party. Strictly on the basis of numbers, Cambodia surprisingly falls into

the mid-range for election-related violence in Southeast Asia. In the 2002 commune elections, two dozen people were reported killed. This was twice the number whose deaths were linked to the Indonesian parliamentary elections of 1999, but only half the number killed in the Philippines national elections in 1998.

The sources of political violence are also seen in Cambodian society. In the political realm, tolerance for a broader public spectrum is becoming a public norm, but less progress has been noted in the personal realm. A comprehensive survey of Cambodian political attitudes, released in 2002 by The Asia Foundation, showed that two-thirds of Cambodians polled believe that all political parties should be allowed to operate. However, nearly the same percentage also said they would end a friendship with someone who supported an unpopular party. This month ADHOC, a Cambodian human rights organization, released findings that levels of both political and domestic violence were rising in the run-up to elections. Given Cambodia's tragic past, levels of both political and personal violence are among the several measures of the country's emergence from civil war.

## 2. Moving from Political Consensus to Political Change

Democracy is an adversarial as well as a consensual process. In the face of the pitched political contests the democracies produce, stability depends upon all parties subscribing to common rules of the game, and to the concept of a loyal opposition. These concepts must be embedded in the political culture as well as in the political system and typically can take a generation or more to develop. In post-conflict societies emerging from violent internal division, it can be difficult (and even dangerous) to move directly from military confrontation to political confrontation. In Cambodia, an interim period of consensus-building has been required. This has been seen in coalition rule and, in some government agencies, quotas and other arrangements designed to ensure factional representation. These mechanisms show, on the one hand, a willingness to move beyond a single source of power and, on the other, a reluctance for a degree of power-sharing that permits power to alternate between parties.

Coalition government has been seen at various intervals in several other Southeast Asian countries, such as Thailand and Indonesia. It is often the result of a political party system organized around individual personalities rather than ideologies or platforms. It is also more typical of parliamentary systems than presidential ones, since the former often have more complicated formulas for electoral victories.

The drive for consensus is also seen in bureaucratic arrangements which reflect factional divisions. In the first post-UNTAC government in Cambodia, the major ministries were headed by a minister and a vice minister from opposite parties, except Defense and Interior which had co-ministers. The post-1998 government coalition has divided the portfolio of ministries, as is the case in

several other coalition governments, though the Ministries of Defense and Interior are still led by co-ministries.

In many Southeast Asian countries, one house in the legislature typically reserves seats for appointed members, which may be distributed according to party strength or be given to segments of society which have traditionally held power. In Thailand, the appointed Senate remained for fifteen years after the democratization process began, primarily to give the military a voice in politics. It became an elected body only in the year 2000. In Indonesia, some seats are still reserved for the military. The future of the Cambodian Senate is presently under debate. It is scheduled to move to elected membership in future polls. Given the likely cost of that, however, some leaders advocate disbanding it altogether, arguing that many systems can function well enough with a unicameral legislature.

### 3. Forging a National Definition of Democracy

Democratization changes societies as much as it alters the formal political system. Cambodian history has little tradition of public franchise, and a record of the violent transfer of political power for much of the second half of the twentieth century.

Public education - and public consensus - on the nature and definition of democracy is an important but unheralded task in the early stage of democratization. The Asia Foundation survey found that only 3% of Cambodians associate democracy with elections. Freedoms of expression and association, neither of which were present in Cambodia a quarter century ago, were seen as more essential to the development of democracy at this time.

Definitions of democracy are most likely to differ between urban and rural populations. In most Southeast Asian countries which have undergone democratization processes, democracy has gained favor first in the urban areas, among the upper and middle income, educated classes. In rural areas, where political and economic feudalism may linger (Philippines) or where military influence is greater (Thailand well into the 1980's), democracy may mean rise in income and improvement in quality of life.

### 4. Setting the Pace and Sequence for Political Change

The incremental approach, in which personal rights are secured first, and was uncovered in The Asia Foundation survey in Cambodia is seen in the political development of several Asian countries. In Thailand in the 1980's, personal rights preceded multi-party politics. As rights expanded, so did citizens' definition of, and demand for, democracy. In recent years, Vietnam and China, have seen an enlargement in personal rights, measured against those of three or four decades ago.

Many Western policymakers and analysts are resistant to the idea of a sequence in political development, and an incremental pace. In the post-cold war era, the democracy promotion plans of many donors have implicitly urged (and expected) simultaneous progress in all aspects of political development. These

expectations are even greater for Cambodia, because its democratization process began with an international agreement and a brief period of international custodianship.

However, the experience of other international interventions (Haiti, Bosnia, Kosovo) indicates that a high degree of international involvement does not necessarily guarantee a rapid democratization process. In countries where democratization has appeared to be swift, where democratic "revolutions" have occurred, some sectors of political development have lagged nevertheless. After the "People's Power" revolution in the Philippines in 1986, military factions attempted coups against the government six times before civil-military relations achieved democratic stability. After the 1998 transition in Indonesia, commonly termed a democratic revolution, the parliament catapulted to new powers, but the judiciary remains significantly weaker.

Cambodia's institutional development is similar to that of several of its neighbors. A relatively strong executive is a constant across Asia, even in democracies. However, as in Thailand, Indonesia, the Philippines, and even China, the Cambodian legislature is gradually becoming more assertive. And, in common with many of its neighbors, the Cambodian judiciary is considerably weaker in comparison to the other two branches.

If Cambodia is ahead of the regional curve, it is in development of its civil society. The Cambodian NGO community includes groups concerned with the traditional delivery of social services, but it is distinguished by the relatively high number of advocacy organizations: for human rights, clean elections, and other issues crucial to democratization. As well, an active press has developed in Cambodia. Although both sectors have occasionally been subject to government domination, they have proved to be determined and resilient. The Cambodian press and non-governmental sectors compare favorably to their counterparts in the semi-democratic states of Asia (Singapore, Malaysia); in the remaining authoritarian states, they have no parallel at all.

### 5. Indigenizing the Democratization Process

If there is a single indicator to predict the success of Cambodia's democratization process, it is whether the country will choose, and be able, to assume full financial and administrative responsibility from the international community for that process. In a more narrow sense, this translates into whether Cambodia will continue regular elections at the national and local level, and whether it will be able to afford them. Many Cambodians believe that international funding pledged for the 2003 polls, which would cover a portion of the cost, could be the last foreign support for a Cambodian election.

The Cambodian Development Resource Center points out that, for democratization to continue, the government will have to find and allocate sufficient resources to fund at least three elections - the Senate election, the 2007 commune elections, and the 2008 national elections - beyond this year's polls. To be sure, the cost of elections has gone down: the 1998 election total was \$28 mil-

lion, while the 2002 commune elections cost \$18 million. However, even further reductions will present the Cambodian people with a relatively high price tag for its democratization process. In a country struggling to meet basic needs, raise income levels, and achieve greater financial self-sufficiency, the continuation of the democratization process will be a matter not only of political will, but also of knowing sacrifice.

## Opportunity to Serve as Cambodian Election Observer

The Fund for Reconciliation and Development is organizing a team of volunteer international observers for the Cambodian national election on July 27, 2003, similar to the team FRD coordinated to observe the 1998 election. To date we have more than thirty people interested in joining the observer team however there are still positions available.

For the third time since the Paris Peace Agreement in 1991 Cambodia will hold a national election to democratically determine its government. International observers have contributed to the generally peaceful conduct of each election by adding their disinterested highly visible presence to the far larger number of observers mobilized by Cambodian NGOs and political parties.

Observers will be responsible for all of their costs including international airfare, internal transportation, hotels, and meals. However, FRD is continuing to search for funding to subsidize the in-country travel and housing costs. FRD will assist observers in finding affordable accommodations in Phnom Penh and at the observation locations, make in-country travel arrangements, and arrange for transportation between polling stations.

Observers need to report to Phnom Penh by July 22nd for election monitoring orientation and training. We plan on placing at least one team of observers in each province and major cities. Observers will need to remain at the observation locations through the counting process which may take up to two to three days after the elections. The observer group will meet back in Phnom Penh July 29<sup>th</sup> or 30<sup>th</sup> to share their observations and draft the group's observation report that will be submitted to Cambodia's National Election Commission.

If you are interested in being a self-funded volunteer observer or in supporting this effort, please contact Susan Hammond at FRD by postal mail or by e-mail at [shammond@frd.org](mailto:shammond@frd.org) or call 212-760-9903 before May 1, 2003.

Susan will need the following information: name, current address, phone, email, current occupation, experience in Cambodia and/or elsewhere in Southeast Asia, election experience, dates available, passport data. In addition, please specify if there is a particular province you are interested in observing.

## Vietnam Hot Tourist Destination

After the terrorist bombings in Bali last year added to insecurity in other traditional tourist destinations in Southeast Asia, Vietnam is emerging as a new center for international tourism. According to the Vietnam Administration of Tourism, visitor arrivals in the country increased by nearly 12% in 2002 to 2.7 million. The largest number of tourists comes from China - many of whom go straight to Halong Bay along the northern coast. Americans, however, are second highest, totaling approximately 300,000 in 2002. More than half of these are Vietnamese-Americans, some of whom are traditional tourists.



*Vietnamese tourism includes historical and cultural sites, though food and beaches remain staples.*

## Idyll Untours in Vietnam

After 30 years of operation in Europe, Idyll Untours is now in Vietnam. A Vietnam Untour offers a home in downtown Ho Chi Minh City or Hanoi with a decorated living room and kitchen, a mobile phone, and the support of local staff. All proceeds from the Vietnam Untour program will be used by the Idyll Foundation for development work in Vietnam. To date, Idyll loans funded the opening of the Craftlink handicrafts store in Hanoi and the Bodhi Tree vegetarian restaurant in Ho Chi Minh City. Idyll was awarded the title "Most generous company in America" in 1999 by Paul Newman and George Magazine.

For more details, please contact Dee McConnell at [dee.mcconnell@untours.com](mailto:dee.mcconnell@untours.com), 1-888-868-6871, or [www.untours.com](http://www.untours.com).

## US Airlines to Fly to Vietnam

As a result of recent successful air transportation talks between the US and Vietnam on both passenger and cargo flights, US commercial airlines will fly into the country for the first time since the Vietnam War ended. US-Vietnam flights will have one stop in either Paris or Tokyo. Last year about 250,000 passengers flew into Vietnam from the U.S, and as this market between Vietnam and the U.S. accounts for less than 10 percent of Vietnam Airlines's turnover, flights by U.S. carriers are not expected to have a significant impact on the Vietnamese national airline. Although not members of a global airline alliance, Vietnam Airlines is holding discussions with American Airlines to jointly offer flights.

## The Laos-Iraq-Vietnam Connection

A letter from Lee Thorn <leethorn@sprintmail.com>

I was involved in the bombing in Laos. Bounthanh and her whole village - those villagers that survived - were forced out of their ancestral homes by American bombing. All the villages in her home province, Xien Khuang, sometimes called the Plain of Jars, were destroyed by American bombing. The villages to which we are bringing Information Technology (IT) connectivity were ALL founded by internal refugees made homeless by American bombing 25 years ago. In some ways, villagers' suffering continues 28 years after the end of that war.

Now, the American and British governments are undertaking another war. This one in Iraq. This one, the American government says, will start with the most intensive bombing (3000 sorties in one day) the world has ever known.

Bounthanh knows about intensive bombing. She went to school under her house at night, in a hole, by candlelight, to avoid the bombing. All the farmers in her village did their work with leaves on their backs and ducked into the paddy whenever they heard the sound of planes. Their objectives were to stay alive and to maintain their way of life. For them it was not about politics whatsoever -- at least, not at that time. Her village spent six years in refugee camps before they settled in Phon Kham. They built Phon Kham out of the jungle. They hand-dug all the canals in the rice fields. They hand-built all their houses, foraged for food, and survived. Most of them. As Bounthanh's mother told me one day as she, Vorasone and I gazed over her perfect garden, her family survived all the bombing intact. But they all did not survive the first year in Phon Kham. Two of Bounthanh's sisters died that year, one from malaria and one from cholera.

I also know about intensive bombing. For years I had nightmares about one particular night in June 1966 when, under an order from the White House, all available planes from Guam to Japan to Thailand to South Vietnam to the Gulf of Tonkin were used to bomb the city of Hai Phong. That bombing started fire storms. The air caught fire. I showed the movies of this three times to the pilots of VA-55 and VAW-11. I loaded bombs for this run. I am sure thousands of people, perhaps tens of thousands, were killed that night. The vast, vast majority were civilians. The scene was horrific, vast waves of fire sweeping across that city. It sticks in my memory like a cancer.

The vast, vast majority of war dead in Iraq will be civilians: civilians that our military people will kill. Many of our soldiers and sailors and marines - and certainly many Iraqi people - will never forget this slaughter, will be haunted by these murders for decades as am I. In war everyone loses.

Just writing these words shakes me emotionally. I know almost the whole world, certainly the vast majority of the developing world and poor people everywhere, know what I am talking about. Fortunately most Americans do not. Almost all the civilian planners of this war do not. If they did, they might take their decisions

with more gravity. They want to trade civilian lives for ... something ... oil, glory, ego, a new world order ... I don't know. I can't get inside their heads. But I'm home in my body and I've been traumatized by war and we need to do something else, I know ... and changing America's mind is worth serious effort.

We are doing the opposite of war at Jhai Foundation. We come to Phon Kham and other villages as whole people which means as wounded people and flawed people, and we meet other whole people there. We get to know one another, little by little. We do this, partly, by working side-by-side. We tell our stories. We get past our denial about our past, one small step at a time. We mourn as we can. We continue to work on our friendship. And in that process we are installing things like computers and wi-fi and phone connectivity together. And this friendship building is working. We'll be back to Phon Kham fairly soon to complete the IT job ... because the villagers and all of us try to act honorably with one another.

But as a whole human being I am also a veteran of war. As such I joined with other veterans supporting a veterans march on Washington, what we call Operation: Dire Distress. [www.vaiw.org/vet](http://www.vaiw.org/vet)

Yours in Peace,

Lee Thorn  
USS Ranger (CVA-61), Gulf of Tonkin, Vietnam, 1966  
Chair, Jhai Foundation (for identification)

*Jhai Foundation emphasizes reconciliation by facilitating the development of self-help projects. Jhai's focus projects on improving the well-being of poor children are concentrated in Vientiane Province, Laos, and the Boulaven Plain in Champassak Province, Laos. During the next year we are working on a US campaign to remove unexploded ordnance in Laos, a continuous flow of hospital supplies, establishment of computer labs in schools and the installation of the unique Jhai PC and communication system in remote villages, weaving and coffee initiatives, and integrated rural development.*



Photo (c) 1999 David Sanger Photography, c/o Jhai Organization

Jhai Foundation, [www.jhai.org](http://www.jhai.org)  
921 France Ave., San Francisco, CA 94112  
(415) 334 2100 (fax/voice)

## Cambodia, Laos, Vietnam Speak on Iraq

*Comparisons between the current conflict in Iraq and the Vietnam war are difficult to avoid, no less for representatives of nations affected by that conflict. At the request of the Non-Aligned Movement, the Security Council held a special session about Iraq on March 26. The following statements from the Vietnamese and Lao ambassadors are from that meeting. The Cambodian Ambassador was in Phnom Penh so his words on Iraq from last October are included here.*

### **H.E. Mr. Ouch Borith, Ambassador and Permanent Representative of The Kingdom of Cambodia to the United Nations at the Open Meeting of the Security Council on the Item “the Situation Between Iraq and Kuwait” New York, October 17, 2002**

The situation in Iraq has been an issue that has been the subject of discussion in this august body for more twelve years now. Nine resolutions have been adopted, which not only called for Iraq to allow inspection and the destruction of weapons of mass destructions, but also on the return of Kuwaiti and their country prisoners of war and the return of Kuwaiti property. We should therefore not lose sight of the fact that adequate machinery already exists within the United Nations system to deal with this issue. We believe that peaceful efforts in the framework of United Nations mechanism should be fully utilized and if necessary, to be strengthened. We therefore agree with the majority of member states that all avenues must be exhausted and that the use of force should only be utilized as a means of last resort. War will have disastrous consequences and create a humanitarian disaster of enormous proportions.

We therefore strongly urge that Iraq comply with all Security Council resolutions unconditionally and in an unfettered manner. We are pleased to note that Iraq has responded to the calls of the Secretary-General of the United Nations and of many member states among others by its positive attitude in the discussions with UNMOVIC and IAEA in Vienna and by sending letters to the Secretary-General declaring its acceptance of the return of the weapon inspectors to Iraq unconditionally. We trust now that the speedy return of the inspectors is imperative as a means to alleviate international tensions in this grave and dangerous situation. Compliance by Iraq of all UN resolutions should allow the sanctions imposed on Iraq for the past twelve years which have caused innumerable sufferings for its innocent civilian population be lifted as soon as possible.

### **H.E. Mr. Nguyen Thanh Chau, Ambassador and Permanent Representative of Vietnam to the United Nations at the UN Security Council on the Question of Iraq New York, 26 March 2003**

My delegation wishes to express our high appreciation to you for the quick response to convene this open debate at the request of Malaysia on behalf of the Non-Aligned Movement.

So Murphy’s law has applied in this particular case. What the whole international community is breathlessly wary of has happened. The war against Iraq entered its 7<sup>th</sup> day. It is deeply deplorable that the worldwide protests and tireless efforts by many UN members at this Chamber, and by members of the Security Council had failed to materialize a solution which may have helped to avoid the tragedy. It is sad to learn of human casualties and destruction under the wings of war. The Vietnamese has an old saying “tears always run down” to describe the pains and the agony of those parents weeping for the lost children. We therefore fully understand the agony and pains of those parents on both sides of the war who lost their sons and daughters, their nightmares that last as long as the war goes on. It is even sadder to look at those wounded Iraqi children lying in hospitals in real shock and awe who would never expect to end up there after so much of sufferings in the 12 year-long sanction. Why they, of all people, always become victims to the mistakes of the grown-ups?

**The use of force against an independent, sovereign state and member of the United Nations constitutes a gross violation of the UN Charter and fundamental principles of international law.**

**It also renders the United Nations ineffective, creates an extremely dangerous precedent in international relations, and undermines peace and stability in the region and the world.** We are of the view that this unilateral and preventive military actions against Iraq won’t help to resolve the world’s complexity and ensure its security, but it further runs the risk of wide-spreading misunderstanding, radicalization and spiraling violence in the Middle-East. The outbreak of sheer force of arms in this already volatile region can only exacerbate the tensions and fractures in which terrorism feeds. Vietnam’s position on the war against Iraq is crystal clear, as has been reiterated in the statement by the spokesperson of the Ministry of Foreign Affairs and the Government of the Socialist Republic of Vietnam on March 20<sup>th</sup>, 2003.

War is a death sentence to peace. We share our voice with others, calling for an immediate end to the military actions against Iraq. This fait accompli demands for swift response by the international community in the field of humanitarian assistance to the Iraqi people. As the supplies of essential food which 60% of the Iraqi population depends on are reported to be running low, the Oil-for-Food Program should be resumed. It is imperative for the United Nations to shoulder the responsibilities of coordinating the international efforts to help the Iraqi people to overcome the dire consequences of war and rebuild their country. The people and Government of Vietnam are ready to take an active part in this collective endeavour.

**H.E. Mr. Alounkeo Kittikhoun, Ambassador and Permanent Representative of the Lao PDR to the United Nations  
at the UN Security Council on the Question of Iraq New York, 26 March 2003**

My country, the Lao People's Democratic Republic (Lao PDR), is following the question of Iraq very closely. Like the overwhelming majority of states and peoples throughout the world, we have always advocated a peaceful solution to this delicate and complex issue. Indeed, we share the deep conviction of all those who have cautioned against the unpredictable and devastating consequences of the use of force to settle this conflict, such as its enormous material damage, a large loss of human life, and a negative impact on peace and security in the Middle East and throughout the world.

In spite of the opposition of the majority of the world community, on the 20<sup>th</sup> of March 2003, a large-scale military attack was launched against the Republic of Iraq - an independent and sovereign country, a member of the NAM and the United Nations. We deeply regret that the peaceful path, which was still available, was instead abandoned and that the military option was unfortunately chosen. This act of unjustified aggression, one which is not mandated by the Security Council, is a serious violation of the UN Charter and international law. The government of the Lao PDR, in its statement issued on the 20<sup>th</sup> of March 2003, appealed for an immediate end to such an armed attack in order to spare the lives of the innocent Iraqi civilian populations. We still firmly believe that a peaceful solution to this conflict, however complex, can still be attained within the framework of the United Nations. Let us give diplomacy a chance rather than continue to hear the clash of weapons. In accordance with the latest information from the mass media, the number of innocent civilian victims continues to grow. No less serious, if the war goes on, we can expect a major humanitarian crisis whose consequences would be catastrophic.

Before the outbreak of military conflict, some spoke of a quick war. Many now are talking about the possibility of a lengthy war and one that is no doubt wrought with heavy consequences. Faced with this situation, we can only feel the greatest concern and even anxiety. The international community is therefore called upon to take urgent action in order to immediately put an end to this war, which has already caused almost a thousand lives. If the world succeeds in this noble endeavor, we will have paid great service to the Iraqi people whose unbearable suffering should not be disregarded by anyone.

After the end of the bipolar era, many people had expressed the hope that they would be able to build a better world. Since that time, governments and peoples throughout the world have done everything possible and have spared no effort to promote cooperation in all possible areas amongst states. This cooperation has already recorded important achievements in many fields. In our modern history, is this not a trend that deserved to be strongly sustained? Cooperation yields benefits. All countries and peoples the world over can only rejoice over this. On the other hand, war or the use of force to settle conflict only brings destruction, misery, death, resentment, anger, and hatred.

Together we should do our utmost and continue in our effort so that dialogue and cooperation amongst states might prevail in international relations, thereby helping to preserve world peace and security. These are the thoughts, which my delegation wishes to impart to this august Council.

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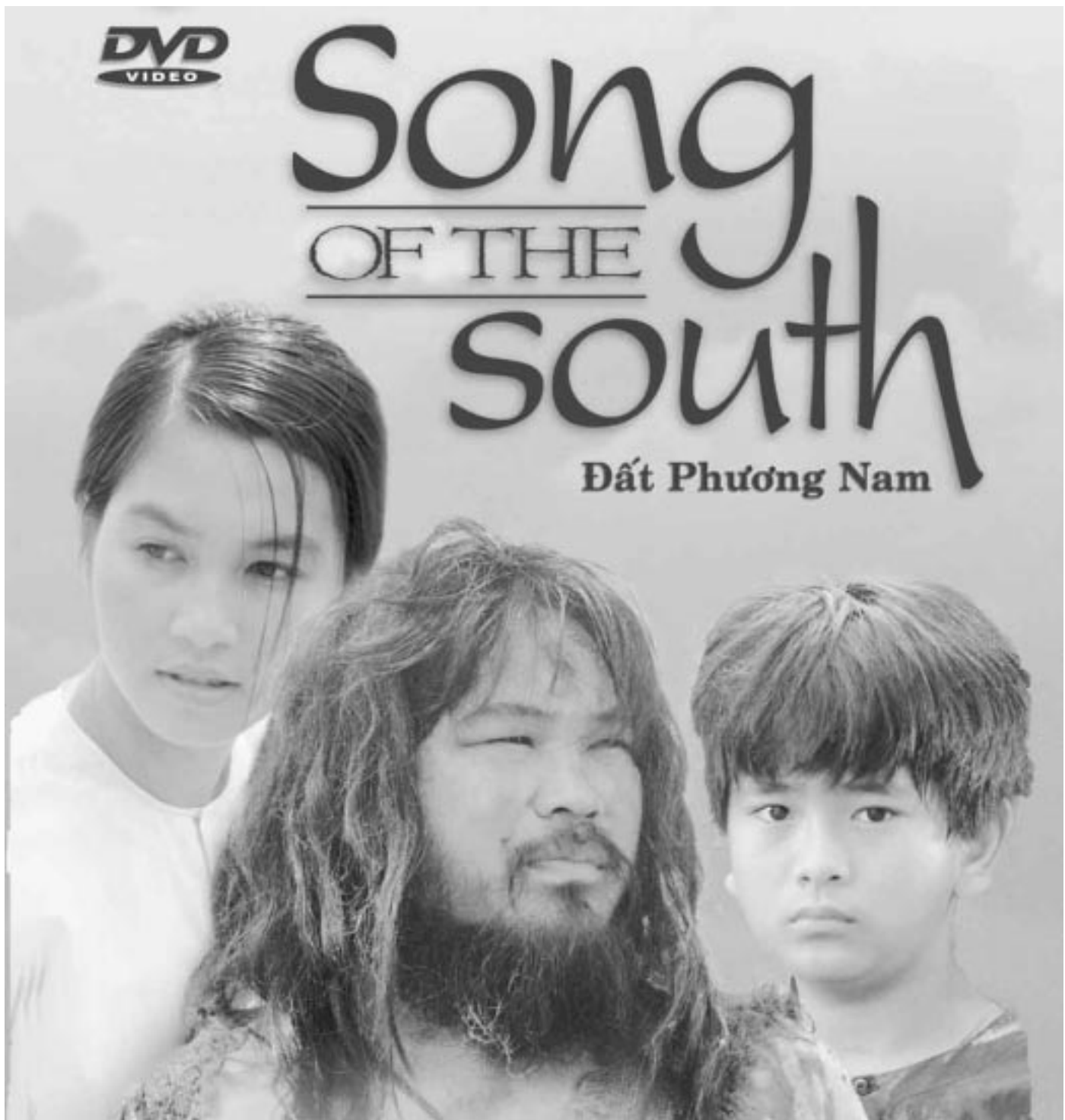
## **A Laotian Leader Returns**

An important factor in the dispute over NTR for Laos is sentiment within the Laotian-American community. In recent months, several prominent Laotian-Americans have made ground-breaking efforts to bridge gaps created by Cold War divisions. In late November Dr. Yang Dao, a Hmong-American scholar and educator of Southeast Asian history, visited Laos for two weeks to assess current conditions in contrast to the country he had left in 1975. Yang is the first Hmong to receive a Ph.D., which he earned from the Sorbonne in 1972. He served in the Ministry of Planning of the Royal Lao Government from 1972-74 and in the Political Consultative Council, a National Coalition of the Kingdom of Laos from 1974-75. Immigrating first to France, Yang moved to the US in 1983, where he has published extensively on Hmong history and culture and has taught at the university level.

In a letter detailing his visit to Laos, which Yang posted on the internet, he commented that the Hmong situation in Laos "has improved in all aspects." He pointed out that while they constitute only 9% of the population, they hold 16% of the central and regional administrative positions. Although noting that "a few

small pockets" of Hmong resistance remain, he found relations among the Hmong, Lao, Khmu and other ethnic groups to be peaceful and amicable. However, he also remarked upon the continuing poverty and lack of development in Laos and its need for international assistance. Yang's letter strongly encouraged members of the Hmong and Lao communities in the US to visit Laos and view for themselves the social, economic and political changes that have taken place in the past three decades, and to participate in the country's development.

Reaction to Yang's visit from some quarters of the Lao-American community has been predictably harsh. In response, he issued a statement on January 23, pointing out that he is "not the only visitor to notice the change in Laos." He noted that he took a strong and public stand in condemnation of attacks against the Hmong in the late 1970's, and that he encouraged government authorities to seek a peaceful solution to residual Hmong resistance during his 2002 trip. Yang plans to make a video of his trip to Laos available to the Laotian-American community free of charge.



### **Song of the South DVD set**

This 11 hour miniseries brings to the screen the classic Vietnamese novel of the same name, which has been compared to Dickens and Twain. Taking place in the 1930's as the French cling to power in Vietnam, the story follows the travels of 12 year old An as he is expelled from his French school, witnesses the murder of his mother, and sets out in search of his father who left the family earlier to join the resistance in the Mekong Delta.

The award-winning series from Ho Chi Minh City Television Film Studios and Discovery Communications, Singapore is available in a boxed set of six DVDs from FRD at the discount price of \$69 (normally retails for \$89). In Vietnamese with optional English subtitles. See the Orders page on the inside back cover of this *Interchange*.

### *NTR for Laos from cover*

oppose trade relations with countries whose human rights records are not comparable to those of established democracies. On the same day the Zoellick/Powell letter went to Congress, NTR opponents sent a letter to Undersecretary of State Paul Dobriansky and Assistant Secretary of State for Human Rights Lorne Craner, requesting that human rights and democracy conditions be placed on Laos before NTR is granted. The letter was circulated as a public statement, but its actual impact on the administration is likely to be minimal, since the State Department position is represented by its highest ranking official, Secretary Powell.

### **Answering the Arguments Against NTR**

In statements by NTR opponents, three main arguments are offered. **The first is that granting NTR to Laos will not democratize it or elevate human rights to the level of a Western democracy.** This argument has an element of a straw man debate, since the administration has not claimed that granting NTR to Laos would accomplish either of these things. In addition, there is no clear evidence that such changes in trade policy have had a direct effect on democratization and the permanent protection of human rights in any country.

However, the Zoellick/Powell letter, while acknowledging some concerns about human rights in Laos, maintains that granting NTR will help foster a more cooperative bilateral relationship and give the US greater leverage to encourage improvements in rights. In public presentations in the US last month, US Ambassador to Laos Douglas Hartwick predicted that the increased trade from NTR will encourage gradual improvements in rule of law and human rights in areas related to trade, such as commercial and environmental law. These gains have been observed in China since it expanded trade with the West.

**A second argument cited against NTR is that it would cause reductions in revenue that the US economy could ill afford.** In 2002, the total two-way trade between Laos and the United States was \$8 million, an amount Ambassador Hartwick likened to “less than the value of a handful of one-minute television Super Bowl commercials.” Although two-way trade between the US and Laos could very well double in the early years after NTR is granted, that growth is likely to have no appreciable impact on US trade levels, much less on the US economy as a whole. This is evident from the very scale of the US share of international trade. In the month of December 2002 alone, for example, US exports exceeded \$82 billion and imports were valued at more than \$125 billion.

**Lastly, NTR opponents charge that granting NTR would reduce all of US policy toward Laos to trade.** To the contrary, Ambassador Hartwick’s January presentations list a growing set of policy areas beyond trade: economic assistance for small business enterprise; anti-narcotics cooperation; programs to stem trafficking in persons; human rights; religious freedom; POW/MIA recovery; improved treatment of minorities; and counter-terrorism.

## **Hartwick on NTR**

“I believe one of the most important tools for change [in Laos] is supporting President Bush’s intention to establish a normalized trade relationship with Laos: NTR for short. This year should offer us that opportunity. In addition to promoting trade, it will help the US promote other changes that we desire, including improving the living conditions for the poorest people in Laos. Almost every country in the world has NTR with the US, including Laos’s neighbors Thailand, China, Vietnam and Cambodia. Laos remains the only least developed nation with which the United States does not yet have NTR.”

– Ambassador Doug Hartwick, in speeches to Laotian-Americans in San Francisco and Seattle, January 25-26, 2003. The full text of Ambassador Hartwick’s speeches can be found at <http://usembassy.state.gov/laos/wwwhamre.html>. Links to this and other documents about US-Lao relations are at [www.ffrd.org/indochina/laos](http://www.ffrd.org/indochina/laos).



*Ambassador Hartwick addresses forum of Laotian Americans at the Capitol in Washington on January 18*

### **Next Steps**

It is not clear at this time exactly how Congress will act on the administration’s request. Variables in a possible action plan include whether or not granting NTR will be done through stand-alone legislation or would be attached to another bill. It is also to be determined whether legislative hearings will be held or views will be considered through a more informal period of public consultation. To help resolve these issues and to seek general public reaction to the possibility of extending Normal Trade Relations to Laos, Congressman Philip M. Crane (R-IL), Chairman of the Subcommittee on Trade of the House Committee on Ways and Means announced on March 5 that the Subcommittee was seeking written public comments for the record.

Any person or group interested in providing the Subcommittee with views should submit them electronically to [hearingclerks.waysandmeans@mail.house.gov](mailto:hearingclerks.waysandmeans@mail.house.gov), along with a faxed copy to (202)-225-2610. Documents should be in Word Perfect or MS Word format and should be no longer than 10 pages, including attachments. Each statement should have a supplemental sheet listing the name, affiliation, address, telephone number and fax number of those person(s) providing views. Due to broad changes in policy implemented for the US House of Representatives regarding mail security, the Subcommittee can only accept electronic submissions. **The deadline for submissions is the close of business Monday, April 21, 2003.**

## Letters on Lao NTR

*Following are two examples of letters arguing for NTR for Laos. The letter to Ambassador Zoellick was signed by 60 heads of NGOs and individuals including Lao-Americans. The letter to Chairman Crane is more extensive than we could print here. The texts of both letters with full lists of signatures are at [www.ffrd.org/indochina/laos](http://www.ffrd.org/indochina/laos).*

January 14, 2003  
The Honorable Robert B. Zoellick  
United States Trade Representative  
209A Winder Building  
600 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20506

Dear Ambassador Zoellick,

We, the undersigned Laotian-Americans, representatives of non-governmental organizations and business associations, and concerned individuals thank you for your support of the U.S.-Laos Bilateral Trade Agreement (BTA). We urge you to submit the BTA to the 108<sup>th</sup> Congress as soon as it convenes for prompt consideration and passage. We represent a diverse group of backgrounds and interests, but we are all united in our conviction that the United States and Laos will benefit greatly from the normal trade relations (NTR) that will follow Congressional passage.

As you know, Laos is one of only seven countries under non-NTR or embargo-type policies in U.S. foreign policy. The denial of NTR to Laos in light of normal trade relations granted to Vietnam and Cambodia makes little sense. The United States and Laos signed the BTA in 1997, and its ratification forms part of President Bush's trade agenda. President Bush recently cited Laos as one of the countries included in the Enterprise for ASEAN Initiative, with the aim of helping that country, Cambodia and Vietnam integrate into the international economy. Moreover, bilateral efforts to address POW/MIA issues and stem the flow of narcotics continue to be productive.

We are mindful that trade agreements negotiated by the Executive Branch and approved by Congress are only the first stage of stronger and more mutually beneficial ties. It is incumbent upon the government of Laos to provide American companies and their own state and private enterprises with the legal framework and operational authority they need to pursue successful trade and investments.

After 1975, the United States and Laos maintained official ties when relations with Vietnam and Cambodia had been completely severed. It is time to remove discriminatory tariff barriers and to take this last major step toward the normalization of relations. We look forward to working with you to achieve this. Thank you for your consideration.

Sincerely,

Sixty individuals and representatives of non-governmental organizations in support of trade with Laos

April 1, 2003  
The Honorable Philip M. Crane  
Chairman  
Subcommittee on Trade  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Crane:

On behalf of the US-ASEAN Business Council and its 150 member companies doing business in the ASEAN countries, I am writing to express our support for the extension of normal trade relations (NTR) to Laos. The Council has been on record in support of NTR for Laos since the negotiation of a bilateral trade agreement between the United States and the Lao People's Democratic Republic in 1997. We agree with the Committee Advisory's March 5 statement soliciting comments that ratification of the agreement "will represent an important step toward economic reform and openness, key U.S. priorities in Laos."

...the importance of the ASEAN region to American political, economic and security interests is increasing and there is a lot that needs to be done to increase our engagement of ASEAN and its member nations. In our most recent paper of February, 2003 we specifically listed the establishment of [NTR] with Laos as an achievable accomplishment for 2003.

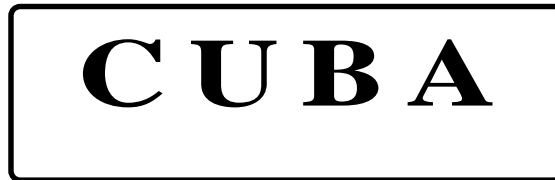
Furthermore, the Administration itself is fully supportive of NTR for Laos... Granting NTR to Laos would also be a step forward to achieving the laudable goals set out by President George Bush during the October 2002 APEC meeting in Los Cabos, Mexico...

Laos is one of the poorest countries in the world, but thanks to its lack of normal trade relations with the US is subject to the highest average tariffs. According to an analysis by Ed Gresser of Progressive Policy Institute, Laos faces the highest average tariffs in the world (45.3%), higher even than North Korea's (35%) and Yugoslavia's (27.7%)...

We commend you and the Committee for considering taking this long overdue step to normalize economic relations between the United States and Laos. We look forward to working with you to achieve this. Thank you for your consideration.

Sincerely yours,

Ernest Z. Bower  
President  
US-ASEAN Business Council



## The Congress and Cuba

by Mavis Anderson and Philip Schmidt, Latin America Working Group

*[Editor's note: the following is adapted from the monthly e-mail posting of the Latin America Working Group in Washington. Updated information can be found at [www.lawg.org](http://www.lawg.org) or can be received on a regular basis by request to [lawg@lawg.org](mailto:lawg@lawg.org)]*

### Background:

There were two outstanding developments in 2002:

First, the House of Representatives' positive votes on the Treasury-Postal Appropriations bill for ending the ban on travel, ending financing restrictions for food sales, ending limits on remittances, and opposing an effort by the opposition to condition ending the travel ban on a Presidential "anti-terrorism" certification to Congress. These votes demonstrate real progress in strengthening support for changing US policy toward Cuba.

Second, the continuing growth in agricultural sales to Cuba supported by farm state members of Congress and others seeking to engage with Cuba. A veto-proof majority in the House of Representatives and a strong coordinated effort in the Senate to pass legislation and send it to the President's desk are possible this year.

Despite strong bipartisan support in Congress, in February 2003 embargo supporters were able to strike all legislative provisions relating to Cuba from the FY2003 omnibus appropriations bill, which was the completion of 2002 congressional work. These included the three Cuba provisions noted above, plus a separate provision in support of cooperation with Cuba on counter-narcotics efforts, and a provision imposing greater accountability by the Department of the Treasury's Office of Foreign Assets Control (OFAC) in the issuing of licenses for US citizens to travel to Cuba. The White House had threatened to veto the entire \$400 billion spending bill if any part of the embargo was weakened; and House Republican leadership pressed for removal of the Cuba provisions, in spite of the overwhelmingly positive votes achieved in 2002. Again, a small group of powerful lawmakers exerted their influence over the legislative process and the fate of the Cuba legislation.

### Current Efforts/Information:

Outreach to farm state groups was bolstered by an extremely successful booth at the American Farm Bureau Federation convention in Tampa, Florida, in January. LAWG, the Washington Office on Latin America, the Center for International Policy, and the Cuban-American Alliance were on hand to distribute information on US policy toward Cuba, detail potential trade benefits

to US farmers, collect signatures for the CubaCentral petition, and answer questions. The response was remarkable. Our booth was one of the most popular at the show, and most farmers wanted specifics on how they could sell products to Cuba and help to lift the trade and travel bans.

Washington-based members of our coalition have been meeting with the staff of all new members of Congress. As of this update, we have met with about half of the House offices. Results have been encouraging in several ways. Most of the staffers have said that their members do not yet have a firm position on Cuba policy; this means that most of these members want to hear the opinions of their constituents and are open to learning about US-Cuba policy. We are optimistic that support for a change in Cuba policy among new members of Congress will be strong. Most staffers have been receptive to our information and quick to agree that the current policy is a failure.

A recent poll by the Miami Herald showed that more than half of the Cuban-American community in south Florida supports some sort of dialogue with the Cuban government. This, combined with the October 2000 Florida International University poll, which found that over 63 percent of US citizens think that the United States should allow travel to Cuba, and 57 percent oppose the full embargo, shows that the tide of public opinion favors engagement, even increasingly among Cuban-Americans.

A group of prominent moderate Cuban-Americans from Miami visited Washington in February to make their voices heard in Congress. These key members of the growing anti-embargo movement in south Florida met with strategically-important members of Congress and staff to explain that the Cuban-American community in its majority favors opening trade and travel to Cuba. These meetings will be instrumental in firming the resolve of our allies for the coming year and also in winning the support of some important new members.

### Senate forms Cuba Working Group

On March 21, ten members of the Senate announced the formation of a bipartisan "Cuba Working Group." According to their announcement, the purpose of this working group is to examine US policies toward Cuba, including current trade and travel re-

*continued next page*

### *OFAC Changes from cover*

license an applicant was required to show substantial experience in conducting foreign educational programs. Second, OFAC required applicants for licenses to provide itineraries of the proposed educational programs to be conducted in Cuba. If the submitted itinerary disclosed 'touristic' as opposed to educational activity, the license was invariably denied."

An article in the US Federal Register from March 24 introduces the amended regulations with language arguing, contrary to reason, that further isolation of the Cuban people from American tourism would make life better for Cubans. In accordance with President Bush's Initiative for a New Cuba, the regulations purportedly expand the license eligibility for activities that "promote a rapid, peaceful transition to democracy." Such activities include humanitarian programs, construction projects, and educational training programs on journalism, civic education, organizing, and advocacy.

Other OFAC modifications include permitting U.S. citizens who visit close relatives in Cuba to spend more money, expanding the definition of "close relative," and allowing remittances to be sent from funds in the United States in the name of a Cuban citizen. In an act of particular pettiness, remittances are forbidden to "senior-level Cuban government or Cuban Communist Party" officials.

The changes and revisions to the Cuban Assets Control Regulations have been issued in interim form, and comments will be

considered in the development of final rules up until May 23, 2003. Links to the documents explaining the changes are available at [www.ffrd.org/cuba](http://www.ffrd.org/cuba).

Comments can be directed to the Chief of Records, ATTN Request for Comments, Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Ave. NW, Washington, DC 20220 or sent via the OFAC web site. One may also want to contact U.S. Senators and Representatives to express concerns about these new counter productive limitations on travel to Cuba.

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**Licensable Educational Exchanges now must be at least one of the following: (1) "Participation in a structured educational program by an undergraduate student or a graduate student or an undergraduate or graduate student group as part of a course offered at an accredited US college or university." (2) "...research toward a graduate degree." (3) "Participation in a formal course of study at a Cuban academic institution by an undergraduate or a graduate student currently enrolled in a degree program at an accredited US college or university, provided the formal course of study in Cuba will be accepted for credit toward the student's undergraduate or graduate degree at the US college or university." (4) "Educational exchanges sponsored by Cuban or US secondary schools involving secondary school students' participation in a formal course of study or other academic institution and led by a teacher or other secondary school official."**

--Attorney Bob Muse

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### *Congress and Cuba from previous page*

strictions. The group hopes to move in unison with the year-old House Cuba Working Group in this year's legislative session. The groups will likely introduce identical bills on travel in the near future in their respective chambers, with the hope that this coordinated push will move the issue further legislatively than in past years and get travel legislation to the President's desk. Founding senators are: Max Baucus (D-MT), Michael Enzi (R-WY), Byron Dorgan (D-ND), Chuck Hagel (R-NE), Maria Cantwell (D-WA), Norm Coleman (R-MN), Blanche Lincoln (D-AR), Jim Talent (R-MO), Jeff Bingaman (D-NM), and Pat Roberts (R-KS). These initial senators are chairs, ranking members, subcommittee chairs, or members of several key committees, including the Senate Select Committee on Intelligence; the Senate Finance Committee; the Senate Foreign Relations Committee; the Senate Appropriations Committee; the Senate Agriculture Committee.

#### **Policy Outlook: Senate**

Senator Max Baucus (D-MT) has introduced the "United States-Cuba Trade Act of 2003", S. 403, with co-sponsors Senators Patty Murray (D-WA), Blanche Lincoln (D-AR) and Kent Conrad (D-ND). The bill seeks to repeal the embargo in its entirety. For more information on this bill (including the bill text) and to read a "Dear Colleague" letter about it, visit [www.cubacentral.com](http://www.cubacentral.com). Additional

Senate bills are pending, and senators will use any opportunity to attach amendments to appropriate legislation. We anticipate action on travel to be the highest priority.

#### **House**

Representative Jeff Flake (R-AZ) and other members of the House Cuba Working Group will likely offer legislation again this year to lift the travel, trade, and remittance bans. Rep. Flake's travel amendment to the Treasury-Postal Appropriations bill last year passed overwhelmingly (262-167), and we expect comparable results this year. One of our goals is a significantly increased vote total this year; we have aspirations for a veto-proof majority. A companion bill to Senator Baucus' legislation will likely also be introduced in the House, plus a variety of other initiatives that may include sunseting the 1996 Helms-Burton Act, expanding cooperation with Cuba on counter-narcotics, repealing "Section 211" on trademark issues, and others.

Action Alert: Recruit people to sign the petition on [www.cubacentral.com](http://www.cubacentral.com). We would like to greatly expand the current more-than-8,000 signatories, and we need your help to do it. Please sign the petition if you haven't, and let others know that this web site is updated regularly with developments on Cuba policy.

# Cuban Popular Religions

by Tom F. Driver and Anne L. Barstow

*Editor's note: FRD sponsored Tom Barstow and Anne Driver under our license to travel legally to Cuba for their research, the results of which we hope our readers will find interesting. Regrettably, we will not be able to continue with such sponsorship due to the expiration of our license and its non-renewal to date (see article, cover).*

Our initial plan called for exploratory research into Santeria. Once in Cuba, it became clear that the Cubans' own term, "popular religions," is more appropriate, since Santeria is but one of several Cuban religions that blend African elements with Roman Catholicism, show influence from Native American sources as well, and have taken form under the conditions of slavery and its aftermath in Cuba.

Because we had done earlier research into the religion of Vodou in Haiti yet were poorly informed about Cuban religion, we were interested in similarities and differences between religious life in these two Caribbean countries geographically separated by only a few miles of water. There has indeed been some migration from Haiti to Cuba in the past, especially at the time of the Haitian Revolution from 1791 to 1804. With the black Haitians came Vodou, which is practiced by a few groups in Cuba to this day, especially in the eastern provinces. However, we did not seek them out, since our main concern was to learn about Cuba's own religions.

Our research is primarily concerned with three themes: 1) the performance characteristics of religious rituals, especially in trance/possession; 2) the interaction between religion and socio-political conditions; and 3) the role of women in religion. Our method of research involves as much photography and videography as possible, yielding material that is useful in conjunction with later study of written resources and is also very helpful in teaching and lecturing.

We were able to conduct research with a variety of organizations and individuals, including various churches, babalaos, museums and other researchers both in and around Havana and in and around Santiago de Cuba.

## Observations

Our investigations during this trip have from the start been regarded as exploratory. Their full analysis and explication will require further research and find publication elsewhere in due time. Here we content ourselves with a few first impressions, bearing in mind that since these can always be misleading they require further study.

- The mix of popular religions in Cuba with African roots is far more complex than we had realized. Santeria, which itself takes various forms, is but one of many such religions.
- Trance/possession seems far less frequent in Santeria than in Vodou and in many of the Espiritismo types that abound.
- Divination seems to play a much larger role in Santeria than in

Vodou.

- Because Cuba's social history has been so different from that of Haiti, its popular religions, and even its Catholicism, have followed different trajectories. Three examples:
  - 1) The *orishas* (divine spirits) do not appear to reflect adaptation to the New World as obviously as do their counterparts, the Haitian *lwa*.
  - 2) The Spanish overlords and the Catholic Church encouraged the formation in the 18th Century of *cabildos*, which were groupings based on the languages and cultures of the slaves' African origins. As far as we know, similar groups were not formed in Haiti. Their role in transmitting African religious traditions in Cuba is a subject requiring further research.
  - 3) The revolutionary government of Cuba has in recent years deliberately encouraged the study of popular religions as part of the national heritage.
- We gave attention to the role of women. In Santeria the priesthood is not open to them. Hence they are excluded from the secrets and powers of divination. Although they play a large role in ceremonies and preparations, it is a secondary one. However, women do exercise leadership in some of the other popular religions, such as Palomonte, which depend upon possession by *orishas* or other spirits. In these cases, women seem to take on the strength, authority, and leadership characteristic of the Haitian *mambo*.
- Finally, we noticed that popular religion in the two Cuban cities we visited is much more house-based than in Haiti. We did not see any structure comparable to the *peristyles* or *hounfous* to be found in Port-au-Prince. Instead, we saw *casas templos* that were small rooms in practitioners' homes.

—New York City 1/28/03.

Tom Driver, professor of Theology and Culture Emeritus, Union Theological Seminary and Anne Barstow, retired Professor of History, SUNY Old Westbury. Contact [tfd3@columbia.edu](mailto:tfd3@columbia.edu)

## Last Chance for Legal Travel to Cuba?

Unless Congress ends travel restrictions, the next few months may offer the last opportunity for most Americans to travel to Cuba legally until there is a change of regime in Washington. That is because while current people-to-people licenses are valid, the Office of Foreign Assets Control says they will not be renewed. The most experienced tour organizers are the Center for Cuban Studies and Global Exchange. A more recent and higher cost alternative is Yalla Tours. All can be reached by linking through the FRD website [www.ffrd.org/cuba](http://www.ffrd.org/cuba)

# Resources

## Cultural Window and Vietnamese Studies

The Gioi (The World) Publishing House is offering subscriptions to Vietnam Cultural Window and Vietnam Studies. Payment can be made by credit card, bank transfer or check/money order. A complete catalogue of their other publications can be ordered by email [thegioi@hn.vnn.vn](mailto:thegioi@hn.vnn.vn) or by writing to Mrs. Pham Ngoc Oanh, Department of Marketing and Distributions, The Gioi Publishers, 46 Tran Hung Dao Street, Hanoi Vietnam Tel: 84-4-934-3196 or Fax: 84-4-826-9578.

Cultural Window: \$53.00 a year for 12 month subscription to North America. An English language monthly published since April 1998. Each issue has an indepth cover story on a specific Vietnamese cultural topic as well as shorter articles on Vietnam culture. Cover stories have included: Vietnamese Water Puppets on the Rice Fields (1), In Praise of Pho (2), Youth: Growing up between Values (9), Bamboo: An Enduring Part of Vietnamese Life (16), Popular Music: On and off Stage (48), Vietnamese Cartoons (45).

Vietnamese Studies: A quarterly in English or French. The first collection of the Volume 1-70 (1964 to 1982) is available on a CD-Rom for \$20. A subscription for the current issues is \$31.80 to North America. Each issue covers a particular topic in Vietnamese studies with a collection of studies, data and documents. Topics include: The Traditional Village of North Vietnam ( Issue 4, 2003), Taboos and Customs in Vietnam (Issue 1, 2001), Child Psychology I and II (Issue 3,4, 2000) Environmental Problems in Vietnam (Issue 3, 1998).

## American Museum of Natural History Vietnam Exhibit

The exhibition *Vietnam: Mind Body and Spirit* is on display now at the American Museum of Natural History in New York City and will be through January 2004. It will then move to Hanoi in 2005. A schedule of programs from now through May 2003 is available at [www.amnh.org/programs/vietnam](http://www.amnh.org/programs/vietnam). Included are a variety of events, many free with museum admission.

In addition, cosponsored by the museum will be a performance of the Binh Phu Water Puppets on Saturday and Sunday, June 21 and 22 at 1:00, 3:30, and 6:00 p.m. at Central Park SummerStage, Rumsey Playfield, no admission charge.

## Hearts & Minds Released on DVD

Peter Davis' landmark documentary *Hearts and Minds* (winner of the 1974 Academy Award for documentaries) addresses United States involvement in Vietnam. By using a wide variety of interviews, newsreels and documentary footage Davis shows the conflict at home and abroad highlighting the brutality and devastating consequence of war. Though parts are difficult to watch, recent viewers remark on parallels with the current conflict in Iraq, including scenes of presidents trying to justify the war.

Available from the Criterion Collection [www.criterionco.com](http://www.criterionco.com), and through Barnes and Noble and Amazon.com, for about \$40.

## 1st Vietnamese International Film Festival, October 2003

The Vietnamese-American Arts & Letters Association (VAALA) and the VietNameese Language and Culture (VNLC) at UCLA present the first historic Vietnamese International Film Festival (VIFF). VIFF is the first film festival dedicated to filmmakers of the Vietnamese diaspora. The festival will be held over two consecutive weekends in October 2003. The Film & Video Center on the University of California, Irvine campus will host most of the screenings.

Fim and video submissions are being accepted from Vietnamese-diasporic filmmakers. There are no limits on when the film was made, content or submission fees. Narratives, documentaries, shorts, and music videos are all acceptable.

The deadline for entries is June 30, 2003. Send completed entry materials to: Vietnamese American Arts & Letters Association c/o Vietnamese International Film Festival, 14781 Moran Street, Westminster, CA 92683, U.S.A. For more information, contact [VietFilmFest.com](http://VietFilmFest.com), Tram Le, Program Director (626) 627-6826, Ysa Le, Public Relations Director (714) 914-2260.

## Mirror of Khmer Civil Society

The *Mirror* is a publication of the NGO Open Forum of Cambodia. The Open Forum publishes the *Mirror* to help build a stronger civil society. The aim of this weekly publication is to make available to Cambodians and friends of Cambodia an overview of the major issues that are dominating the Khmer print media in Cambodia. The *Mirror* is available by email in English or Khmer for \$50 a year internationally. Contact Norbert Klein, office no 245, suite 51, P.O. Box 177 Phnom Penh. Email: [mirror@forum.org.kh](mailto:mirror@forum.org.kh), website: [www.forum.org.kh](http://www.forum.org.kh).

## Rebirth of Buddhism in Cambodia

From July 3-30, this cultural field school will study Buddhism as history and as a daily lived religion in Cambodia. For more information, see [www.nie.edu/fieldschool](http://www.nie.edu/fieldschool), or contact Northern Illinois University, Liberal Arts & Sciences External Programming, DeKalb, Illinois 60115, [alarson@niu.edu](mailto:alarson@niu.edu).

## New Cambodian Holocaust/ Genocide Museum

Judy Ledgerwood, Anthropology professor and Ann Wright-Parsons, Anthropology Museum director at Northern Illinois University have agreed to be consultants to the Cambodian Association of Illinois, as they prepare an NEH Grant for a Cambodian holocaust/genocide museum to be built in Chicago. Contact [jlledgerw@nie.edu](mailto:jlledgerw@nie.edu) or (815)753-8579 or the Cambodian Association of Illinois at (773)878-7090, [cai@cambodian-association.org](mailto:cai@cambodian-association.org), [www.cambodian-association.org](http://www.cambodian-association.org).

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