

effective arms control in the nation's interest. This leadership must come from the top, involving the President, his Cabinet, and the Congress. As we have stated, within the Executive Branch that initiative requires in the first instance, more policy-oriented interagency coordination and execution of policy, which in turn requires a strong focal point of administration leadership. We believe that leadership can and must come from the National Security Council's long-standing interagency process. That NSC-led process, in addition to selecting and implementing the kind of advanced conventional arms restraint regime postulated here, must also address the thorny question of governmental process the Board has highlighted. There is no doubt that how we make policy and how we make individual arms or technology transfer decisions is absolutely critical to achieving U.S. arms control goals.

We believe that it is of great importance to reemphasize a point about focus. The Board's recommendations for both policy and process are built on a long-term commitment to improvement and progress, rather than on any discrete preferred regime or proposed organizational realignment. The world struggles today with the implications of advanced conventional weapons. It will in the future be confronted with yet another generation of weapons, whose destructive power, size, cost, and availability can raise many more problems even than their predecessors today. These challenges will require a new culture among nations, one that accepts increased responsibility for control and restraint, despite short-term economic and political factors pulling in other directions. While the image of a "journey" has become almost trite in today's culture, it is just such a concept that perhaps best describes the strategy for success in achieving necessary restraint on conventional arms and strategic technologies, and the resulting increase in international security.

The Administration has in recent months, in parallel with the Board's deliberations, taken steps such as the Wassenaar Arrangement, which could be the key to more enduring and comprehensive successes in restraint and control. Leaders in the Administration and in the Congress should be heartened to know that there is no shortage of individuals, in and out of government, whose energy and commitment can contribute to the ongoing effort. We are proud to have been a part of that dialogue, and are committed to continuing our participation. We summarize here the major recommendations put forward in our report:

Effective restraint requires international cooperation. U.S. leadership is essential to this end.

The fundamental principles of national security, international and regional security, and arms control must be the basis for international agreement. The inevitable economic pressures that will confront individual states should not be allowed to subvert these principles.

Sustainable, multilateral negotiations over an issue as controversial as arms transfers are best served by beginning with modest objectives that can be expanded over time. The Wassenaar Arrangement represents the most practical and promising forum to date in which to address the dangers of conventional weapons and technology proliferation.

New international export control policies are needed for a technology market where there are numerous channels of supply and where many advanced technologies relevant to weapons development are commercial in origin. This requires augmenting controls on the supply of a technology, with a greater emphasis on disclosing and monitoring end-use.

U.S. arms transfer policy can and should be developed and executed separate from policies for maintenance of the defense industrial base. It is not only appropriate but essential that the United States and other nations handle legitimate domestic economic and defense industrial base issues through such separate policies and actions, rather than use them to abrogate or subvert arms control agreements for particular weapons and technologies.

Arms and weapons technology transfers should take place without the price-distorting mechanism of government subsidies or penalties. The R&D recoupment charge, which is inconsistent with the federal government's treatment of sunk investment costs in any other area of policy or budget expenditure, should be eliminated. Arms exports should not receive subsidized financing; rather, the effort should be to eliminate such distortions internationally.

There should not be governmental constraints on direct and indirect offsets other than the review, under established standards, of any arms/technology transfer involved. The overall economic and employment impact of foreign trade is highly positive, and any attempt to dictate or curtail pricing, workshare, or "countertrade" agreements between buyer and seller is counterproductive.

The current fragmentation of U.S. government controls on transfers leads to great inefficiency and uncertain policy implementation, to the detriment of proliferation controls on the one hand and to the disadvantage of legitimate U.S. commerce on the other. Administration, information systems, and routine decisionmaking should be consolidated. An integrated management information system should be developed as soon as possible for use by all agencies involved in the export control process. In the longer run, statutory revisions to integrate the entire process in a single office should be pursued.

Within the U.S. government, the NSC should give substantially greater priority to leading and improving the interagency arms export control process.

The Administration should increase the intelligence community's focus and capabilities to understand and monitor conventional weapons and technologies developments and transfers.

68-YEAR-OLD SIKH LEADER BRUTALLY BEATEN IN INDIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1996

Mr. BURTON of Indiana. Mr. Speaker, when we debated my amendment last month to freeze development aid to India, a few of my colleagues had the audacity to suggest that India had cleaned up its human rights problems. They said that reports of continuing human rights abuses were questionable.

Mr. Speaker, everyone who follows human rights developments around the world knows that India's abuses against Sikhs, Kashmiris, and others continue unabated. Some defenders of India praised its government for letting its notorious "TADA" law expire last year. This law, the "Terrorist and Disruptive Activities Act," gave the Indian Government blanket authority to arrest almost anyone and hold them in prison for 2 years without filing any charges. My colleagues will be interested to know that, even though the law was not renewed, tens of

thousands of Sikhs continue to be held in prison without charge in Punjab. Asia Watch has reported that "virtually everyone detained in Punjab is tortured." This says a great deal about the rule of law in India.

Now I would like to inform my colleagues about an incident that occurred at the airport in New Delhi just 2 weeks ago. A 68-year-old Sikh, a citizen of England who had to get off an international flight because of heart problems, was severely beaten by India's intelligence service. His injuries were confirmed by the Medical Foundation for the Care of Victims of Torture in London.

Dr. Jagjit Singh Chohan was traveling to Bangkok from London. He was experiencing an acute heart condition on the flight, so during a layover in New Delhi, he was taken off the flight in a wheelchair to receive medical care. Instead, Dr. Chohan, who has been a peaceful advocate of an independent Sikh homeland called Khalistan, received a severe beating.

India's immigration officials refused to allow him to go to a hospital. While he was being held at the airport, roughly 20 officials from the Research and Analysis Wing [RAW], India's intelligence service came into the waiting area and beat this elderly man with their fists, kicked him, and whipped him with a leather belt. The beating lasted for about 10 minutes. He was then put back on the plane without any regard for his injuries or his problems and sent on to Thailand.

Dr. Chohan was quickly returned to London, where he was examined by Dr. Forrest of the Medical Foundation for the Care of Victims of Torture. Dr. Forrest identified 28 separate injuries. In his report, the Doctor reported, "there was scarcely an area of his body that could be touched without causing pain."

Mr. Speaker, the beating suffered by this 68-year-old man is just one example of the types of abuses suffered by the Sikhs of Punjab, the Muslims of Kashmir, the Christians of Nagaland, and others. Young men are picked up by security forces and disappear forever. Young women are gang-raped. Thousands are tortured.

A prominent Sikh human rights activist, Jaswant Singh Khaira was arrested 10 months ago and has not been seen since. Despite the change in governments, his whereabouts are completely unknown. Many believe that he is being tortured in one of the many prisons in Punjab. These abuses happened under the Rao government. They are continuing under the new government. And they will continue to happen until the United States and other governments around the world take a strong stand against them.

Mr. Speaker, I ask unanimous consent that the report from the Medical Foundation for the Care of Victims of Torture be included in the RECORD at the conclusion of my remarks.

I urge all of my colleagues who opposed my amendment to freeze our aid to India to pay close attention to the reports of human rights abuses that continue to flow out of India and really think hard about their position on this issue. India is not going to end its wide-scale abuses until we take a very firm stand and send a very strong message that they will not be tolerated.

MEDICAL REPORT ON DR. JAGJIT SINGH
CHOHAL

(By Dr. D.M. Forrest, MB ChB, FRCS.)

I am a retired Consultant Surgeon. Until the end of 1987 I held Consultant appointments at three London Teaching Hospitals,

where my clinical duties included the diagnosis and treatment of many forms of trauma and deliberate abuse. During my consultant career I served as an examiner for the Diploma of Child Health at the Royal College of Physicians, and was President of the British Association of Paediatric Surgeons, the Society for Research into Hydrocephalus, and the Paediatric Section of the Royal Society of Medicine.

Since my retirement, I have devoted myself to the documentation and management of torture survivors and have studied the patterns of abuse currently practiced in many countries. I have written and lectured extensively on the subject of torture. I have edited and partly written "Glimpses of Hell: Reports on Torture Worldwide," a textbook on torture. I have made a special study of Sikhs from the Punjab and have published a paper on the subject in the "Lancet."

I examined Dr. Jagjit Singh Choha at the Medical Foundation on 8:7:96.

The following is his history as related to me.

HISTORY

He told me that he came to live in the UK 17 years ago, having retired from medical practice in a private clinic in India. On 6:7:96 he set out for a holiday in Thailand, flying on Thai Airways, flight 915. After eating a vegetarian meal on the first leg of the journey, he suffered chest and stomach pains. Fearing that he was suffering a heart attack, he alerted the crew. A doctor sitting next to him advised getting off the plane at the scheduled stop in Delhi. Arrangements were made for an ambulance to take him to hospital. On landing he was taken to the medical room, but just before he was taken to the ambulance in a wheelchair, about 20 plainclothes officers burst in and began to abuse and threaten him verbally. They pulled off his turban and shoes but not his other clothes and commenced beating him with fists, slaps and kicks and whipping with a leather belt about the head, back of the neck, limbs and lower trunk. They pulled his hair and beard, pulled him along the rough concrete floor, twisted his arms and ankles, concentrating on the left ankle when they learned that it had recently been fractured, and squeezed his testicles. The assault lasted about ten minutes and then his wrists were tied behind his back and he was bundled onto the plane which had delayed take off for half an hour waiting for him. After the two hour journey to Bangkok he was taken to the immigration Department and left for eighteen hours in a room with about 30 detained immigrants with no facilities and no medical attention. He was put on the next Thai Airline flight to Heathrow.

PAST HISTORY

He claimed to be healthy and active for his age, though aware of the possibility of hypertension and a heart attack. He took medication to avert this. He practised Yoga every day and was supple and physically active. He suffered amputation of the right hand many years ago and wears an artificial hand. Four months ago he suffered a fracture of the left fibula at the ankle, treated at the Chelsea and Westminster Hospital.

ON EXAMINATION

I examined him about eight hours after he landed. He had had no sleep since leaving Heathrow two days previously. He was in some distress and moved with great difficulty, having trouble climbing stairs and in removing his vest.

There was scarcely an area of his body that could be touched without causing pain.

Over the right temple there was an area of scalp 7x7cm that was reddened, with boggy swelling.

There were similar areas 7x7cm on the left temple and, in front of this, 6x2cm at the left hairline.

There was swelling and tenderness of the skin at the back of the neck.

There was diffuse reddening and tenderness on the chin under the beard.

There were faint contusions (bruises) on the tip of the right shoulder and point of the right elbow.

On the left upper arm, just above the elbow there was a pair of very sharply and vividly demarcated red purple parallel contusions 5x1cm and 2x1cm 3cm apart, lesser surrounding bruising (a "tramline" bruise).

There were three well defined circular contusions 1.5cm in diameter on the lateral aspect of the left wrist, each over a bony prominence.

There was a small bruise on the middle of the left forearm.

There was a vertical abrasion 5cm long on the back of the left wrist and a similar one 6cm long on the back of the forearm just below the elbow.

There was a small abrasion on the right forearm just above the prosthesis.

There were no bruises on the trunk, but the ribs were tender and there was pain on compression of the chest.

There was tenderness, swelling and slight bruising on the outer aspect of the left thigh.

There was tenderness and diffuse bruising on the other aspect of the right thigh just above the knee.

Both patellae were bruised, swollen and tender.

There was a bruise 4x3cm on the inner aspect of the left shin 10cm below the knee and a similar one 4x7cm on the inner aspect of the right shin 25cm below the knee.

All movements of the neck and spine were limited by pain.

The shoulders were tender and he was unable to raise the arms above the horizontal. Rotation, particularly internal rotation was grossly limited by pain.

Flexion of both knees was limited by pain.

Both ankles were swollen and extremely tender. All movements were limited, especially twisting of the left ankle.

INTERPRETATION

He attributes all his pain and bruising to a beating at Delhi airport.

The reddening and swelling in the scalp was due to punches and pulling of the hair, and that on the chin to pulling of the beard. They are consistent with this.

He believes that the "tramline" bruise on the left arm was the result of a blow from a leather belt. The appearance is absolutely typical of a lesion inflicted with a stiff, flat weapon approximately 3cm wide.

A leather belt would fit this description. It is not in a position to have been caused by ropes binding him.

The abrasions on the forearm below the elbow and on the back of the wrist are attributed to being dragged across a rough concrete floor. They are of a nature and distribution to fit in with this explanation.

He believes that the pain and stiffness of the shoulder and ankle joints resulted from the deliberate twisting as well as the beating. The treatment he describes would account for this.

OPINION

If it is true that this elderly man was previously fit and able to practice yoga, then his present condition must indicate a number of very severe injuries.

All the numerous bruises are recent, showing no signs of yellowing. They appear to be contemporaneous and the most likely dating for all of them is within a very few days.

The lack of bruising on the trunk would be satisfactorily explained by his statement

that his clothing, including a substantial jacket, were not removed. The tenderness of the ribs indicates severe injury such as would be caused by kicking.

He has severe limitation of movement, especially of the neck, spine, shoulders, knees and ankles. This is consistent with his story of beating and twisting of the limbs. No routine medical or rheumatic disease would satisfactorily explain the findings.

In my opinion, the medical findings amply support Dr. Chohan's account of his treatment at Delhi airport, and no other reasonable single explanation would cover all his lesions.

A TRIBUTE TO JOAQUIN "JACK" LUJAN

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1996

Mr. UNDERWOOD. Mr. Speaker, with respect and great admiration, I would like to commend Joaquin "Jack" Lujan for his outstanding skill of blacksmithing which has become an important link to Guam's past. This unique island art legacy has made him a recipient to the 1996 National Heritage Fellowship, the highest honor in folk and traditional arts.

Jack, also known as "Kin Bitud," was the only one of his brothers to learn his father's skills. He mastered the graceful lines and fine finishes of the short Guamanian machete with inlaid buffalo horn or imported Philippine hardwood handles. On the basic tools that he fashioned, he hammered in the roots of the Chamorro culture into the future. This includes the fusiños, or thrust hoe which is unique to the Marianas, and the kamyu or coconut grater.

Blacksmithing was not only an art tradition but played an essential role to the livelihood of Guam's farming community in pre-World War II and post era. People needed tools to aid them during work. Despite this time-consuming work and its diminishing economic incentive today, Jack continues to handforge tools as a heritage bloodline.

Jack worked as a welder before World War II and as a U.S. immigration officer after the war. Clearly seeing the value of his blacksmithing tradition to the future of his community and his culture, he once again took up blacksmithing and in 1985, he taught three apprentices, all members of the Guam Fire Department. He has demonstrated his craft at festivals, at schools, and at other public events. He also has shared this heritage with people across oceans in Australia, Taiwan, and mainland United States.

Jack Lujan has received numerous tributes, including the annual Governor's Art Award, as well as the Governor's Lifetime Cultural Achievement Award in 1996. The Consortium of Pacific Arts and Cultures honored him by including his work in their American-Pacific crafts exhibition, "Living Traditions." I believe that the greatest award he has received in his lifetime is the vision of a flourishing tradition of blacksmithing still present in the island of Guam. We are very proud of this blacksmith who has helped iron-cast the culture of the Chamorro people on the hands of the new and future generations.