

Council on Hemispheric Affairs' distinguished biweekly publication, the Washington Report on the Hemisphere, provides a thorough critique. This includes outlandish tactics which that highly regarded Buenos Aires cultural and educational institution has had to endure at the hands of extremist and unprincipled elements of the Argentine judiciary.

We all have heard stories concerning the continued legacy of corruption and disregard for constitutional guarantees that exists in Argentina. These have been compounded by the long tradition of virulent anti-Semitism in the country, as exemplified by the sanctuary that a succession of Argentine presidents provided to fleeing World War II war criminals of the Nazi era. Other examples of outrageous behavior on the part of local Argentine authorities have been the Keystone cop antics surrounding the farcical investigation of the bombings of two Jewish-related Buenos Aires facilities in the last few years, at a cost of over 100 lives. Last April, a delegation of our Hill colleagues went to Argentina, where they were diligent in promoting the cause of human rights, and in urging the local authorities to investigate the unresolved bombing of the AMIA, one of the two aforementioned wantonly destroyed Jewish facilities.

We now have another opportunity to take action in helping to strengthen Argentine democracy. Unfortunately, as in this country we must face the fact that religious and racial persecution is found in many places in the Americas, representing a frontier that the international conscience must strive to conquer. Unequivocally, the facts surrounding the treatment of the Buenos Aires Yoga School reveal that this is one of a number of disturbing instances where injustice has been done: where the courts have served as a persecutor of the human spirit, rather than its defender. The reason that this highly regarded institution of scholars, professionals and others seeking an inner light has been singled out for threats, intimidation, sexual harassment and a campaign of terror largely is because many of its members are highly distinguished cultural, professional, and academic figures of Jewish background. COHA's article on the ordeal experienced by BAYS sheds some light on the tribulations that all those in this country who really care about democracy will have to be concerned about. I call upon my colleagues to carefully read the following article by the director of the Council of Hemispheric Affairs, Larry Birns, and COHA research associate, Anna M. Busch.

COUNCIL ON HEMISPHERIC AFFAIRS  
ARGENTINA'S FLAWED COURT, CORRUPTED  
SOCIETY

By Larry Birns and Anna Busch

After years of being held in contempt by most Argentines because of its lack of professionalism and absence of even elemental integrity, the Buenos Aires police force has begun the protracted task of cleansing its own Augean stable, easily among the hemisphere's most egregiously corrupted institutions. Last December, 2,000 of its personnel were terminated and almost 50,000 were implicated in some form of corrupt practices.

The pressing need for massive restructuring in the police's selection and training procedures was highlighted by the alleged involvement of Buenos Aires' assistant police chief in the bombing of a Jewish community building, resulting in almost 100 deaths. Five years was then wasted on a scandalously far-

cical investigation. Although such facts have become widely known to the Argentine public, its sensibilities have been dulled by the hecatomb of corruption charges leveled from all directions at the government of President Carlos Menem.

Merely one of hundreds of examples where Argentine justice is chronically denied or manipulated to serve the ends of cronyism and venality, is the fate of the Buenos Aires Yoga School (BAYS), a tiny entity devoted to pursuing education and philosophic studies, akin to New England's literary Atheneum movement of a century ago.

Although BAYS' ordeal has been hardly remarkable, it well illustrates the grievous condition of one of Argentina's basic institutions—its notoriously flawed court system. BAYS regards itself as an apolitical, non-religious, NGO. The Argentine government calls it a cult. The group has attracted a long list of tributes for its work in the fields of public health and in the war against drugs. In the arts, BAYS members also has made their mark through composing a number of major works, including an opera, a ballet, and a symphony, which have won plaudits worldwide. Nevertheless, the group has been greeted with singular hostility in Argentina.

A motivating factor for the judiciary's prejudice against BAYS is the high percentage of Jews in its leadership as well as among its members (no small fact in a country which is anti-Semitic to its marrow).

Legal proceedings against BAYS' members were initiated in 1993, and were accompanied by an unrelieved spate of hostile media coverage. The original trial judge was well-known for his neo-Nazi ideology, redolent of that of the brutal military regime that had seized power in 1976, and which ruled for almost a decade through a level of violence unparalleled in Argentine history. The complaint against BAYS was entered as a counter suit to one filed by one of its own members, a 24-year-old student who accused her stepfather, a former employee of the military junta, of sexually molesting her. In turn, the stepfather charged that his stepdaughter was a victim of a cult which had "corrupted" her. The judge eventually recused himself, but only under pressure of his own imminent Senate impeachment on charges of having committed scores of illegal acts against BAYS. He imprisoned the innocent and demanded that children testify, but not in the presence of their parents or attorney, he questioned defendants for hundred-hour stints, carried out more than thirty illegal searches including raiding the offices of the defendant's attorneys, as well as authorizing the stealing of evidence.

The judge, well known for his sleaziness and his sexual improprieties, also insisted at the time that he was removing himself from the case only because he had been "bewitched" by the group. He then handed it to a fellow right-winger. Although the new judge favored a more discreet approach, he could barely contain his personal antipathy toward BAYS, capriciously adding fraud and larceny to the existing charges. He also openly ignored a superior court's decision nullifying part of the case on the grounds that no convincing evidence against BAYS was established. Nevertheless, the judge refused to invalidate the previous illegal actions sanctioned by his predecessor, and proceeded to recklessly indict even more individuals, as well as ignoring that the statute of limitations had run out.

BAYS' fate is illustrative of the corruption, bigotry and criminality that pervades every level of Argentina's court system and also infects its broader society. The nation's ill-reputed judiciary and police force are a liability for the nation's reputation abroad,

which could hurt the country from fully benefiting from the opportunities afforded by the regional trade pact, Mercosur, as well as the FTAA, once enacted.

Demonstrably, Argentina is far less along the democratic continuum than Presidents Menem and Clinton wrongfully insist it is. On the eve of the Santiago Summit, in his speech gave to the Chilean legislature, President Clinton stressed the theme of "deepening" democratic institutions (millions of dollars already have been allocated from abroad to reform Argentina's bedeviled judiciary). Argentina and other hemispheric nations desperately need that "deepening" to make credible the now pseudo-democratic nature of their institutions.

It hasn't helped that Menem fosters political cynicism as his *modus operandi*, rather than providing genuine leadership or anything approaching a vision. His lack of class and his inability to comprehend strong ethical standards, has left the country without a moral compass. His readiness to participate in the cover up of a number of infamous cases, including the bombing of two Jewish entities, with heavy loss of life has emphasized the desperate need for reforming the region's deplorable court systems, beginning with Argentina's.

## TIME TO BRING PEACE TO CYPRUS

SPEECH OF

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, August 3, 1998*

Mr. BONIOR. Mr. Speaker, it has been 24 years since the Turkish invasion of Cyprus. In 1974, almost 200,000 Greek Cypriots—a third of the total Greek Cypriot population—were forced to abandon their homes and became refugees overnight. For the past two decades Greek Cypriots have been denied one of the most basic of human rights—the right to live in the communities that have been home to generations of their families.

The human rights problem also includes the thousands who have disappeared since the onset of the conflict. In addition to those who were killed and expelled at the time of the invasion, today there are still more than 1,600 unaccounted for Greek Cypriots.

One such case concerns the fate of Andreas Kassapis whose parents living in Michigan recently learned of his fate after 23 years of searching for him. During the 1974 invasion, Andreas was kidnapped in Cyprus by Turkish-Cypriots. In 1994, Congress mandated the President to conduct a thorough investigation to determine the whereabouts of missing American citizens. This spring, Andreas' parents were informed that their son's remains have been found. In June, his remains were released to the Kassapis family for a formal burial. This tragedy is one of many that continue to occur in divided Cyprus.

The illegal occupation of 37 percent of Cyprus territory by the Turkish troops, as well as the unwillingness of Turkey and the Turkish Cypriot leadership to conduct talks have caused the existing standstill. In the meantime, a new generation is coming of age amid a divided and militarized society within a country that will never be an equal free member of the European Community as long as it stands divided.

As a defender of freedom and human rights, we cannot allow ourselves to ignore this illegal

occupation and denial of human rights. As a nation, we must insist that Turkey withdraw its occupying forces and allow the return of refugees to their communities.

We must send a clear message stating that violations of human rights and international law will not be tolerated, especially when perpetrated by a nation to which we grant significant amounts of foreign aid. A truly democratic foreign policy will seek the restoration of a united Greek-Cypriot state and serve as a testament to our commitment to democratic self-government and fundamental freedoms.

#### A TRIBUTE TO IAN B. ZELICK

#### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Ms. LEE. Mr. Speaker, I am here to share with you the life of a legendary Oaklander, Mr. Ian B. Zellick, television pioneer and civic leader, who died on July 27 after a brief illness at age 73.

Mr. Zellick was the first staff member at a local television station in the City of Oakland KTVU-TV Channel 2 where he was hired in 1958 as employee number 001. He worked at Channel 2 for more than 32 years; first as a set designer and artist, but it is for his more than 20 years as Director of the Community Affairs Department that Mr. Zellick is best remembered.

Under his direction, the Community Affairs Department's share of air time at KTVU grew from 30 minutes a week to more than six hours a week. Show topics ranged from politics to the concerns of various ethnic and minority communities. He opened the doors of the station to all corners of the community. If more than two people wanted to debate or discuss something, Mr. Zellick gave them air time.

His enthusiasm for the community also took him outside the station to serve on dozens of boards and commissions. One year (1984) Mr. Zellick was on 26 community boards and commissions, including The Oakland Ballet, Philharmonia Baroque Orchestra of the West, Booth Memorial Home, the displaced Homemakers, the Oakland Symphony, and the Oakland Opera. People who knew him described him as a self-styled one-man community network, involved in education, music, dance, mental health, and pregnant teens. He was able to form links between dissimilar agencies. For instance, when an important resident service for pregnant teens was threatened, he facilitated an arrangement between Oakland's YWCA and the Salvation Army's Booth Center, thus insuring the service would continue.

After he retired from KTVU in 1990, Mr. Zellick concentrated on the Philharmonia Baroque, the San Francisco Early Music Society and the East Bay Agency for Children. EBAC runs residential and day care facilities for disturbed kids and he was honored by them for "A Lifetime of Service to the East Bay Community." He received accolades and numerous awards, as a founding member of the Philharmonia and the Preceptor Award from the annual national Broadcasting Industry Conference in recognition of his work encouraging and supporting young people in the field of broadcasting.

Mr. Zellick was born on June 7, 1925 in San Francisco. He got his BA from San Francisco State University and his MA from Mills Col-

lege. As a Marine during WWII, he saw action in the South Pacific. He is survived by his wife Beverly, a daughter Kate; two sons: Vaughn and Arch; and five grandchildren.

#### KHALISTANI DELEGATION TESTIFIES AT UNITED NATIONS

#### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. BURTON of Indiana. Mr. Speaker, recently a delegation of Khalistani Americans led by Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, testified before the United Nations Working Group on Enforced and Involuntary Disappearances, which was meeting in New York City. While there, they exposed the massive human rights violations by the Indian Government in Punjab, Khalistan. Joining Dr. Aulakh were Dr. Paramjit Singh Ajrawat of Maryland, Professor Gurcharan Singh of Marymount University in New York, Judge Mewa Singh of New Jersey, and Malkiat Singh Heir, also of New Jersey.

The Working Group revealed that it has requested permission to visit India and has been denied. The same thing has happened to Amnesty International, Human Rights Watch, and others who have tried to conduct an independent human rights investigation. India obviously has plenty to hide.

Even though the government in Punjab is not led by the Sikh Akali Dal political party, there have still been over 150 atrocities documented since they formed a coalition with the Bharatiya Janata Party (BJP) in 1997. It is ironic that while the Khalistani delegation was testifying, the news broke that Rajiv Singh Randhawa, a witness who identified the police officers who kidnapped human rights activist Jaswant Singh Khalsa, was himself abducted by the police. A few days later, Japal Singh Dhillon, who worked with Mr. Khalsa on his report exposing the mass cremations of Sikhs by the Indian Government, was also arrested on a false charge. Shortly after that, his lawyer, Daljit Singh Rajput, was picked up on the same false charge.

The July 9-15, 1998 issue of *Awaze Qaum* reported that the police picked up Kashmira Singh of the village of Khudial Kalan on the pretext that they were investigating a theft. They then tortured Kashmira Singh for 15 days. They rolled logs over his legs until he couldn't walk. They submerged him in a tub of water. They slashed his thighs with razor blades and stuffed hot peppers into his wounds. Then the police claimed that Kashmira Singh had escaped, a bad sign that he has most likely been murdered by the police. In addition, they arrested his father and brother, who I understand are also being subjected to torture. How can a country that systematically violates basic human rights like this call itself democratic?

It is clear from these events that there is no place for Sikhs or other minorities within India's borders. As Dr. Aulakh has said, "police abuses including illegal detentions, forced abductions, use of torture, rape, and murder have continued much like they have continued since 1984. What is worse is that there has been active collusion by the Akali Government with police forces to cover up past abuses and to distract from present abuses. Without effective international pressure, the whereabouts of the abductees will never be determined and

every day, other innocent people will join the ranks of the disappeared." With nuclear weapons involved in South Asia, these terrible violations of basic human rights are even more dangerous to the entire world.

I am inserting Dr. Aulakh's testimony and the Council of Khalistan's press release into the RECORD for the information of my colleagues. I urge them to read it carefully. It is frightening, but quite informative. Thank you, Mr. Speaker.

TESTIMONY OF DR. GURMIT SINGH AULAKH, PRESIDENT, COUNCIL OF KHALISTAN BEFORE THE 54TH SESSION OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES

Ladies and Gentlemen: Let me begin by thanking you for the opportunity to speak to the Working Group again this year. I would like to update you on disappearances in the Sikh homeland, Punjab, Khalistan. When I reported to you last year, the Sikh homeland was in a deplorable situation. It has not improved. If anything, it has been made worse by the presence of Indian missiles deployed in Punjab after its recent nuclear tests.

This deployment puts Sikh lives at risk to preserve those of the ruling class. The BJP has shown an openly hegemonic agenda towards its South Asian neighbors. There is no doubt that if war breaks out between India and Pakistan, Punjab will be the battleground, as it was for the last three wars fought between the two nations and once again, Sikhs will bear the most casualties in this nuclear holocaust.

I would like to thank the many committed people whose efforts have helped us develop this information to present to you. My statement is more a result of their efforts than my own.

The human-rights situation in Punjab, Khalistan remains as bad as it ever was. The renowned journalist and writer Kushwant Singh has said last May that he personally approved of the police method of simply grabbing Sikh youth and shooting them in the head without bothering with the courts, he stated, and I quote, "I supported the police in its extra-judicial killings."

Former Speaker of the Indian Parliament Balram Jakhar said, "If we have to kill a million Sikhs to preserve India's territorial integrity, so be it." In an interview broadcast by NPR on August 11, 1997, Narinder Singh, identified as a spokesman for the Golden Temple, said that "The Indian government all the time they boast that they're democratic, they're secular, but they have nothing to do with a democracy, they have nothing to do with a secularism. They try to crush Sikhs just to please the majority."

On May 12, the chairman of India's National Human Rights Commission reported that the NHRC had received 38,000 cases in the last few months. This tells us the magnitude of human-rights violations in India because only a small fraction of cases are reported due to intimidation by the police, poverty, and illiteracy.

What terrifies the Sikh community about this dangerous scenario is the ease by which past Indian Governments have been able to make Sikhs disappear and kill them with impunity. Since 1984, an estimated quarter million Sikhs have lost their lives, but those responsible, men like K.P.S. Gill, are applauded in India as superheroes. It has been proven in the ballot box that when a political party, be it BJP or Congress, targets a minority community such as Muslims, Christians, or Sikhs, they win elections.