

**AMNESTY
INTERNATIONAL**



To: Members of Congress
From: Amnesty International USA
Date: May 1, 2018
RE: AIUSA Appropriations Requests for Fiscal Year 2019

As Congress considers appropriations for the Fiscal Year 2019 (“FY19”) funding cycle, we request that the essential tools of diplomacy and the human rights functions within the Department of State (“DOS”) and the U.S. Agency for International Development’s (“USAID”) topline accounts, be robustly funded. There has never been a more important time for the U.S. to maintain its essential contributions to the global effort to ensure that human rights are upheld, preserved, and protected. In the year in which we celebrate the 70th anniversary of the Universal Declaration of Human Rights, we urge Congress to fully and robustly fund the essential tools the U.S. Government uses to help fight for the human rights of all throughout the world.

On behalf of Amnesty International USA (“AIUSA”) and our more than two million members and activists in all 50 states, we submit the following requests for consideration in the FY19 appropriations cycle.

Section 1: Support human rights programs and Congress’ ability to promote the respect and protection of human rights throughout the world.

Section 2: Funding to Protect Human Rights Defenders

Section 3: Family Planning/Reproductive Health

Section 4: Gender-based Violence (“GBV”)

Section 5: Humanitarian Assistance

Section 6: Support the U.S. Refugee Admissions Program

Section 7: Support the Bureau of Population, Refugees and Migration at the Department of State

Section 8: Reject increased detention and deportation of asylum seekers including children and families

Section 9: Support Gun Violence Research & Prevention Strategies

Section 10: Africa

Section 11: Middle East and North Africa

Section 12: Americas

Section 13: Europe and Central Asia

Section 14: Asia

Section 1: Support human rights programs and Congress' ability to promote the respect and protection of human rights throughout the world.

Requests:

- Fund the International Affairs Budget at a level of at least **\$59.1 billion** in FY19.
- Support at least:
 - \$2.7 billion to support human rights and good governance programs
 - \$1,907.56 million for the United States' Contributions to International Peacekeeping Activities
 - \$4,320.00 million FOR PEPFAR
 - \$829.50 million for Maternal and Child Health
 - \$23 million for Vulnerable Children
 - \$25 million for the Inter-American Foundation ("IAF") and an additional \$15 million transfer from Central America funding to IAF programming
 - \$230,000 for the Tom Lantos Human Rights Commission

Rationale: Since the Second World War presidents and Congress have advanced U.S. interests by working to strengthen the respect and protection of human rights, and build a stronger global community with people from around the world. This approach to global engagement is at deep risk with the FY19 proposed budget which includes a drastic, dangerous cut of 30 percent compared to FY17 levels to the overall International Affairs Budget. According to the U.S. Global Leadership Coalition, these proposed cuts would slash the International Affairs budget to its "lowest levels since World War II," as a percentage of GDP.¹

Humanitarian aid: If passed, the proposed cuts will drastically reduce humanitarian assistance despite a global humanitarian crisis of historic proportions. Further, the proposed budget would gut efforts to defend and promote human rights including women's rights. These programs are key to ensuring that the people who these programs are intended to benefit actually receive the intended assistance.

Tom Lantos Human Rights Commission: The Commission's mission states, in part, that its mandate is to "promote, defend and advocate internationally recognized human rights norms as enshrined in the Universal Declaration of Human Rights, and other relevant human rights instruments, in a nonpartisan manner." The work of the Commission complements the traditional work of Congressional committees by holding hearings and briefings on issues that transcend the jurisdiction and interests of multiple committees – including Appropriations, Armed Services, Foreign Affairs, Government Oversight, and Judiciary – and covering topics that the committees do not have time to cover at such depth. Foreign

¹ <http://www.usglc.org/media/2018/02/USGLC-FY19-Budget-Analysis.pdf>

governments pay close attention to the Commission's hearings and briefings, which also serve as an important platform for civil society to share with Congress its concerns and expertise. The Commission also helps focus the efforts of its bipartisan members in support of fundamental freedoms and the rights to life, liberty, and freedom from torture or government-led repression around the world.

During the 114th Congress, the Commission held 22 hearings and more than 40 briefings on topics ranging from religious freedom to concrete steps that can be taken to protect civilians in Syria. Due to a historical lack of dedicated funding for professional staff, the Commission has done this work and served its bipartisan members through a rotating patchwork of temporary fellows and volunteers. In the recently passed Consolidated Appropriations Act of 2018, \$200,000 was made available to the House Foreign Affairs Committee to provide additional support for the Commission's work. While this was a critical step forward, we urge Congress to fully fund the bipartisan commission's request.

Funding the Commission at the AIUSA requested amount would allow each Commission Co-Chair to hire and retain dedicated full-time personnel, thus greatly increasing the Commission's effectiveness, reinforcing its expertise, and amplifying Congress' important voice on human rights and foreign policy.

Section 2: Funding to Protect Human Rights Defenders

Request:

Ensure that funding continues for programs that support human rights defenders globally at DOS and USAID.

- That \$3,000,000 be allocated to the Human Rights Defenders Fund at the Bureau of Democracy, Human Rights, and Labor within the Department of State.
- \$2,000,000 be allocated to other programs at the State Department and the USAID that support the promotion and protection of human rights defenders and their work globally.
- Designating a human rights officer/staff person at every Embassy where human rights are an issue to support human rights defenders and their work.

Rationale: Everyday, human rights defenders around the world face incredible challenges while doing their invaluable work, regularly being the target of death threats, arbitrary arrest, defamation campaigns, judicial harassment, and violence. In 2017 alone, according to Frontline Defenders, over 312 Human Rights Defenders were killed globally. Since the adoption of the United Nations Declaration on Human Rights Defenders in 1998, Amnesty International estimates that over 3,500 Human Rights Defenders have been killed worldwide. The United States must continue to prioritize protecting those that defend human rights

around the world, often at great risk to themselves and their families, and ensure dedicated funding for U.S. programs that undertake this critical work.

Section 3: Family Planning/Reproductive Health

Request: A total of \$1.5 billion for family planning and reproductive health (“FP/RH”) programs, both bilateral and multilateral, with funding provided from the Global Health Programs account and the Economic Support Fund and from the International Organizations and Programs account in order to provide a \$100 million voluntary contribution to the United Nations Population Fund (“UNFPA”), but no less than the FY17 enacted level of \$607.5 million, including a \$32.5 million contribution to UNFPA. *Any increase in the FY19 appropriated level for FP/RH programs should not come at the expense of other poverty-focused development, global health, or women’s empowerment and gender equality programs. Funding for the overall international affairs budget should also be maintained at no less than \$59.1 billion, the FY17 enacted level.*

Rationale: U.S. investments in FP/RH programs support the health and rights of women and families around the world, are cost-effective, and deliver results. This recommended level is the United States’ fair share of the \$12.1 billion estimated to be necessary to address the unmet need for modern contraception of 214 million women in the developing world. It is calculated by adopting the burden-sharing targets included in the 1994 International Conference on Population and Development’s *Programme of Action*, which specified that onethird of the financial resources necessary to provide reproductive health care should be furnished by donor countries and two-thirds by the developing nations themselves.

Funding levels:

(in millions of dollars)	FY 2017 enacted	FY 2018 Senate committee-approved bill	FY 2018 enacted	FY 2019 budget request
Global Health Programs account	(523.95)	(544.0)	TBD	302.0
Economic Support Fund	—	(41.0)	TBD	—
TOTAL, bilateral FP/RH	575.0	585.0	TBD	—
U.S. contribution to UNFPA (IO&P)	32.5	37.5	TBD	—
TOTAL, bilateral & multilateral FP/RH	607.5	622.5	TBD	302.0

NOTE: FP/RH funding levels that were earmarked in the statute are indicated in **bold**, while funding levels that were specified in report language are denoted in (parentheses).

Section 4: Gender-based Violence (“GBV”)

Request: No less than \$200,000,000 in the Department of State, Foreign Operations, and Related Programs Appropriations Act (SEC. 7059) to implement a multi-year strategy to prevent and respond to gender-based violence in both conflict and non-conflict settings.

Strategy to Prevent and Respond to Gender-based Violence Globally highlights a series of recommendations essential for continued and successful implementation of a Strategy. Among them is expansion of GBV-related programming, including through stand-alone and multi-sector programs, enhancement of public awareness of all forms of GBV, and expansion of externally facing tools and resources related to GBV. Additionally, the Committee remains concerned at the extremely high rates of GBV resulting from violent conflicts and migration. The Committee recommends an increase in additional resources to advance the implementation of a GBV Strategy, as recommended by the November 2015 Evaluation

Rationale: GBV broadly, and violence against women and girls (“VAWG”) specifically, is a horrific and widespread human rights abuse that requires a response. GBV and VAWG occurs in many forms, including intimate partner violence; child, early, and forced marriage; rape; sexual assault; trafficking; female genital mutilation/cutting; and so-called “honor” killings. These violations occur both in times of peace and in times of conflict and humanitarian crises. Such violence is also an early warning sign of instability and violent conflict. Moreover, GBV and VAWG undermine the effectiveness of existing U.S. investments in global health, development, and stability.

Section 5: Humanitarian Assistance

Request: In a time of unprecedented global need, Congress must sustain robust funding for humanitarian assistance for forcibly displaced people worldwide while also strongly supporting the U.S. Refugee Admissions Program (“USRAP”) that helps those in urgent need of third country resettlement. Specifically, Congress should support at least:

- \$3.604 billion for the Migration and Refugee Assistance (“MRA”) Account
- \$4.427 billion for the International Disaster Assistance (“IDA”) Account
- \$50 million for the Emergency Refugee and Migration Assistance (“ERMA”) Account

Rationale: The world is witnessing the highest levels of displacement in history. The Syrian war is entering its seventh year, resulting in over 5.6 million refugees and displaced persons. The campaign of ethnic cleansing and apartheid in Myanmar has resulted in nearly 700,000 Rohingya fleeing into Bangladesh. In

every region of the world, there are people who have been forcibly displaced from their homes and communities.

Over 65 million people have fled their homes, escaping persecution, war, torture, and violence. They include women, children, and families. Among this number are 22.5 million refugees, over half of whom are children. They face desperate circumstances and are in dire need of the most basic necessities of life including shelter, medical treatment, food, and other life-saving and life-sustaining services.

The U.S. has long been the single largest donor of international humanitarian aid. Now more than ever, the U.S. must provide sustained funding for humanitarian aid to protect displaced populations and to support the USRAP. Each of these accounts provide critical resources to aid refugees, internally displaced peoples, and stateless populations while also providing durable solutions to ensure refugees' long-term safety and integration:

- MRA account, administered by the State Department's Bureau of Population, Refugees, and Migration ("PRM"), provides overseas assistance to refugees, supports admission to the U.S. of the most vulnerable refugees, and funds lifesaving services in humanitarian emergencies. In Myanmar, we have seen how critical U.S. contributions can be, through providing resources to address the humanitarian crisis affecting the Rohingya people who have been forcibly displaced from their homes and subjected to a devastating campaign of ethnic cleansing. Without dedicated resources allocated to this account, and the bipartisan support to address this crisis, this sustained response would not be possible.
- IDA account, administered by the Office of Foreign Disaster Assistance ("OFDA") within the USAID, funds humanitarian assistance to people displaced by natural disaster, famine, conflict, and war. For example, funding supports efforts to address famine in South Sudan, Nigeria, and Yemen, while addressing longstanding humanitarian crises in Afghanistan, Somalia, and Colombia, which have caused significant internal displacement. Additionally, using funds provided through IDA, the OFDA provided \$9 million worth of emergency assistance to Ukrainians living near areas occupied by Russian-backed rebels in FY17.
- ERMA account, administered by PRM, can only be drawn down via presidential authorization, giving the president the ability to support relief to emergency crises without diverting funds from existing funding priorities. ERMA allows the U.S. to respond to rapidly occurring and unforeseen humanitarian crises and is a highly effective and efficient use of limited resources. The ERMA account has allowed the U.S. the ability to respond quickly to developing emergency situations, like in Syria and South Sudan, where these funds have been used to provide emergency shelter, health care, and provide the resources needed to ensure access to water and sanitation support.

In the past, U.S. leadership in refugee resettlement and humanitarian aid has resulted in more humanitarian commitments from the international community and ensured that human rights are taken seriously worldwide. The U.S. retreat in refugee resettlement makes it more difficult to ensure other countries will uphold their humanitarian aid commitments and shared responsibility. The U.S. retreat from resettlement in FY18 has already caused a near 60 percent decline in global resettlement, which has had a devastating impact on the international community’s ability to protect refugees in urgent need.

Congress must continue to provide robust funding for humanitarian and refugee assistance. During this appropriations cycle, Congress should again reject the proposed deep cuts to humanitarian assistance for refugees and displaced populations that would result in an over 30 percent cut to these critical accounts.

**FY19 Funding Needs for Refugees and Displaced Persons
Pursuant to Certain Accounts of the Department of State**

Accounts for Refugees and Displaced Persons	FY18 Enacted	FY19 President’s Request	FY19 RCUSA Request
Migration and Refugee Assistance (MRA)	\$3,359,000,000 ²	\$2,800,375,000 ³	\$3,604,000,000
International Disaster Assistance (IDA)	\$4,285,312,000 ⁴	\$3,557,412,000 ⁵	\$4,427,786,000
Emergency Refugee and Migration (ERMA)	\$1,000,000	\$0	\$50,000,000

Section 6: Support the U.S. Refugee Admissions Program⁶

Request: The U.S. should admit at least 75,000 refugees in FY19. Congress should publicly call on the President to issue a Presidential Determination in September 2018 that restores the United States’

²Includes \$2,431,198,000 in Overseas Contingency Operations (OCO) funding.

³Includes \$2,038,787 in Overseas Contingency Operations (OCO) funding.

⁴Includes \$1,588,778,000 in Overseas Contingency Operations (OCO) funding.

⁵ Includes at least \$1,780,625 in Overseas Contingency Operations (OCO) funding. A billion additional dollars was recommended to the original \$2.5 billion total request, per the FY19 budget addendum.

⁶ This section is in line with the FY 19 request of Refugee Council USA, of which AIUSA is a member.

longstanding tradition of resettling the world's most vulnerable persons. Congress should provide \$2.056 billion for the Refugee and Entrant Assistance ("REA") Account, under the Labor-HHS Appropriations bill.

Rationale: The REA Account provides critical initial investments in the long-term integration and economic success of certain new Americans, including people who are building new lives after surviving persecution, torture, trauma, and human trafficking. It is funded through the appropriations for Labor, Health and Human Services, Education, and Related Programs (LHHS), and is administered by the Department of Health and Human Services' (HHS) Office of Refugee Resettlement ("ORR") which was established in 1980 to assist refugees resettled by the U.S. to become self-sufficient. In FY17 the account supported approximately 150,000 newly arrived refugees through:

- Integration services for refugees and asylees (including unaccompanied children), Cuban and Haitian Entrants, and Iraqi and Afghan Special Immigrant Visa ("SIV") recipients, who served the U.S. missions.
- Special programs for victims of human trafficking and survivors of torture in the U.S.
- Care, placement, and post-arrival services for unaccompanied children ("UC").

The Trump Administration slashed refugee admissions to the lowest level since the creation of the USRAP in 1980. In September 2017 the Administration reduced the refugee admissions goal to 45,000 for FY18, despite strong bipartisan support for a higher refugee admissions goal. This reduction flies in the face of the United States' longstanding leadership in offering this durable solution to the world's most vulnerable. At times of far less global need, the U.S. has set the refugee admissions goal far higher. Further, even based on the 45,000 goal for FY18, the Administration is falling far short of achieving these refugee admission numbers. As of April 1, 2018, the FY18 total was 10,548 arrivals, far below where the U.S. should be at this point in the FY.⁷ Recent changes to vetting measures, coupled with a reallocation of resources and damaging policy shifts have resulted in severe backlogs in the processing of refugee cases. This has not only left refugees in harm's way, but meant that refugees who were booked and ready to travel have been left in continual limbo. Congress should conduct vigorous oversight to ensure that the Administration is doing everything it can to reach the Presidential Determination it set for FY18, and that it is not intentionally slowing the processing of refugee cases from any region or country.

Congress should support a higher admissions goal of 75,000 for FY19, and the Appropriations Committees should include language supporting a higher FY19 admissions goal and include language calling on the

⁷ See Refugee Council USA, <http://www.rcusa.org/>

Administration to reach the 45,000 refugee admissions goal set by the Presidential Determination in FY18.

Section 7: Support the Bureau of Population, Refugees and Migration at the Department of State

Report Language Request: The Committee is aware that there have been various proposals to remove some or all of the functions of the Bureau of Population, Refugees and Migration (PRM) from the Department of State. The Committee notes that PRM plays an important role not only in the provision of assistance in refugee situations but in the crucial diplomacy that surrounds efforts to not just ease suffering but to find permanent solutions to such crises. PRM's role in finding durable solutions for refugees either in the host country to which they have fled or in third countries willing to resettle refugees, serves in the U.S. national interest by supporting the stability of countries who are struggling to host significant numbers of refugees.

The Committee believes that disconnecting PRM's vital role from the broader diplomatic mission of the State Department would undermine important foreign policy objectives and urges the Secretary to set aside this proposal in any plan to reorganize the Department.

Rationale: Given the strong U.S. humanitarian and strategic interests in the refugee program, it is important to maintain the expertise of PRM leading U.S. refugee protection global engagement from within the Department of State.

Section 8: Reject increased detention and deportation of asylum seekers including children and families

Ask: The Committee should reject the funding request for an additional \$4.5 billion for border enforcement. This includes \$1.5 billion above the 2017 annualized CR level for expanded detention, transportation, and removal. Congress should reject any increase in funding for detention facilities operated by Homeland Security ("DHS").

Rationale: The U.S. already operates the largest immigration detention system in the world, costing taxpayers \$2 billion each year. In 2017 there were an unprecedented 42,000 men, women, and children in detention – including families who fled sexual violence and lethal violence. They are fleeing countries with some of the highest levels of violence on earth—Guatemala, Honduras and El Salvador—with homicide rates several times higher than the global average. Vicious criminal gangs control large areas of these countries – forcing young boys to join them, girls to become sexual slaves, shop owners and bus

drivers to pay hefty taxes, and killing anyone who dares to say no. There is [overwhelming evidence that people seeking asylum from these countries face extreme violence](#) and potential death if they are deported. Congress should reject any increase in funding for immigration detention facilities for children and families. Rather Congress should support community-based alternatives to detention programs that are cost effective and humane.

Section 9: Support Gun Violence Research & Prevention Strategies

Request: The federal government should allocate funding through the Department of Justice and/or other agencies to support evidence-based gun violence prevention strategies that decrease gun violence in communities of color, and continue to support and expand initiatives that improve police legitimacy and community relations.

Rationale: On average, 92 people in the United States are killed with firearms every day. Six of those deaths each day are children. These statistics underscore that gun violence in the U.S. is a daily epidemic, yet many of these injuries and deaths may be preventable. Without funding for research into firearm safety and injury prevention, it is difficult to assess the most effective means by which the U.S. can address firearm-related injuries and deaths. The disproportionate impact of gun violence on communities of color, women and children is particularly troubling. African Americans are ten times more likely to be the victims of gun homicides, by law enforcement and private individuals, than white Americans. U.S. women are 16 times more likely to be killed by a gun than women in other high-income countries. U.S. children are 13 times more likely to die from a firearm homicide than children of comparable developed nations.

The U.S. government has clear international human rights obligations to protect people from gun violence, including a positive obligation of due diligence to prevent violations of the right to life, by taking measures to combat actual or foreseeable threats to that right.

Section 10: Africa

Country: Ethiopia

Request: Amnesty International USA recommends that Congress suspend all security assistance to Ethiopia until the Ethiopian government lifts its second state of emergency in two years, allows the United Nations to conduct an independent examination of the human rights situation in Ethiopia, and abolishes

the Anti-Terrorism Proclamation and until a review of U.S. security assistance to Ethiopia is completed along with the development of a comprehensive strategy to improve good governance in Ethiopia.

Rationale: In 2018, the Ethiopian government has made some progress regarding human rights, having released 10,000 political prisoners, but the government has made no permanent changes. For example, the Anti-Terrorism Proclamation remains in place, allowing the government to jail opposition leaders and critics of the government as so-called terrorists for up to 20 years' imprisonment, and the 2009 Ethiopian Charities and Societies Proclamation remains in force. The Proclamation places excessive restrictions on the work of human rights organizations and has had a devastating impact on human rights work, both in terms of the practical obstacles it creates for human rights defenders, and in exacerbating the climate of fear in which they operate. The proclamation jeopardizes the protection of the rights of every person in Ethiopia. The Ethiopian Security forces continue to enjoy impunity for human rights violations, such as extrajudicial executions of hundreds of Oromos in the Somali region, and trials remain unfair. Most worrisome of all, following daily protests against underrepresentation, lack of freedom of speech, arbitrary arrests and detentions, and torture, the government imposed its second state of emergency in under two years. Instead of mitigating instability, this has and will exacerbate tensions, as underlying issues remain unaddressed and freedoms of expression and association will be further restricted. If the Ethiopian government repeats its previous state of emergency and again arbitrarily detains and arrests tens of thousands of people, the country will plunge into greater instability. Until underlying issues are addressed and human rights are respected, the Ethiopian government will continue to teeter on the precipice of instability.

Country: Nigeria

Request: AIUSA recommends that the U.S. government limit all security assistance to non-lethal assistance until the Nigerian government can show that it has taken concrete steps to enforce accountability within the security forces for past human rights violations, has taken steps to ensure improved protection for human rights in current operations, and is employing methods that comply with international humanitarian and human rights law in countering Boko Haram.

Rationale: The Nigerian security forces have been credibly linked to systematic and egregious human rights violations which have resulted in no accountability for those responsible for those violations. This culture of impunity permits government and military officials to act without inhibition. In January 2017, a Nigerian Air Force jet reportedly mistakenly bombed an internally displaced persons camp near the Cameroon border in Rann, Borno State resulting in a death toll of over 200. In December 2017 the air force targeted civilians in the Middle belt region of the country in an apparent effort to curb communal violence between farmers and herders. At least 35 people were killed in northeastern Adamawa state.

There is a genuine risk that US security assistance to Nigeria could facilitate further violations. Congress must insist on Nigeria meeting clear measurable benchmarks of reform and accountability related to the protection of human rights by the Nigerian security forces, to be documented by the Department of State and reported to Congress. AIUSA recommends that the U.S. government provide funding and support for international organizations for their efforts to address the famine and related humanitarian crisis in Nigeria and insist on absolute transparency and accountability in the distribution and use of that assistance.

The Boko Haram insurgency and the Nigerian government's response have spawned an unprecedented humanitarian crisis resulting in at least 20,000 people killed, 1.8 million displaced internally, and two million refugees fleeing to the neighboring countries of Cameroon, Chad and Niger. An estimated seven million people need humanitarian assistance, and according to the U.N. Office for the Coordination of Humanitarian Affairs, half of them are children. Beyond the basic humanitarian imperative to help, a robust response from the United States and the global community is needed to ensure that Boko Haram does not have the opportunity to recruit new members from this population.

Country: Cameroon

Request: AIUSA recommends that the U.S government suspend all security assistance to Cameroon until the Cameroonian government ends the often-violent repression of freedoms of expression, association and peaceful assembly, enforces accountability for rampant human rights violations and has employed methods in accordance with respecting human rights to counter Boko Haram.

Rationale: Boko Haram continued to commit serious human rights abuses and violations of international humanitarian law in the Far North region, including looting and destroying properties and killing and abducting civilians. In response, the authorities and security forces committed human rights violations and crimes under international law, including arbitrary arrests, incommunicado detention, torture and deaths in custody. As a result of the conflict, around 240,000 people in the Far North region had fled their homes between 2014 and the end of 2017. The Cameroonian security forces have been linked to systematic and egregious human rights violations in their counter insurgency. In the summer of 2017 Amnesty International documented credible reports of torture committed by the Cameroonian Special Forces. Despite efforts by Amnesty International to discuss the report, the Cameroonian Government and military have flatly ignored the report, refused to meet with Amnesty International, and have to date done nothing to investigate the incidents. Following the report, US AFRICOM initiated an internal review to ascertain what US military trainers knew and did not know about the possible torture.

Security forces violently repressed demonstrations throughout the Anglophone regions of Cameroon. Civil society activists, journalists, trade unionists and teachers were arrested and some faced trial before military courts. Congress must insist on Cameroon meeting clear measurable benchmarks of reform and accountability related to the protection of human rights by the Cameroonian security forces. These benchmarks should be documented by the Department of State and reported to Congress. It is imperative that the culture of impunity that persists in Cameroon is countered.

Section 11: Middle East and North Africa

Country: Iraq

Request: AIUSA recommends that the Committee suspend military assistance to Iraq until the Secretary of State certifies that the Iraqi authorities have taken credible steps to improve the respect for and protection of human rights.

Rationale: Iraqi and Kurdish forces, paramilitary militias, coalition forces and the armed group calling itself Islamic State (IS) committed war crimes and other violations of international humanitarian and gross human rights abuses in the armed conflict. Iraqi and Kurdish forces and paramilitary militias extrajudicially executed captured fighters and civilians fleeing the conflict and destroyed homes and other civilian property. Iraqi and Kurdish forces as well as government authorities arbitrarily detained, forcibly disappeared and tortured civilians suspected of being affiliated with IS. Courts subjected IS suspects and other individuals suspected of terrorism-related offences to unfair trials and sentenced them to death on the basis of “confessions” extracted under torture. Executions continued at an alarming rate.

Country: Egypt

Request: AIUSA recommends that the Committee suspend military assistance to Egypt until the Secretary of State certifies that the Egyptian authorities have taken credible steps to improve the respect for and protection of human rights by the Egyptian security forces, including holding those responsible for the August 2013 massacre in Rab’aa Square accountable.

Rationale: Egypt’s human rights crisis continues unabated. The authorities used torture and other ill-treatment and enforced disappearances against hundreds of people, and dozens were extrajudicially executed with impunity. The crackdown on civil society escalated with NGO staff being subjected to additional interrogations, travel bans and asset freezes. Arbitrary arrests and detentions followed by grossly unfair trials of government critics, peaceful protesters, journalists and human rights defenders were routine. Mass unfair trials continued before civilian and military courts, with dozens sentenced to death.

Women continued to be subjected to sexual and gender-based violence and were discriminated against in law and practice. The authorities brought criminal charges for defamation of religion and “habitual debauchery” on the basis of people’s real or perceived sexual orientation.

Section 12: Americas

Country: Mexico

Request: AIUSA discourages U.S. support for a military role in law enforcement, and recommends that of the funds available for assistance for Mexico under the FMF and INCLE headings, 25 percent shall be withheld until the Secretary of State determines and reports to the Committee that the Government of Mexico is:

- 1) Thoroughly and credibly investigating and prosecuting violations of human rights in civilian courts, including the killings at Tlatlaya in June 2014 and the forced disappearance of 43 students at Ayotzinapa in September 2014, in accordance with Mexican law;
- 2) Ensuring that special prosecutors’ offices against torture at the state and federal level are investigating and prosecuting allegations of torture in accordance with the General Law to Prevent, Investigate and Sanction Torture and Other Cruel, Inhumane or Degrading Treatment;
- 3) Ensuring that authorities collaborate with the search mechanisms established under the General Law on Disappearances and that the specialized prosecutors’ offices at the state and federal level are investigating and prosecuting enforced disappearances and disappearances committed by individuals;
- 4) Fully complying with the rulings of the Inter-American Court on Human Rights;
- 5) Investigating and prosecuting attacks and killings of human rights defenders and journalists.

Further, AIUSA recommends that within 90 days of enactment of the 2019 budget, the Committee require the Department of State provide a report to the Committee describing the implementing agencies, specific amounts, recipient units, equipment, and the types of training provided through U.S. support to Mexican agencies operating in the southern border zone since 2014. The report should include any U.S. training to support improved screening of apprehended migrants to detect possible protection concerns. The State Department should include indicators it has developed to measure the impact of U.S. assistance in Mexico’s southern border. The report should be delivered in unclassified form and posted to the Internet.

Rationale: Ten years since the start of the so-called “war on drugs and organized crime”, the use of military personnel in public security operations continues, and violence throughout the country remains widespread. There continue to be reports of torture and other ill-treatment, enforced disappearances,

extrajudicial executions and arbitrary detentions. Impunity for human rights violations and other crimes under international law persists. In both 2016 and 2017, Mexico received its highest-ever number of asylum claims, mostly from people fleeing violence in El Salvador, Honduras and Guatemala. Human rights defenders and independent observers were subjected to intense smear campaigns; journalists continued to be killed and threatened for their work. Violence against women remains a major concern.

Country: Colombia

Request: AIUSA recommends that the Committee withhold 25% of the funds for Colombia Foreign Military Financing Program, International Narcotics Control and Law Enforcement and International Military Education and Training until the Secretary of State certifies and reports to the Committees on Appropriations that:

- 1) Cases involving members of the Colombian military who have been credibly alleged to have violated human rights, including those in positions with command authority who ordered or covered up such crimes, are subject only to civilian jurisdiction; the Colombian military is cooperating with civilian authorities in such cases; and military officers credibly alleged to have committed gross violations of human rights are removed from positions with command authority until the completion of judicial proceedings and appropriately punished if convicted;
- 2) The Government of Colombia is upholding its international obligations by holding accountable persons responsible for crimes against humanity, war crimes, and other gross violations of international law, and is not offering pardon to such persons; and
- 3) The Government of Colombia is continuing to dismantle armed groups, taking effective steps to protect the rights of human rights defenders, journalists, trade unionists, Afro-Colombian and Indigenous activists, and other social activists, and respecting the rights and territory of Indigenous and Afro-Colombian communities.

Rationale: A peace deal reached between the government and the armed group the Revolutionary Armed Forces of Colombia (FARC) was ratified by Congress in November 2016. This marked the official end of the five-decade armed conflict between the two sides after more than four years of talks. However, there was an increase in killings of human rights defenders, including Indigenous, Afro-descendant and peasant farmer leaders. Doubts remained over whether the peace agreement with the FARC would ensure that all those suspected of criminal responsibility for crimes against humanity and war crimes would be held accountable in line with international law.

Furthermore, the reported presence of paramilitary groups in the northwestern departments of Choco and Antioquia have put inhabitants in the area at serious risk. An incursion by paramilitaries and subsequent armed confrontation between them and armed groups forced a mass displacement of families and the potential confinement of surrounding communities. Since the end of the ceasefire with the ELN on January 9, 2018, armed conflict has intensified in many regions of Colombia. Dozens of cases of forced displacement have been recorded, as well as alarming figures related to the murders of community leaders and human rights defenders in the departments of Antioquia, Córdoba, Cauca and Boyacá as a consequence of clashes between the ELN, paramilitary groups, state security forces and FARC dissidents. A wave of forced displacement took place in several parts of the country: between January 17 and 20, 2018, more than 1,000 people were displaced, and many more are at risk of displacement due to clashes between different armed groups in the areas of Bajo Cauca, Southern Córdoba and the boundaries between Boyacá and Casanare.

Countries: Guatemala, El Salvador, Honduras

Request: Not less than \$1,000,000 shall be provided to the office of the High Commissioner for Human Rights in Honduras, \$500,000 to the office of the High Commissioner for Human Rights in Guatemala, and \$500,000 to support the programming of the High Commissioner for Human Rights in El Salvador, and no less than \$500,000 shall be available for initiatives to support the identification of the disappeared.

AIUSA discourages U.S. support for a military role in law enforcement and recommends that the assistance designated for the governments of El Salvador, Guatemala and Honduras focus on programs that facilitate:

1. Governments working cooperatively with an autonomous, publicly accountable entity to provide oversight of the Alliance for Prosperity Plan;
2. Anti-corruption efforts, including investigating and prosecuting those credibly alleged to be corrupt;
3. Implementation of reforms, policies, and programs to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary and the Office of the Attorney General;
4. Implementation of policies to ensure that local communities, civil society organizations (including Indigenous and other marginalized groups), and local governments are consulted in the design, and participate in the implementation and evaluation of, activities of the Plan that affect such communities, organizations, and governments;

5. The investigation and prosecution in the civilian justice system of government personnel, including military and police personnel, who are credibly alleged to have violated human rights, and ensure that such personnel are cooperating in such cases;
6. Implementation of a plan that includes goals, benchmarks and timelines to create a professional, accountable civilian police force and end the role of the military in internal policing, and make such plan available to the Department of State;
7. The protection of the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference;

Request: AIUSA recommends that the Committee require the Secretary of State periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements made above, and that if the Secretary determines that sufficient progress has not been made by a central government, the Secretary shall suspend, in whole or in part, assistance for programs supporting such requirement, and shall notify the appropriate congressional committees in writing of such action.

The resumption of funding should require the Secretary to certify to Congress that credible, measurable corrective measures have been taken.

Rationale: In Guatemala, smear campaigns and the misuse of the criminal justice system to harass and intimidate human rights defenders continued. Defenders working on land, territorial and environmental issues were at risk. People continued to flee the country to escape high levels of inequality and violence. There was a landmark decision by the High-Risk Court A in a case concerning sexual violence and the domestic slavery of 11 Indigenous women during the internal armed conflict. Other high-profile cases against former members of the military continued to suffer setbacks and undue delays.

In El Salvador, increasing levels of violence continued to affect people's rights to life, physical integrity, education and freedom of movement. There were reports of excessive use of force by the security forces and of a surge in asylum applications by Salvadorans in various countries in the region. The Supreme Court declared the 1993 Amnesty Law unconstitutional. Impunity for violence and other crimes against lesbian, gay, bisexual, transgender and intersex (LGBTI) people persisted.

In Honduras, a general climate of violence forced thousands of Hondurans to flee the country. Women, migrants, internally displaced people, human rights defenders – especially lesbian, gay, bisexual,

transgender and intersex (LGBTI) people as well as environmental and land activists – were particularly targeted with violence. A weak criminal justice system contributed to a climate of impunity. Security forces brutally repressed massive protests that have taken place after the Honduran presidential elections. Protesters took to the streets to denounce the lack of transparency around the presidential election on November 26. Security forces used excessive force against these protestors, including lethal weapons. According to the Ombudsperson, at least 31 people have been killed, and multiple cases of people injured by firearms or brutally beaten by security forces were reported, as well as cases that could amount to torture and other cruel, inhuman or degrading treatment. Authorities arrested or detained hundreds of people during protests and the 10-day curfew implemented in December 2017.

Section 13: Europe and Central Asia

Country: Ukraine

Request: Protect civil society organizations and human rights activists in Ukraine

AIUSA urges the Committee to withhold 10% of the funds available for the “Ukraine Security Assistance Initiative,” until the Secretary of State determines and reports to the Committee that the Government of Ukraine has taken concrete steps to cease its crackdown on freedom of association and freedom of speech. Specifically, the Secretary of State should provide a report that details the Ukrainian government’s adoption and implementation of relevant provisions under two draft laws: a draft amendment to the tax code (No. 6675) and a draft amendment to the law on public associations (No. 6674). The Secretary should detail how these provisions are impacting civil society organizations and political activists. Additionally, the report should detail actions the government of Ukraine has undertaken to cease targeting, jailing, harassing or intimidating through judicial or bureaucratic means, non-violent anti-corruption activists, journalists, and civil society representatives.

Request: AIUSA recommends that the committee make funding available to provide technical assistance for civil society organizations, including anti-corruption organizations, operating in Ukraine.

Rationale: In 2013, hundreds of thousands of mainly peaceful demonstrators gathered in Kiev and other Ukrainian cities to protest their government’s decision to stop preparations for an Association Agreement with the European Union. The “Euromaidan” demonstrations eventually led to the fall of the government and the ousting of Ukrainian President Viktor Yanukovich. In 2014, a new government came to power vowing to pursue a reform-driven agenda. Since that time, activists’ initial optimism has given way to

concern as social discontent has continued to grow and corruption remained entrenched. Mounting economic problems and the slow pace of reform have continued to spark regular protests in Kiev.

Ukrainian civil society is especially concerned about the government's increasing willingness to muzzle anti-corruption activists, including organizations such as AntAC, YouControl, Auto-Maidan, and others. Two draft laws ([Nos. 6675 and 6674](#)) would require nongovernmental organizations to submit detailed declarations identifying their staff as well as those of any partner organization or vendor. NGOs that fail to comply would risk being shuttered by authorities. The new reporting requirements are discriminatory in nature and arbitrarily target anti-corruption activists in contravention of the rights to freedom of expression and association.

Additionally, Ukrainian authorities have misused the criminal justice system to further harass anti-corruption activists and human rights defenders. In February 2017, the Prosecutor General's Office of Ukraine opened a criminal case against an HIV prevention organization that had exposed corruption schemes in the public healthcare system.

Country: Afghanistan

Request: Prevent the distribution of U.S. military assistance to Afghan security forces guilty of human rights violations.

AIUSA urges the committee to phase out "notwithstanding" provision for the Afghan Security Forces Fund to ensure that no support provided to the Afghanistan Security Forces is channeled to any individual or unit that is engaged in human rights violations.

Rationale: Amnesty International has documented numerous human rights violations by the Afghan Security Forces, including their use of lethal force [to silence peaceful protestors](#). The Leahy Law (22 USC § 2378d) expressly prohibits the U.S. from providing military assistance to any unit of a foreign military force suspected of gross human rights violations. However, an appropriations provision known as the "notwithstanding clause" has allowed the Department of Defense to waive Leahy provisions in providing aid to the Government of Afghanistan's security forces, including units implicated in human rights violations.

A [June 2017 report](#) by the Special Inspector General for Afghan Reconstruction, made public in January of this year, indicated that, as of September 2016, the State Department had completed over 5,700 Leahy vetting requests from the Department of Defense and not one was rejected. The report also found that, as of August 2016, the Department of Defense was tracking 75 reported incidents of human rights violations,

including seven cases of child sexual exploitation. Both the Department of Defense and the Department of State concluded that some of these allegations were credible. It has become clear that the Department of Defense has used the “notwithstanding clause” to continue providing security assistance to Afghan security forces implicated in gross human rights violations, including the rape and sexual abuse of children.

The U.S. government provides security assistance to over [140 countries](#) around the world. Despite their human rights record, Afghanistan’s security forces are currently [the only](#) beneficiaries of the “notwithstanding clause”.

Countries: Poland and Hungary

Request: AIUSA urges the committee to expressly make available funding for democracy, human rights, and governance programs in Poland and Hungary.

Rationale: As detailed in Amnesty International’s recently-released annual report, [The State of the World’s Human Rights](#), Europe has become an increasingly hostile place for human rights. Nowhere has this trend been more evident than in Poland and Hungary.

In 2017, Poland’s parliament adopted a series of judicial reforms designed to erode the courts’ independence. In response, thousands of Poles took to the streets and the reforms were ultimately vetoed. [Amnesty International documented](#) numerous instances of Polish security services harassing, surveilling and prosecuting peaceful demonstrators while restricting their rights to protest. Meanwhile, the government of Hungarian Prime Minister Viktor Orban is set to enact a series of [draconian laws](#) that would pose an existential threat to civil society. The bills would allow authorities to identify organizations that assist migrants, while forcing them to pay massive taxes and seek government permission to continue their work.

U.S. assistance can help reverse human rights backsliding by Poland and Hungary, provide support to beleaguered human rights defenders, and fortify civil society.

Section 14: Asia

Country: Myanmar

Request: Amnesty International recommends the Committee:

- Under Subsection 4 of Section 7043(a), add the following certification and reporting requirement from the Secretary of State that the Government of Burma:
 - Provides humanitarian organizations with sustained and unimpeded access to all populations in need of assistance;
 - Releases immediately and unconditionally all prisoners of conscience and drop charges against all those facing criminal proceedings solely for the peaceful exercise of their human rights;
 - Cooperate fully with the United Nations Special Rapporteur on the situation of human rights in Myanmar as well as with the UN Fact-Finding Mission, ensuring they have full and sustained access to all parts of the country;
 - Take effective action to address the longstanding discrimination against the Rohingya and other Muslim populations in Rakhine State, including by amending the citizenship law, removing arbitrary and discriminatory restrictions on freedom of movement as well as access to essential services; and
 - Repeal or amend all laws that violate the human rights to freedom of expression, peaceful assembly and association, in compliance with international human rights law and standards.
- Continues robust funding of humanitarian assistance to the Rohingya, Kachin, Karen and other ethnic groups in Myanmar , Bangladesh, and the region who have been displaced by the disproportionate or otherwise unlawful response of the Myanmar military.
- Require reporting by the Secretary of State, in consultation with the Secretary of Treasury, to the appropriate Congressional Committees, 90 days after enactment of this act, that details an international strategy for accountability and justice including: (1) imposing, in coordination with international partners at the United Nations, targeted financial sanctions on senior officials implicated in human rights violations and international crimes; and (2) measures aimed at ensuring prosecutions of individuals responsible for international crimes, including through supporting evidence gathering and preservation, criminal investigations, and international justice mechanisms.
- Require the Secretary of the Treasury to instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support projects in Myanmar only if such projects are being made in accordance with international human rights law, including the right to non-refoulment, are done in consultation with all local communities, and are not entrenching discrimination and segregation.

Rationale: Months after the start of a brutal military campaign which forced hundreds of thousands of Rohingya women, men and children from their homes and left hundreds of Rohingya villages burned to the

ground, Myanmar's authorities are remaking northern Rakhine State in their absence and they continue to commit serious human rights violations against those who remain through the most acute violence. Instead of terrorizing the population through killings, rapes, and the widespread burning of Rohingya villages, security forces are today using mainly quieter and more subtle measures to squeeze people out, making life so intolerable that they have little option other than to leave. There must be effective Congressional action, including significant pressure on Myanmar's military to stop the violations, otherwise this campaign of ethnic cleansing will continue its relentless, disastrous march.

Country: Philippines

Request: Amnesty International recommends the Committee:

- Condition 15% of security assistance to the Philippines until the Secretary of State can certify that the Philippines government has ended the extrajudicial executions, impunity for police abuses, and attacks on human rights defenders.
- Continue to limit international narcotics assistance unless the Secretary of State determines and reports to the appropriate Congressional Committees that the Government of Philippines has adopted and is implementing a counter-narcotics strategy that is consistent with international human rights standards, including investigating and prosecuting individuals who are credibly alleged to have ordered, committed, or covered up extrajudicial killings and other gross violations of human rights.
- Establish funds available to the Department of State and United States Agency for International Development to support global health and civil society including human rights defenders, and to promote the rule of law and good governance in fiscal years 2019, up to \$25,000,000 may be used to support human rights and public health in the Philippines including
 - Supporting Filipino defenders of human rights;
 - Assisting victims of human rights violations
 - Responding to human rights emergencies
 - Promoting and encouraging the rule of law, including the support for local non-governmental organizations in the Philippines
 - Promoting a public health approach to substance abuse, drug addiction, and the illegal use of narcotics utilizing comprehensive, voluntary, and community-based treatment and rehabilitation programs that are consistent with international standards

Rationale: There have been thousands of extrajudicial executions in the Philippines since President Duterte came to power. The deliberate, unlawful and widespread killings of alleged drug offenders appears to have been systematic, planned, organized and encouraged by the authorities, and may constitute crimes

against humanity. Despite evidence that police and gunmen with links to the police killed or paid others to kill alleged drug offenders in a wave of extrajudicial executions, authorities continue to deny any unlawful deaths. Human rights defenders critical of the campaign have been singled out and targeted by the President and his allies. In February 2017, Senator Leila de Lima, former justice secretary and former chair of the Philippines Commission on Human Rights, was arrested on politically motivated charges of drug trafficking. Amnesty International considers the Senator a prisoner of conscience. She remains in detention at the Philippine National Police headquarters in the capital, Manila, and faces between 12 years' and life imprisonment if convicted.

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