



April 10, 2018

Senator Marco Rubio, Chairman

Senator Benjamin L. Cardin, Ranking Member

Senate Foreign Relations Committee

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy,
Human Rights and Global Women's Issue

**Re: April 10, 2018 Senate Foreign Relations Subcommittee on Western Hemisphere
Affairs: "A Regional Strategy for Democratic Governance Against Corruption in the Hemisphere"**

Dear Chairman Rubio and Ranking Member Cardin:

On behalf of Amnesty International USA and our more than one million members and supporters nationwide, I would like to submit this statement for the [hearing](#) record.

Western Hemisphere Heads of States and Governments are scheduled to meet in Lima, Peru on April 13 for the [8th Summit of the Americas](#). President Trump has confirmed his attendance. Under the auspices of the Organization of American States, the Summits are institutionalized gatherings where the region's leaders can discuss common policy issues, affirm shared values, and commit to concerted actions to address challenges within the Americas' region.

Despite a wave of high profile sentences; endemic [corruption](#), allied with widespread impunity, and seriously flawed justice systems are one of the regional refugee crisis root causes. They have been eroding governance, and are a major impediment to tackle rampant inequality, poverty, institutionalized discrimination, and therefore the realization of human rights. Since the last Summit in 2015 human rights crisis deepened throughout the region. Countries such as Brazil, Mexico, and Venezuela that have traditionally played a leadership role in the region are grappling with their own deep internal political and human rights crises, which are spilling over to other parts of the region.

The Americas region has witnessed major movements of persons fleeing persecution and [violence](#). The northern triangle of Central America remains one of the deadliest regions of the world, for [women and girls](#) who are fleeing to neighboring countries, including the U.S., in search of humanitarian protection. Venezuelans continue to flee the country's humanitarian crisis marked by shortages of food and medicine, and are pouring into neighboring countries including

the U.S. In 2017 [for the first time](#) in U.S. immigration history, Venezuelans topped the list of asylum seekers. For decades, Colombia has faced [one of the world's most severe internal displacement situations](#) caused by conflict, and still contends with new displacements as profound challenges to implementing the peace agreement.

The Western Hemisphere's regional refugee crisis requires a multilateral, regional solution that places human rights at the center and addresses root causes.

Since assuming office, President Trump has further distanced the U.S. from the Americas region. It has gutted the U.S. Refugee Admissions Program, pressed incessantly for increased funding for a U.S.-Mexico border wall, and stepping up criminalization of asylum seekers. The Trump administration has effectively ended several programs that disproportionately harm citizens from the Americas, such as the Deferred Action for Childhood Arrivals ("DACA"), Temporary Protected Status ("TPS"), and the Central America Minors Program ("CAM"). The end to TPS for El Salvador, Haiti, and Nicaragua, and eventually Honduras, may subject more than [300,000](#) immigrants to deportation, including many who have lived and worked in the U.S. for decades and have U.S. citizen children.

Not only has the Trump administration rescinded numerous programs that shielded Latinos from deportation, the administration has pushed relentlessly for the construction of a wall along the Mexico border. In March 2018 Congress passed, and the President signed into a law, an omnibus spending bill that, among other things, appropriated an additional \$1.6 billion for border security without providing a legislative fix for Dreamers. Bulking up southern border security has direct harmful impacts on people seeking humanitarian protection in the United States

Under international law, non-admission of asylum-seekers at the border directly violates the principle of *non-refoulement*, which is binding on the U.S. as a party to the 1967 Protocol of the 1951 UN Convention Relating to the Status of Refugees and as a principle of international customary law. The *non-refoulement* principle, provided for in Article 33 of the Convention, establishes that states must not return persons to territories where their "life or freedom" would be threatened.

President Trump has exported his demonization of the most vulnerable, instead of using his bully pulpit to lead a human rights' regional agenda. Instead of working with neighbors to tackle the root causes of the refugee and human rights crises in the region, President Trump has stoked inflammatory rhetoric against immigrants and implemented a host of measures designed to detain immigrants in the U.S. and to deter asylum seekers, including children, from coming here.

This Subcommittee has the duty to shape U.S. foreign assistance policy that addresses regional refugee and human rights challenges. U.S. foreign policy that emphasizes funding and

supporting security forces in the region only propagates 'iron-fist' leaders who are not committed to strong rights-based institutions. For instance, continued military assistance to Colombia, Mexico, and Honduras will not improve these countries' justice systems. In Cuba and Venezuela those who showed opposition to the government have been ill-treated, detained, and sometimes tortured. In other countries, prominent human rights defenders have been killed, including [Santiago Maldonado](#) (Argentina) [Berta Caceres](#) (Honduras), Journalist [Javier Valdez](#) (Mexico), [Bernardo Cuero, and his sons](#) (Colombia), [Marielle Franco](#) (Brazil).

What would a successful regional strategy at the Summit of the Americas look like?

Amnesty International USA urges this Subcommittee to lead in shaping U.S. foreign policy that works together with regional leaders to tackle the root causes of the region's refugee and human rights crises. Specially, Amnesty International USA recommends that the Subcommittee supports:

1. Funding the International Affairs Budget at \$61 Billion for FY2018, including \$8 million for the U.S. Refugee Agency protection activities in Central America and Mexico, whether from Migration and Refugee Assistance ("MRA") directly or as a transfer from Central America's Economic Support Fund ("ESF").
2. Funding for the Department of State and USAID \$60 billion including \$2.7 billion to support democracy, human rights and governance programs; \$25 million for Inter-American Foundation ("IAF") plus \$15 million transfer from Central America funding for IAF programming in Central America.
3. Upholding U.S. obligations to refugee and asylum seekers, as per UN Convention Relating to the Status of Refugees.
4. Robust funding to the regional offices of the UN High Commissioner for Human Rights ("OHCHR") including at least \$1 million to OHCHR in Honduras, and Colombia respectively, \$500,000 to OHCHR in Guatemala, \$500,000 to OHCHR in El Salvador, and \$500,000 to support the identification of the disappeared.
5. Discourage U.S. support for military role in law enforcement, especially in Brazil, Colombia, Honduras, Guatemala, El Salvador and Mexico, and focus on programs that facilitate:
 1. Central American governments working cooperatively with an autonomous, publicly accountable entity to provide oversight of the Alliance for Prosperity Plan;
 2. implementation of reforms, policies, and programs to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary, and social inclusion programs;

3. 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 programs that affect them;
4. encouraging 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;
5. protection of the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference.

For more information, please contact me by email at: marselha@aiusa.org or by telephone at: (202)-675-8766

Sincerely,



Marselha Gonçalves Margerin
Advocacy Director for the Americas