



July 11, 2018

Rep. Ed Royce, Chairman
Rep. Elliot L. Engel, Ranking Member
House Foreign Affairs Committee
U.S. House of Representatives

Re: Full Committee Hearing - Advancing U.S Interests in the Western Hemisphere

Dear Chairman Royce and Ranking Member Engel,

Amnesty International is a Nobel Peace Prize-winning global movement for human rights, with 7 million supporters worldwide—including 1.2 million in the United States. We are independent of any political ideology, economic interest or religion. We investigate human rights abuses, lobby governments to make sure they respect international law, and mobilize millions of supporters to campaign for change.

To advance United States interests in the Western Hemisphere the U.S. Government must recommit itself to respecting and upholding its obligations under international human rights and humanitarian law.

Reprioritization of Human Rights in U.S Foreign Policy

In an [open letter](#) to all members of the Organization of American States, in which the United States is a member, Amnesty International cautioned that significant social, economic and participatory divides endure in the Western Hemisphere and that difficult challenges remain regarding access to justice, impunity and respect for human rights. Human rights must be reprioritized in the development of public policy in the Americas to holistically address the region's most concerning situations.

On April 20, the U.S Department of State released the 2017 Country Reports on Human Rights Practices. In the past, the reports have represented a significant effort by the State Department staff and in U.S embassies around the world to educate readers about human rights conditions in different countries and help reinforce human rights norms. States are bound to prevent and punish human rights violations perpetrated not only by state actors, but by non-state actors as well.

This [year's reports have been overshadowed](#) by an unprecedented level of politicized editing that not only undermines the credibility of the reports; worse, it undermines the human rights they are intended to promote and support. Scaling back reporting on women's rights, LGBTI rights, and other rights to non-discrimination does not erase States' obligations to hold non-state actors and individuals to account.

The principle of non-discrimination is paramount to the realization of human rights. In the Western Hemisphere the non-compliance with this principle leads to human rights violations as the disproportionate killings of black youth by military police in Brazil, the situation of stateless people in the Dominican Republic, and the treatment of minorities afro-descendants and indigenous peoples throughout the hemisphere.

For the first time since its inception, the 2017 Country Reports omitted from its Dominican Republic chapter that "the most serious human rights problem was widespread discrimination against Haitian migrants and their descendants." Yet the removal of these mentions doesn't erase the fact that structural discrimination is the reason at least 135,000 individuals remain stateless in the Dominican Republic.

This Committee must denounce racial discrimination policies anywhere and especially when it prevents a solution to statelessness in the Dominican Republic. The Committee must call U.S agencies, including USAID to guarantee access to all without discrimination to programs funded by USG.

In [Brazil](#) many individuals have been victims of extrajudicial executions after police or joint police and military operations that are supposed to fight organized crime and drug trafficking. Residents of unprivileged communities have been long stigmatized as they are treated as criminals, verbally and physically abused, and their deaths are counted as collateral damage or described as having resulted from police acting in self-defense.

Last October Brazilian President enacted a law that would allow for human rights violations committed by the military against civilians to be tried in military courts, at odds with Brazil human rights obligations, and leading to further [impunity](#).

On May 21, 2018 Brazilian Acting Minister of Foreign Affairs and Deputy Secretary Sullivan launched the U.S.-Brazil Permanent Forum on Security. State Department press release announced that the initiative aims to foster consistent cooperation between the United States and Brazil on fighting transnational crime, strengthening of collaboration of law enforcement and security agencies in both countries. Brazil official figures showed that on-duty police officers killed more than [1,035](#) people in Rio de Janeiro state alone in in 2017.

The Committee must guarantee that safeguards are in place so USG assistance won't collaborate with security agencies implicated in extrajudicial execution in Brazil or anywhere.

[Human Rights Defenders](#)

A human rights defender (HRD) is someone who, individually or in association with others, acts to defend or promote universal human rights and fundamental freedoms. An HRD does this peacefully, without advocating hatred, discrimination or violence. They come from all walks of life; elected officials, journalists, lawyers, indigenous peoples' leaders, teachers, women's and LGBTQ rights activists.

HRDs in Brazil, Colombia, Cuba, Guatemala, Honduras, Mexico, Nicaragua, Venezuela along with others in the region, are often victims of insulting, stigmatizing and discriminatory language. Many of the death threats and human rights violations these activists faced are a direct result of smear campaigns advanced by their own governments. These campaigns not only threaten their lives, but discourage any form of free and open activism.

In 2017 there were over 493 attacks against human rights defenders in Guatemala, including the murder of over 52 HRDs. Just in the month of May 2018 alone, another seven HRDs have been killed.

Despite U.S assistance to Colombia, human rights defenders are victims of repeated targeted killings with little action from authorities. The violence is relentless in the regions of Antioquia, Cauca, Chocó and Nariño, despite repeated complaints from local communities. According to Colombian Ombudsman's Office, a HRD is reported murdered every three days. Those worst affected are Indigenous and Afro-descendant leaders and those who defend the rights of the

victims of the armed conflict. The Colombian government must prioritize the dismantling of non-state organizations that seek to endanger human rights defenders.

This Committee must ensure authorities take immediate and effective measures to protect human rights defenders throughout the hemisphere and launch thorough, impartial and independent investigations into all attacks against them.

[Refugees and Asylum Seekers](#)

We are currently amidst the worst displacement crisis in recorded history, with over [68.5 million people](#) forcibly displaced worldwide including [25.4 million refugees](#). Half of the refugee population are under the age of 18. A longstanding humanitarian crisis continues in the Northern Triangle region of Central America, which has caused significant internal displacement and regional pressures.

The Trump administration has adopted policies and practices that seem designed to strip human rights protections from millions of people. Recently, humanitarian programs like the Temporary Protective Status (TPS), which allowed Honduran, Salvadoran, Haitian and Nicaraguan nationals to reside and work legally in the United States, and the Deferred Action for Childhood Arrivals (DACA), which granted temporary legal status to 700,000 young immigrants, have been cancelled, despite U.S Embassies recommending otherwise.

The past couple of years, Amnesty International has documented the increasingly cases of asylum seeking families separated at the border, including the case of a [1-year-old and his father](#), and denounced how the practice is [nothing short of torture](#). The separation and detention of asylum seeking families violates U.S human rights obligations. It doesn't address root causes in the home countries and undermines U.S interest in the region.

This Committee must use its oversight mandate and act immediately to ensure that the rights of refugee and asylum seekers are respected within U.S. territory. It must find a permanent solution to those TPS and DACA beneficiaries, guaranteeing that nobody will be returned to a country where their life and integrity could be at risk. In the meantime, this Committee must commit to the reinstatement of TPS status to El Salvador, Honduras, Haiti, and Nicaragua.

[Venezuela](#) remains in a state of emergency, repeatedly extended since January 2016. Reports suggest the use of excessive force by security forces to silence any forms of freedom of expression. Hundreds of demonstrators have been arbitrarily detained, tortured and/or experienced sexual violence. There are meager possibilities for justice for these individuals, as the judicial system has been used to silencing human rights defenders. These defenders are often harassed, intimidated and subject to raids. Mass protests often result in hundreds of deaths from government security forces and the illegal detention of individuals simply trying to hold peaceful political discourse.

This Committee must continue to demand that right to a fair trial and the right to free speech are protected in Venezuela.

The government of [Nicaragua](#)'s repressive actions against its citizens have reached deplorable levels. In the first weekend of July alone at least [17 people](#) were been killed by heavily armed pro-government forces during peaceful protests. The government recently [rejected](#) the Inter-American Commission on Human Rights' report on the grave human rights violations occurring across the country. During the Organization of American States Assembly last June, the USG together with the Nicaraguan authorities promoted and approved a resolution that ignored the Nicaraguan government authorities' role in the brutal State repression in the past months.

This Committee must ensure USG recognizes Nicaraguan authorities' role and responsibility in the State repression taking place and that authorities are held accountable for their human rights violations, despite their continued denial of the facts.

[U.S Foreign Assistance](#)

This Committee has the duty to shape U.S. foreign policy and assistance that addresses regional refugee and human rights challenges. It's also responsible for U.S treaty obligations oversight. Therefore, we also recommend the Committee to:

Discourage U.S. support for military role in law enforcement, especially in Brazil, Colombia, Honduras, Guatemala, El Salvador and Mexico.

Promote assistance for Central America, including the Alliance for Prosperity, and focus on actions that facilitate the implementation of reforms, policies, and measures to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary, and social inclusion programs.

Support foreign assistance that fosters implementation of policies to ensure that local communities, civil society organizations, including indigenous, marginalized groups, and local governments are consulted in the design, and participate in the implementation and evaluation of programs that affect them.

Encourage that government personnel, including military and police personnel, who are credibly alleged to have violated human rights are investigated and prosecuted in the civilian justice system, and ensure that such personnel are cooperating in such cases.

Use its oversight mandate and act immediately to ensure that U.S refugee and asylum laws comply with U.S. obligations with the Convention and Protocol Related to the Status of Refugees, International Convention to Protect Civil and Political Rights, International Convention Against Torture and the Declaration on the Elimination of All Forms of Racial Discrimination.

Sincerely,



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Amnesty International USA