

**AMNESTY
INTERNATIONAL**



November 12, 2018

The Honorable Michael R. Pence
The Vice President
Old Executive Office Building
1650 Pennsylvania Ave NW
Washington, DC 20520

Re: Human rights priorities to raise with Asian leaders

Dear Vice President Pence:

On behalf of Amnesty International USA (“AIUSA”), and our more than seven million members and supporters worldwide, I am writing to urge you to raise the following human rights issues during your trip to the East Asia Summit and the region. The East Asia Summit presents an opportunity for the United States to articulate an Asia policy that is built on universal values and rights for everyone. AI’s top concerns relate to: (1) Myanmar military’s ethnic cleansing campaign which has resulted in the expulsion of more than 700,000 Rohingya in a few months. (2) Escalating detention and imprisonment of human rights defenders (“HRDs”). (3) Remaining human rights violations and abuses in the Asia Pacific region. We recommend that you raise the following crucial human rights issues at every strategic opportunity at forums and in meetings whether they be publicly and privately.

I. Rohingya: AIUSA calls on the U.S. government, in tandem with the international community, to impose a comprehensive arms embargo and targeted financial sanctions against senior Myanmar military officials responsible for crimes against humanity.

Since last August, over 700,000 Rohingya have fled a devastating campaign of violence and persecution unleashed by the Myanmar military. Rohingya children, women and men have suffered from unspeakable atrocities that include mass shootings, rape, and scorching of whole villages that resulted in people being burned alive inside their homes.

Although Myanmar government has consistently denied such accusations of human rights abuses, the in-depth report published by Amnesty International in June 2018 titled, “*We Will Destroy Everything*,” gives extensive and credible evidence underpinning its responsibility for crimes against humanity. The report also identifies 13 responsible military and police officials who should be considered for targeted financial sanctions.

While Myanmar underwent a series of political reforms, these reforms have ensured that the military retains considerable power in the country. The systematically planned and well-coordinated human rights violation demand a strong response from the U.S. government and the international community. Myanmar is a member state of ASEAN and the Rohingya exodus will be top-of-mind for regional leaders attending the ASEAN and East Asia Summit. The U.S. must play an important role **in preventing the worst crimes under international law to go unpunished. AIUSA is urging the U.S. government to urgently release its legal determination that is underway at the Department of State; join the European Union**

and Canada and call for multilateral sanctions on the most senior level officials including Commander in Chief Ming Aung Hlaing; increase long-term sustainable humanitarian assistance to meet the demands of the Rohingya refugee crisis in Bangladesh, Myanmar, and the region; and to support international and independent accountability and justice mechanisms.

In addition, we are concerned about reports that Bangladesh and Myanmar have reached a deal on returns of the Rohingya without adequate or proper consultation of the Rohingya communities affected or consultation by the United Nations High Commissioner for Refugees. Crimes against humanity continue in Rakhine State. While a system of apartheid remains in place, there can be no safe or dignified returns of Rohingya to Myanmar. The Myanmar government has taken no steps to dismantle the systemic and institutionalized discrimination against Rohingya, meaning refugees would be returning to a situation of persecution, where their rights would be routinely violated. For decisions to be truly voluntary, Rohingya refugees must be informed of what the alternatives to voluntary repatriation are, should they choose not to return. For example, they must be informed of the level of protection and access to asylum in Bangladesh (as part of this they need to be reassured that they have the right to remain in Bangladesh) and of other durable solutions such as resettlement and alternative legal pathways to safe third countries. Any repatriation process must include a genuine consultation process with the Rohingya refugee population both on the conditions and guarantees linked to returns and on their future in Myanmar and Bangladesh.

II. Human Rights Defenders (HRDs): AIUSA is greatly concerned about the escalating threats of attacks, imprisonment, and intimidation against the human rights defenders in Asia, particularly Myanmar, Philippines, and India. We know from accounts by many former political detainees that they were released because of interventions by U.S. Presidents and their diplomatic staff. AIUSA urges you to raise these HRD cases in meetings with the heads of state. AIUSA is calling for the following human rights defenders to be immediately and unconditionally released in accordance with international human rights law. In addition, authorities should drop all politically-motivated criminal charges and halt the violence and harassment the HRDs.

- a. Myanmar: Two Reuters journalists Wa Lone and Kyaw Soe Oo were arrested in December 2017 while they were investigating and reporting on the Myanmar military's brutal attack against Rohingya Muslims. In September 2018, a Myanmar court sentenced them to seven years under the Official Secrets Act, for illegal possession of official documents. The United States has consistently called on Myanmar to immediately release the two journalists, as you and Secretary Pompeo have stated. There are still a number of journalists like Wa Lone and Kyaw Soe Oo who are being detained because of their peaceful human rights work.
- b. Philippines: Senator Leila de Lima has been imprisoned by authorities since February 24, 2017 because of her criticism of the extrajudicial killings committed under the guise of President Duterte's "war on drugs." This is another deadly attempt by President Duterte to silence human rights defenders in a country where they are in imminent danger. Senator de Lima has been a leading and courageous voice, calling for accountability for police and senior officials who are responsible for carrying out such executions. She is currently being jailed at police headquarters in Manila, characterized as a criminal on lack of evidence and false accusations. The most cherished ideals and values of the U.S. decry the violent policies of President Duterte's leadership and imprisonment of respected public officials who speak to uplift the

safety and dignity of human beings. We urge the U.S. to act against blatant violations of human rights.

- c. India: Pavitri Manjhi has endured continuing harassment and threats against her life for standing up to big business. A village leader for the Adivasi Indigenous community, Pavitri has protested private companies who have defrauded and coerced indigenous Adivasis for their land to build two power plants that would destroy not only their farms, but livelihoods as well. In 2017, Pavitri and other activists created the Adviasi Dalit Mazdoor Kisan Sangharsh, a community group that helps individuals file formal complaints which has produced almost 100 complaints against the responsible companies. For her brave efforts, Pavitri has been made a target and subject to intimidation with people coming to her home. Police authorities have shown no effort in investigating her formal complaints on ongoing threats. AIUSA is urging the U.S. to speak on behalf of Pavitri to ensure her freedom and security while she fights to protect the lives and lands of indigenous groups.

III. Ongoing Human Rights Violations by Specific Countries

- a. North Korea: No improvements on human rights made: Public displays of goodwill during historic summits have not improved human rights in North Korea. While themes of harmony and peace guided the inter-Korean and U.S. summits, AI reports more than 120,000 political prisoners, torture, forced labor, murder, sexual violence, persecution on political, religious and gender, along with severe limitations on movement continue to exist. On October 25, 2018, Tomas Ojea Quintana, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, stated that North Korea's human rights record remains poor and cautioned that human rights should not be ignored during negotiations with Kim Jong Un.

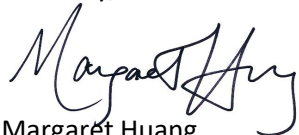
North Koreans still suffer from high levels of food insecurity. According to the World Food Programme (WFP), "eighty-one percent of the populations lack dietary diversity" and chronic malnutrition poses serious threats, especially pregnant women, nursing mothers, and children. This administration must not place human rights on the backburner and prioritize dictators who flaunt luxury cars while their citizens die of starvation.

- b. China: Chinese authorities have intensified their crackdown on Uighurs, Kazakhs, and other predominantly Muslim groups in the Xinjiang Uighur Autonomous Region (XUAR). Earlier this month, China formalized and admitted the existence of "re-education camps" aimed at combating religious extremism after they had initially denied allegations of such camps. However, the true purpose of the camps is political indoctrination and forced cultural assimilation through arbitrary arrests, enforced disappearances, torture, and intense surveillance including inside mosques. The UN Committee on the Elimination of Racial Discrimination estimates that one million or more Uighurs are detained in internment camps in the XUAR and called the region a "no rights zone." A systematic campaign against ethnic and religious minorities is being perpetrated by the Chinese government using the world's most sophisticated surveillance technologies. In July, you said, "[T]he United States of America stands for religious freedom yesterday, today, and always. We do this because it is right. But we also do this because religious freedom is in the interest of the peace and security of the world." The U.S. can do what is right and impress on the Chinese government the need to fulfill its human rights commitments to its own people under both domestic and international law.

- c. Vietnam: While AI welcomes the release of Catholic blogger and political dissident Nguyen Ngoc Nhu Quynh, or “Mother Mushroom”, the U.S. should call for the release of more prisoners of conscience in the Vietnamese government’s growing agenda to censor free speech. Mother Mushroom was arrested and handed a ten-year prison sentence in June 2017 on charges of “conducting propaganda against the state” under Article 88 of the Penal Code. She has raised awareness of social injustice and pointed out political and environmental concerns. Despite her release, Quynh was forced into exile in the U.S. and in prison still languish more than one-hundred “prisoners of conscience” who are accused solely because of their voice for peace.. For example, AI has advocated for the release of Le Dinh Luong, a blogger and activist whose 20-year prison sentence was upheld by Vietnamese courts on October 18th. Another prisoner of conscience is Ms. Tran Thi Nga, who was brutally beaten in prison and has received death threats by another inmate. In addition, the decline in human rights, including freedoms of speech and press. will only worsen with the repressive Cybersecurity Law due to take effect in January 2019 that would only strengthen the Vietnamese government’s political agenda to silence peaceful government critics.
- d. Cambodia: The Hun Sen regime continues to flout human rights after the July elections which the United States Government refused to endorse. The persecution of activists, journalists, and human rights defenders gives a glimpse into the deterioration of human rights and the impunity the government benefits from. Kem Sokha, the former leader of the Cambodia National Rescue Party, banned by the Cambodian government in November 2017 but never convicted of a crime, spent a year in jail without trial. Kem Sokha was released in September 2018, although the conditions of his release amount to house arrest, where he is “now a prisoner in his own home”. Early this November, Prime Minister Hun Sen reiterated that he would not release Ken Sokha. On November 8th, UN Special Rapporteur for Human Rights in Cambodia Rhona Smith, upon concluding her visit to Cambodia publicly called for the treason charges against Kem Sokha to be dropped and for him to be released from “restricted detention”.

Thank you for your consideration of these critical pressing human rights issues. For more information, please contact Francisco Bencosme, Asia Advocacy Manager, at 202-845-5075 or fbencosme@aiusa.org.

Sincerely,



Margaret Huang
Executive Director
Amnesty International USA