



PRESIDENTIAL ELECTION 2020

COUNTRY SPECIFIC ISSUE BRIEFS

**AMNESTY
INTERNATIONAL**





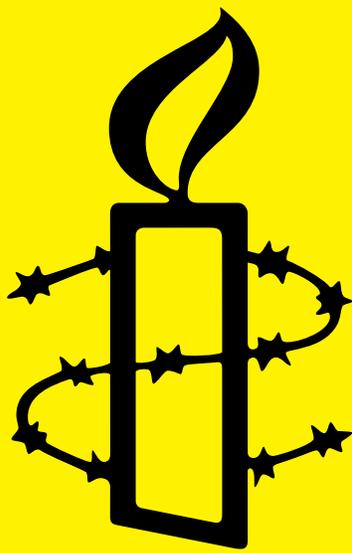
COVER PHOTO: Child on adult's shoulders reaches for the hand of an unseen person through an opening at the U.S.-Mexico border.
Credit: Herika Martinez/AFP via Getty Images

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INTRODUCTION: HUMAN RIGHTS AND THE 2020 U.S. ELECTIONS

2020 is a crossroads year for human rights, both in the U.S. and abroad. Around the world, authoritarian forces are gaining traction and strength, cracking down on peaceful dissent and free expression. Governments are failing to address existential threats to our human rights – including civil war, climate change, political corruption, and rising inequality. The world is confronted with the highest displaced population in history at a time when governments are increasingly closing their doors to migrants and refugees seeking safety. These human rights crises are rocking every region of the globe at a time when the international community's resolve to tackle these crises is on the decline.

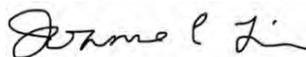
No matter the outcome of the 2020 presidential election, U.S. leaders will be critical in protecting – or weakening – human rights both at home and abroad.

What choices should U.S. national leaders make to defend and advance human rights? Amnesty International strives to answer this question each and every day. Amnesty International is the world's largest grassroots human rights organization, with millions of members and supporters worldwide. We engage in policy advocacy, public education, and activism to demand human rights protections for all people – no matter who they are or where they come from. Our researchers document human rights violations in war zones and hot spots across the globe.

Ahead of the 2020 elections, **Amnesty International is pleased to present these policy recommendations, which will serve as a blueprint for foreign and domestic policies that protect human rights.** Our recommendations span domestic and global spheres, ranging from regulating U.S. gun sales to ending U.S. arms sales that fuel war crimes abroad to building a humanitarian protection system that addresses the needs of people at the U.S. border as well as those seeking safety across the globe. Our policy recommendations are informed by firsthand documentation conducted by Amnesty researchers worldwide as well as the policy expertise of Amnesty's national advocates and specialists.

Amnesty International welcomes the opportunity to engage with you further on these recommendations. We look forward to working with you to protect and promote human rights in this new decade and beyond.

Sincerely,



Joanne Lin

National Director of Advocacy and Government Relations

1: AFRICA

AFRICA POLICY

THE ISSUE:

U.S.-Africa policy is limited to two main focuses at the exclusion of almost all others: (1) security-focused efforts to guarantee access for the U.S. in the global war against terrorism and (2) ongoing humanitarian assistance. The results have been detrimental to good governance and accountability and for human rights and the rule of law.

The dominance of security-focused foreign policy overshadows other potential areas of U.S. engagement with sub-Saharan Africa. U.S. counterterrorism efforts have contributed to the erosion of accountability for security forces. U.S. military counterparts in Kenya, Nigeria, Cameroon, Chad and Niger have poor human rights records, with security forces in Nigeria and Cameroon credibly linked to torture and possible war crimes. Some experts fear that the impact of these human rights violations might be undermining support for counterterrorism initiatives. Despite this, the U.S. continues to train and assist these militaries, effectively supporting impunity.

Another consequence of the U.S. security-focused foreign policy is the ever-increasing export of U.S. arms to governments that have documented records of using them to commit abuses. While Boko Haram and Al Shabab constitute serious threats, easing human rights criteria in order to sell more weapons will create unsustainable dependency, prioritize militaristic approaches, and lead to more human rights violations.

Another casualty of the U.S.'s current foreign policy approach is civic space and accountability. U.S. agreements to coordinate counterterrorism efforts have resulted in governments passing sweeping legislation to restrict freedom of expression and assembly and access to information and have shut down government critics, members of the political opposition, civil society organizations and the media. Key U.S. military partners have passed legislation restricting civil society organizations, and independent media. In short, the governments are dismantling the very institutions needed to ensure human rights protections and to make sure that government policies and practice respect the rule of law and international and regional human rights standards.

U.S.-Africa policy is being shaped by what the United States is not prioritizing as much as by what it is. Programs to strengthen institutions and improve governance and accountability within the civilian sector have not kept pace with increases in security assistance, even though governments in Africa are dealing with displaced persons, climate change, and conflict over scarce resources. The funding imbalance sends a clear message about what the U.S. considers important.

U.S.-Africa policy needs to be reset and re-balanced. Increased human rights and governance programs must be complemented by the engagement of high-level officials in the executive branch. The administration must play a leading role in a communications campaign to build public and popular support for those priorities in those countries.

TALKING POINTS:

- U.S.-Africa policy has devolved into militaristic counter-terrorism partnerships and diminished humanitarian assistance. The United States must restore efforts to improve human rights and good governance by investing in programs to build strong, independent institutions, transparency, and accountability.

RECOMMENDATIONS:

- The White House should publicly reaffirm that promoting and protecting human rights globally is a U.S. foreign policy priority and direct the Secretary of State to have all U.S. embassies in Africa develop and implement public relations campaigns on the importance of human rights and good governance, as well as the United States' commitment to those principles and to partner with African governments to achieve them.
- Instruct the Departments of Defense and State, including USAID, to conduct a review of the successes and challenges of U.S. counterterrorism strategy in Africa since 9/11, with a view to prioritizing security initiatives that have worked while not sidelining human rights.

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CAMEROON

THE ISSUE:

Many Anglophone Cameroonians have long felt marginalized by the official actions and policies of the ruling government, including the abolishment of a federal form of government under which English-speaking Cameroonians had joined the government. Anglophone Cameroonians are concerned about calls for a unitary state, which they fear will marginalize them further and privilege their Francophone neighbors.

Starting in late October 2017, several peaceful protestors have been subjected to beatings by police forces. These crackdowns have targeted lawyers, human rights defenders, teachers, and Anglophone judges.

In 2017, Anglophone separatists launched a campaign to pressure school officials in the Northwest and Southwest Anglophone regions to go on strike as part of a boycott against the government of Cameroon and reportedly begun burning school buildings, threatening education officials with violence if they did not comply with a boycott. There were reports that armed groups killed religious leaders and civilians. Meanwhile, the administration arrested an Anglophone opposition leader Maurice Kamto in January 2019, and restricted freedom of expression by shutting down the internet.

Human rights violations continue to happen in the context of trials, as well; opposition party leaders' right to bail and habeas corpus have also been violated. An estimated 3,000 to 12,000 deaths have been documented in the country since the onset of the crisis. There are concerns that the country is on the verge of a possible civil war or genocide given that there is evidence of the commission of war crimes by the security forces.

The country also has a high number of displaced persons. According to the United Nations, rising insecurity led to the internal displacement of about 530,000 people. A growing number of Cameroonians are seeking safety in the United States – recent reports estimate that over 300 Cameroonians are currently detained in the U.S.

THE HUMAN COST:

Activist Franklin Mowha, the president of the NGO Frontline Fighters for Citizens Interests (FFCI), went missing on August 6 during a mission in the southwest region of Cameroon. His friends and family have not heard from him since. They fear he might have been caught up in one of the frequent raids that the military conducts in the region and subjected to enforced disappearance.

TALKING POINTS:

The widespread violation of human rights in Cameroon is staggering. We cannot wait for the situation to deteriorate further. The U.S. will not provide security assistance to security forces that are responsible for human rights abuses. This is the law of the land, and it will be the policy of the U.S. government.

RECOMMENDATIONS:

- The White House should announce the suspension of all security assistance to Cameroon, in particular to the Rapid Intervention Battalion (BIR) consistent with the Leahy Law, which prohibits military assistance to foreign security force units who violate human rights with impunity. It should also call upon the Cameroonian authorities to conduct credible and transparent investigations into all allegations of torture.
- The White House and Department of State must ensure that human rights and accountability are centered in any conflict resolution negotiations between the government and separatist groups in the Anglophone region.

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CENTRAL AFRICAN REPUBLIC

THE ISSUE:

The current crisis in the Central African Republic (CAR) dates back to 2006, when armed rebel groups launched an incursion into the northeast region of the country. Different militias continue to rob and kill civilians with impunity. Over a million people – 20 per cent of the Central African Republic's population – is displaced. The country faces one of the worst humanitarian crises in the world, with well over two million people facing starvation according to UN reports. The country's very weak judicial system is unable to impartially investigate, arrest, and prosecute individuals charged with human rights violations. Despite some small gains, such as the successful formation of Special Criminal Courts, the training and infrastructure for judges and police is alarmingly limited.

The CAR government's control is limited to the capital of Bangui. Despite the presence of UN peacekeeping forces, violence along ethnic and religious lines continues in both rural areas and in Bangui itself, particularly by Muslims from the north against Christians and animists in the rest of country. A February 2019 peace deal between the government and various rebel groups did not end the violence.

TALKING POINTS:

The United States will work with other donors of the Central African Republic to continue providing urgent humanitarian assistance and funding for capacity-building for improved governance. Stability in the CAR will ensure that the country will not serve as a conduit for weapons and armed units to Boko Haram and other armed groups operating in the region.

RECOMMENDATIONS:

- Continue financial and technical support for the UN peacekeeping mission (MINUSCA) in the Central African Republic and prioritize funding for the protection of human rights, strengthening the rule of law, and the disarmament, demobilization, and reintegration of former combatants.
- Continue support for humanitarian aid to address the 2.8 million people at risk of starvation.

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ETHIOPIA

THE ISSUE:

Ethiopia is at a crossroads, and the United States must do more to make sure that the reforms enacted by Prime Minister Abiy Ahmed do not fail. Over the past 18 months, Ethiopia has gone through profound changes. Thousands of political prisoners have been released, and some restrictive laws have been revised with more under review. Political parties have been unbanned and Prime Minister Abiy signed a peace treaty with Eritrea ending a 20-year-old border dispute.

However, ethnic clashes and religious conflicts have resulted in the displacement of millions. In response to the assassination of political leaders, the government has arrested numerous people, some without due process. Further, there are growing concerns over the failure of security forces to protect people and property. In the context of ongoing political discourse, media and social outlets in Ethiopia and outside the country have become platforms for inflammatory language and misinformation.

The government of Prime Minister Abiy must address the alarming rise in violence that made Ethiopia the country with the highest number of internally displaced persons in the world in 2018. Most recently, in October 2019, the government itself reported 86 people killed and more than 200 injured in protests. Ten of those were killed in direct clashes with security forces, while the others were killed by intercommunal violence. Over 400 people have been arrested in connection with the violence. In the Western Wollega and Guji Zones (both in Oromia), civilians have been massively impacted by clashes between government security forces and factions of the Oromo Liberation Army.

There have been reports of attacks on churches and mosques in different parts of the country. Additionally, there are reports showing an escalating number of deaths among university students in the various higher education institutions of Ethiopia, which also resulted in disruption of learning and teaching processes. The violence is contributing to and exacerbating a humanitarian crisis of over three million internally displaced persons in Ethiopia according to a figure provided by Office for the Coordination of Humanitarian Affairs (OCHA). There are growing concerns over the instability, the increasing levels of violence, and the deterioration of the rule of law.

With a general election scheduled for August 2020, there are fears that the violence will spread and could lead to a breakup of the country in an already volatile region of Africa dealing with extremist jihadists operating in and around Somalia (al Shabab) and a fragile peace between Ethiopia and the countries with which it has gone to war, as well as neighboring countries trying to move towards post-conflict reconstruction (Sudan and South Sudan).

TALKING POINTS:

In August 2020, Ethiopia will hold critical elections that could determine the fate of the country and impact regional stability. The United States must do its part to ensure that the Ethiopian people can fully realize the reforms and respect for human rights and inclusive governance that they have fought for over the last several years.

RECOMMENDATIONS:

- Publicly reiterate the importance of Ethiopia moving forward towards improved governance and respect for human rights and call for all people living in Ethiopia and abroad to do their part to prevent the spread or escalation of violence.
- Call upon the Department of State to work with USAID and civil society to design and implement a violence prevention mechanism with civil society organizations in Ethiopia to monitor and serve as an early warning and response system to mitigate risks of ethnic- and religious-based violence.
- Ensure rule of law and respect for human rights by government actors and non-state actors alike, including the creation of a safe space for human rights concerns to be addressed without the threat of violence.

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ERITREA

THE ISSUE:

Eritrea is one of the most closed off countries in the world and remains an unsafe place for political dissenters or anyone who attempts to escape its indefinite national service program.

Government critics outside the country are often harassed, intimidated, or even threatened by members of the ruling party (the only party permitted to operate in Eritrea). Those inside the country who publicly criticize or who are perceived as critical of the government are frequently arrested without being formally charged and are usually detained indefinitely, typically without access to a lawyer. Many human rights defenders and independent journalists have been subjected to enforced disappearance, with friends and relatives deprived of information about their fate or whereabouts for many years after their arrest.

Repression of political dissent in Eritrea continues, despite their 2018 peace deal with Ethiopia. In September 2018, three months after the restoration of relations between the two countries, Eritrean security forces arrested Berhane Abrehe, former Minister of Finance, barely a week after he published a book entitled *Eritrea Hageray (Eritrea, My Country)*. The book criticized the Eritrean government and called on Eritreans to use peaceful means to bring about democracy in the country.

The repression also targets religious figures in the country. On December 18, 2019, the Department of State re-designated Eritrea one of the “Countries of Particular Concern” under the International Religious Freedom Act of 1998 for having engaged in or tolerated “systematic, ongoing, [and] egregious violations of religious freedom.”

THE ISSUE:

22-year-old Ciham Ali Ahmed hasn’t seen her family in five years. She’s been in detention in Eritrea since she was 15 years old. Born in California, but raised in Eritrea, Ciham is a dual Eritrean and US national. In 2012—aged just 15—Ciham was arrested after attempting to cross from Eritrea into Sudan. Anyone caught crossing this border is usually imprisoned for approximately six months, but despite never being charged with any crime, Ciham has remained in detention for more than six years.

Ciham is in incommunicado detention, meaning her family hasn’t seen or heard from her in over five years. This is an enforced disappearance.

RECOMMENDATIONS:

- Mandate the Department of State to convene a consultation on improving human rights in Eritrea to develop recommendations for improving the protection of basic human rights in the country.
- Publicly call on the government of Eritrea to end indefinite military and national service.
- Call on the government of Eritrea to release journalists, religious figures, and political dissidents, and to end arbitrary detention and enforced disappearances.

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SOMALIA

THE ISSUE:

Human rights conditions and security in Somalia remain poor. Attacks on civilians by armed group al-Shabaab have continued. In Somalia, al-Shabab conducted attacks in 2017 at a hotel in Mogadishu, resulting in the death of 512 people. On January 2, 2020, the group killed more than 80 people in a bomb attack.

The Somali people have also been victims of counterterrorism efforts, including by the United States. U.S. forces carried out 34 strikes in Somalia in the last nine months of 2017 – more than in the entire five years from 2012 to 2016. That number increased again in 2018, to 47 strikes. There were already 24 strikes by the end of February 2019. Following years of claims that the strikes had not resulted in any civilian casualties, in April 2019, the US Africa Command acknowledged that strikes had led to two civilian deaths.

Instability and insecurity caused by the conflict with al-Shabab and drought have contributed to a humanitarian crisis. There has been a significant increase in the number of internally displaced persons, to 943,000 by the end of 2019. Over 3 million people experienced emergency levels of food insecurity.

TALKING POINTS:

We must continue to support the African Union Mission in Somalia, which is protecting people from al-Shabab. We will also work with other donors to help build capacity for improved governance and the protection of human rights.

RECOMMENDATIONS:

The White House must:

- Continue supporting the African Union Mission to Somalia (AMISOM), whose mandate expires in March 2020, and prioritize conducting human rights due diligence trainings for AMISOM and for government security personnel.
- Call on other donor governments to continue capacity building initiatives for the Federal Government of Somalia, including for its judicial and law enforcement systems.

TIME URGENCY:

AMISOM's mandate is up for renewal in March of 2020; security analysts suggest that Somali defense forces are not yet ready to fully shoulder peace-keeping responsibilities and that al-Shabaab currently continues to demonstrate an ability to launch sophisticated and deadly attacks both in Somalia and neighboring Kenya.

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SOUTH AFRICA

THE ISSUE:

In South Africa, there have been an alarming number of lootings, burned shops, an attack on a mosque, and several foreigners killed. The ongoing and escalating attacks are a consequence of—among other things—years of impunity, the failure of South Africa’s criminal justice system to uphold the rule of law, corruption, and frustration with stalled reforms following the end of the apartheid era. Consequently, foreigners, migrants, and refugees are increasingly vulnerable to violence.

Dozens of people were killed in anti-foreigner riots in 2008 and 2015. An outbreak of violence in 2019 highlights the dangerous and inflammatory rhetoric being spread by South African politicians, including blaming migrants for “taking jobs” from South Africans and committing crimes.

Businesses belonging to Nigerians and other foreign nationals have been targeted in Pretoria and Johannesburg, with property worth millions of dollars burnt. The attacks against migrants violate freedom of movement as well as the right to the security of person as protected under the South African constitution and the African Charter on Human and People’s Rights, as well as the International Covenant on Civil and Political Rights, both of which South Africa has signed. South African authorities must come up with a security plan to ensure the safety of all refugees and migrants and seek to end these attacks once and for all. That begins with holding suspected perpetrators of xenophobic crimes to account and breaking this cycle of impunity.

TALKING POINTS:

The United States condemns all forms of xenophobia and calls upon President Ramaphosa of South Africa to use to all the powers of his office to publicly oppose xenophobia against refugee and migrants including developing a security plan to ensure the safety of all foreign nationals living in South Africa.

The United States calls upon the government of South Africa to end the cycle of violence and xenophobia against foreign nationals by holding perpetrators of abuses against them accountable.

RECOMMENDATIONS:

The White House should:

- Publicly condemn xenophobia in South Africa.
- Call upon the South African government to:
 - ◇ Take action to stop acts of xenophobia and curtail rhetoric that fuels xenophobia in accordance with African and international human rights standards;
 - ◇ Develop a security plan with necessary operational mechanisms to ensure the safety of all foreign nationals including, but not limited to, businesspeople, professional workers, refugees, and migrants;
 - ◇ Hold perpetrators of past and present xenophobic and related crimes/violence accountable.

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SOUTH SUDAN

THE ISSUE:

In South Sudan, civilians have borne the brunt of the ongoing armed conflict between the government and armed opposition forces. The security and human rights situation remains unstable. Nearly 400,000 people have died since December 2013, often as a result of their ethnic background. The violence has also forced up to 1.9 million people, 85% of whom are women and children, from their homes, displacing them within South Sudan and forcing thousands to UN camps in search of protection. Currently, these camps protect over 180,000 people. Over 2.2 million people have sought refuge outside the country, creating the largest movement of refugees in Africa and the third largest movement of refugees in the world.

Parties to the conflict have deliberately blocked humanitarian assistance, using food as a weapon of war. Recent reports also show an estimated 6.9 million people faced severe food insecurity from May – July 2019, and 50,000 people were expected to face a famine-like situation.

There have not been any judicial proceedings before civilian courts related to serious crimes committed in connection with the conflict since December 2013. The government's failure to prosecute and punish the perpetrators of crimes committed by both government and opposition armed groups necessitates a meaningful and effective alternative justice mechanism for the people of South Sudan.

THE HUMAN COST:

On July 15, 2019, Michael Rial Christopher—40-year-old South Sudanese newspaper editor—was taken off of a flight to Kenya by South Sudanese National Security Service (NSS) agents and arbitrarily arrested in Juba. He remains in detention at the NSS headquarters in Juba.

TALKING POINTS:

The government of South Sudan and the opposing groups must ensure that the current peace agreement leads to the protection of human rights and the unrestricted delivery of humanitarian assistance to those in need.

The situation in South Sudan underscores the need for the South Sudan government to meet a clear deadline for signing the Memorandum of Understanding and enact a law to establish a hybrid court. Failing action by the South Sudan government by the deadline, the US should support the unilateral establishment of an ad hoc tribunal for South Sudan in order to create an impartial mechanism that will deliver justice to the countless victims of crimes committed during the ongoing conflict.

RECOMMENDATIONS:

- Call on the Government of South Sudan to sign the proposed Memorandum of Understanding with the African Union (AU) and adopt the necessary legislation that will enable the establishment of the Hybrid Court for South Sudan (HCSS).
- Call on the Government of South Sudan to bring those who have committed human rights violations to justice.

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SUDAN

THE ISSUE:

The Sudanese people have been protesting since December 2018, when they took to the streets to express their anger over rising costs of living and the decline of political freedom. Their pressure worked, and on April 11, 2019, Sudan's military overthrew the National Congress Party (NCP) government, arresting President Omar al-Bashir and other senior party leaders.

Bashir's tenure was marked by war crimes, crimes against humanity, and systematic human rights violations. Bashir was succeeded by a partnership between the Transitional Military Council and the Forces of Freedom and Change alliance, who launched a 39-month transition process to return the country to democratic rule.

Sudan's transition is extremely fragile and faces several threats from official security forces and allied militias that have committed egregious human rights violations over the last four decades, such as arbitrary detention, torture, assault, and extrajudicial executions, including the massacre of protesters in 2019, killing over 100 in just one attack on July 11. Equally of concern is the fact that the key architect of the killings in Darfur—General Hamdan, known as Hemeti—retains significant control of troops and militias as a member of the Transitional Council.

TALKING POINTS:

- The United States supports the people of Sudan, who, after four decades of brutal repression, have demanded democracy and greater respect and protection of human rights by their government.
- The United States calls upon Prime Minister Hamdok to ensure that his administration pursues accountability for past crimes by former President Omar al-Bashir, the RSS, and the Janjaweed militias.
- The United States urges the Transitional Government to repeal the oppressive public order laws that dictate the dress code for women, disband the Public Order Police and the Dedicated courts, and abolish flogging as a form of punishment.

RECOMMENDATIONS:

- The White House and the Department of State should publicly indicate US support for the democratic transition in Sudan and fast track funds and technical support for democracy and governance programs
- Call upon the Department of State and USAID to develop a long-range program of support to serve as an early warning system to prevent and mitigate violence linked to the anticipated elections at the end of the transition period.

ADDITIONAL RESOURCES:

- Amnesty International, 17 April 2019, "Why former Sudan president Omar al-Bashir must not escape justice." <https://www.amnesty.org/en/latest/news/2019/04/why-former-sudan-president-omar-al-bashir-must-not-escape-justice/>

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TANZANIA

THE ISSUE:

Elected in 2016, President John Magufuli has restricted Tanzanians' freedom of expression, assembly, press, and association through repressive laws and tightly amended national government orders. In mid-2016, the administration enacted a ban on all political activity until the 2020 elections. This has resulted in mass suppression of opposition party politicians and the suspicious disappearance of opposition party leaders. Moreover, several major leaders of the opposition party, CHADEMA, have been imprisoned or targeted in violent attacks, likely committed by members of the Magufuli administration. In June 2016, the Media Services Act was amended, impeding the right to information, and in June 2019, parliament amended the Political Parties Act to restrict peaceful assembly. Human rights groups have continued to be silenced, with Tanzanian officials controlling the dissemination of information used for research purposes – a massive violation of freedom of information. Any published information that can incite “fear and alarm” is subject to heavy court fines.

While these—among other restrictive laws—impact every Tanzanian citizen at large, human rights groups, opposition party members, researchers, low-income individuals, and online bloggers are most affected by President Magufuli's repressive and draconian restrictions on basic freedoms.

AMNESTY CASE:

Erick Kabendera, a respected journalist whose investigations have been critical of the human rights record of the Tanzanian government, was taken by six men on July 29, 2019, and held incommunicado for more than 24 hours. He was charged on August 5 with three offences that he allegedly committed between January 2015 and July 2019 in Dar es Salaam. Concerns have been raised for his wellbeing, as his health has deteriorated since his detention.

TALKING POINTS:

- In Tanzania, restrictions to freedom of expression, assembly, press, association, and political activity have resulted in the denial of basic freedoms for all Tanzanians and mass suppression of the opposition party.
- Tanzania must revoke restrictions on freedom of expression, association, and assembly that undermine the ability of civil society organizations to advocate for basic freedoms.

RECOMMENDATIONS:

- Issue a public condemnation of the state of human rights and basic freedoms in Tanzania, drawing specific attention to the Political Parties Act and the Media Services Act.
- Publicly raise the cases of Erick Kabendera and Tito Elia Magoti and call on the government of Tanzania to release them and other prisoners of conscience.

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2: AMERICAS

BRAZIL

THE ISSUE:

In the summer of 2019, the world watched in horror as the Brazilian Amazon burned. Rights groups had sounded the alarm long before the fires wreaked this level of destruction, concerned that the government's recent erosion of critical protections for Indigenous people and their environment was endangering the Amazon and its people.

Brazilian President Jair Bolsonaro, who ascended to power in January 2019, has declared the Amazon open for business – paving the way for agriculture and industrial mining companies to set up shop and clear vast tracts of land. Illegal cattle ranching in protected areas, which involves the burning of trees to clear for pasture, is the primary driver of Amazon deforestation. Since Bolsonaro took office, there has been a marked uptick in illegal cattle ranching, which some state agencies have actively enabled.

Bolsonaro has also publicly questioned the demarcation of environmentally protected areas and areas reserved for Indigenous communities in the Amazon. He has slashed the funding of Brazil's environmental agency (IBAMA)—which had helped reduce deforestation rates in previous administrations—by 25%, and shrunk the activities of the agency dedicated to the protection of Indigenous people (FUNAI) by 10%. Due to budget cuts, key government surveillance operations to monitor and prevent illegal land seizures and deforestation have been reduced. Indigenous communities have thus been exposed to deadly threats of violence by invaders – including ranchers and grileiros (people who illegally seize land) – eager to displace them. In November 2019, Indigenous land defender Paulo Paulino Guajajara was ambushed and killed point-blank by unauthorized loggers.

As a result of this lack of protections, Indigenous territories in the Amazon region in 2019 have lost 220 square kilometers – a surge of 106.8% compared to the same period in 2018. This deforestation is directly connected to the estimated 75,000 fires in the Amazon, which have increased at a rate of 76% compared to 2018.

Brazil must enforce its own laws, step up monitoring and patrols of land seizures in protected areas, and investigate and hold responsible those who have committed human rights abuses. Strengthening civilian authorities responsible for combatting deforestation and illegal land seizures and restoring funding to agencies tasked with environmental and Indigenous protection is the only way forward.

Elsewhere in South America, both the Amazon and the people defending it are at grave risk. In Bolivia, then-President Evo Morales authorized controlled burns in the Chiquitano forest, which borders the Amazon, and which recently underwent a series of devastating fires. In Ecuador, women human rights defenders defending the Ecuadorian Amazon and Indigenous peoples' rights have faced a series of attacks and death threats. The Ecuadorian authorities' lack of capacity and will to adequately and effectively provide protection and conduct criminal investigations into the attacks places their lives at risk. They are thus forced to choose between risking their own lives – as well as their families' – and defending human rights and the environment.

TALKING POINTS:

The Amazon is so vital to the Earth's wellbeing that it has been described as the world's lungs. To safeguard the health and safety of the planet and those living on it, the United States must ensure that both the Amazon and those defending it are protected.

RECOMMENDATIONS:

- In the context of rumored US-Brazil trade negotiations, the U.S. Department of State, U.S. Department of Treasury, and U.S. Trade Representative should ensure that Brazil commits to funding and supporting FUNAI and IBAMA, curbs illegal development activities in protected areas, and aggressively reduces Amazon deforestation.
- The U.S. Department of State should ensure any financial assistance or collaboration – including a recently announced USAID-Government of Brazil collaboration on sustainable development in the Amazon – provides for robust and aggressive protection of the Amazon.
- The U.S. Department of State should express public support for the work of Indigenous environmental land defenders in the Amazon, including those working in Brazil and in Ecuador, and support the imposition of protective measures granted by international and regional bodies, including the Inter-American Commission on Human Rights.

ADDITIONAL RESOURCES:

- “Fence Off and Bring Cattle: Illegal Cattle Farming in Brazil’s Amazon” (Nov. 2019), available at <https://www.amnesty.org/en/documents/amr19/1401/2019/en/>
- Microsite on violence in the Amazon, available at <https://amazon-violence.amnesty.org/en/>

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NORTHERN TRIANGLE

THE ISSUE:

In Guatemala, El Salvador, and Honduras, corruption, impunity, poverty, and violence – and, more recently, devastating impacts on livelihoods wrought by climate change – have impelled increasing numbers of families and children to flee. In fiscal year 2019, 91% of families and 83% of unaccompanied children apprehended at the U.S. southwest border were from these three countries.

The World Bank has estimated that 60% of households in rural Northern Triangle areas live in poverty. In Guatemala, which produced the largest number of individuals seeking safety in the United States in 2019, the devastating impact of climate change on crop production – particularly on Indigenous communities, already disadvantaged by decades of brutal violence and discrimination – has decimated traditional livelihoods and left families and children starving.

In the face of crushing poverty and unstable government institutions, organized criminal networks – some exported directly from the United States – have taken control, particularly over poorer areas in all three countries. Their reign has led to record levels of extortion, murder, and forcible recruitment and sexual assault of minors. In El Salvador – which had the highest murder rate in the world just four years ago and still experiences one of the highest homicide rates in Latin America – only 5% of crimes prosecuted ever lead to a conviction; in the words of one woman whose husband and two sons were killed by members of MS-13, “[talking} to the police is a death sentence.”

In Guatemala, the country’s highest authorities have significantly undermined anti-corruption efforts and access to justice by intimidating and expelling a successful anti-corruption body. Judges and prosecutors involved in high-profile prosecutions of illegal criminal networks face stigmatization, threats, and legal proceedings as retaliation for their work on cases involving human rights abuses. The United States, which had initially backed anti-corruption efforts in Guatemala, ultimately helped undermine them.

Even though decades of U.S. policies and interventionism in these countries helped create the instability that continues to plague them today, the United States has, in recent years, failed to meaningfully address the root causes underpinning forced displacement—instead approaching policy in the region with the sole and explicit goal of halting northward migration. In 2019, the Trump administration announced it was slashing foreign assistance to the Northern Triangle and entered into a series of ill-conceived “safe third country” agreements with Guatemala, El Salvador, and Honduras.

TALKING POINTS:

Displacement from Central America is a regional issue which requires regional solutions. The United States must meaningfully address the root causes of displacement, including rampant instability, corruption, and violence – many of which are legacies of U.S. intervention.

RECOMMENDATIONS:

- Restore funding for evidence-based programs addressing poverty alleviation, climate change adaptation, community-based violence prevention (including preventing gender-based violence and anti-LGBTI violence), and anticorruption efforts while halting arms exports and security assistance to forces engaged in human rights violations (U.S. Department of State)

- Renew U.S. support for anticorruption mechanisms led by regional and international actors, including the United Nations and the Organization of American States. (U.S. Department of State, U.S. Mission to the United Nations)
- Expand access to regional protection for those displaced by violence and persecution, including by:
 - ◇ Supporting the strengthening of regional neighbors’ domestic asylum systems as a complement to – but not a replacement of—access to asylum in the United States (U.S. Department of State).
 - ◇ Establishing a multilateral resettlement initiative in collaboration with U.S. neighbors and other resettlement countries, which should include the creation of processing centers for the resettlement of refugees, restoration and expansion of the U.S. Central American Minors program, and evacuation mechanisms for individuals at risk of imminent harm. (DHS/USCIS and U.S. Department of State)

ADDITIONAL RESOURCES:

- Guatemala: Last Chance for Justice: Dangerous Setbacks for Human Rights and the Fight Against Impunity in Guatemala” (July 2019). <https://www.amnesty.org/en/documents/amr34/0611/2019/en/>
- El Salvador: Memorandum to the President” (May 2019). <https://www.amnesty.org/en/documents/amr29/0546/2019/en/>
- “Home Sweet Home?”: [Honduras, Guatemala, and El Salvador’s Role in a Deepening Refugee Crisis](https://www.amnestyusa.org/files/central_american_refugees_-_report_eng_1-min.pdf)” (2016). https://www.amnestyusa.org/files/central_american_refugees_-_report_eng_1-min.pdf

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VENEZUELA

THE ISSUE:

Venezuela is currently undergoing a massive institutional crisis that has had a devastating impact on the human rights of Venezuelans. Inflation has skyrocketed by 53 million percent since 2016, leaving Venezuelans unable to afford even basic goods, and the shortage of food products and essential medicines has left many Venezuelans both starving and sick. The government's refusal to act in the face of these severe shortages of medicine and food jeopardizes Venezuelans' lives and violates their human rights. Venezuelans who have stood up for change have faced deadly crackdowns by the Maduro regime, which has overseen the deaths of hundreds of political dissidents and the arbitrary detention of thousands more.

This ongoing crisis has impelled 4.7 million people living within its borders—that is over one in every ten Venezuelans—to seek protection throughout the region. Today, in terms of numbers of people fleeing, the Venezuelan exodus is outpaced only by the Syrian refugee crisis.

Venezuela's regional neighbors have shouldered most of the burden of response. Colombia has taken in over 1.5 million Venezuelans since the onset of the crisis. Other neighboring countries, notably Peru and Ecuador, have also received hundreds of thousands of Venezuelans, though both countries have recently introduced restrictionist measures limiting Venezuelans' ability to enter.

Amnesty International called on the international community to recognize that Venezuela is facing a situation of massive human rights violations and that Venezuelans seeking international protection require an immediate response under a framework of respect for human rights, with strict adherence to the principle of non-refoulement.

While the United States has provided a significant amount of humanitarian assistance to help neighboring countries respond to Venezuelan refugees, it has failed to protect Venezuelans seeking safety at our borders. In 2019, the United States reportedly continued deportations to Venezuela, and the government has failed to designate temporary protected status (TPS) for Venezuelans. An estimated 200,000 Venezuelans could potentially benefit from TPS.

RECOMMENDATIONS:

- **Immediately designate TPS for Venezuelans.** The United States must immediately act to protect Venezuelans at risk of deportation by designating TPS for Venezuela. Because many individuals fleeing Venezuela may be at risk of grave human rights violations upon return but may not qualify for asylum under the refugee definition under U.S. law, TPS is necessary to ensure that Venezuelans are protected from forcible return to harm's way. (DHS and Department of State)
- **Cease the imposition of broad economic sanctions.** Broad economic sanctions, imposed by the United States in January 2019 and increased in August 2019, have had an adverse effect on the economic and social rights of ordinary Venezuelans, given the already dire scarcity of essential medicines and medical supplies, food, and basic goods in the country. While the Maduro government's responsibility for the origins of the crisis cannot be ignored, the United States' punitive financial measures have thus far been ineffective in their stated objectives and have risked worsening the human rights crisis in Venezuela. (Department of State, Treasury)

- **Support multilateral solutions to the crisis.** The United States should support multilateral efforts to bring about an end to the crisis and ensure victims of massive human rights violations that have already taken place in Venezuela can access justice. As the largest funder of the regional response for Venezuelans, the United States should consider convening a global humanitarian summit to elicit concrete commitments from states around the globe regarding funding crisis response and hosting refugees. This summit should build upon existing mechanisms responsive to the crisis in Venezuela, including the Quito process. (Department of State, National Security Council, U.S. Mission to the United Nations)

ADDITIONAL RESOURCES:

- “Welcome Venezuela: Regional Campaign for Those Fleeing Massive Human Rights Violations in Venezuela” (May 2019). <https://www.amnesty.org/en/latest/campaigns/2019/05/bienvenida-venezuela-campana-regional-personas-que-huyen-crisis-derechos-humanos/>
- “Hunger for Justice: Crimes Against Humanity in Venezuela” (May 2019). <https://www.amnesty.org/en/documents/amr53/0222/2019/en/>

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3: ASIA

ISSUE BRIEFS

CHINA

THE ISSUE:

China's growing economic and political influence around the world makes it one of the most consequential relationships the U.S. will have to manage. The next President should reframe the U.S.-China relationship to put human rights front and center of its policy. Whether the U.S. succeeds will have significant consequences not only for the human rights of people in China, but also for the global and international human rights agenda as China's government builds support for its efforts to reframe human rights and undermine its institutions.

In recent years, China's government has drafted and enacted a series of restrictive laws in the name of national security that present grave dangers to human rights and human rights defenders. Human rights defenders, including lawyers and activists, are increasingly subjected to monitoring, harassment, intimidation, detention, and imprisonment. In Xinjiang Uyghur Autonomous Region (Xinjiang), an estimated one million predominantly Muslim people have been held in internment. Detainees have been subjected to political and cultural indoctrination, children have been separated from their parents, and there have been numerous allegations of torture and other ill-treatment in these camps.

On a broader scale, an increasingly assertive China has worrying implications for the human rights system as a whole. China's leaders are operating from within the United Nations (UN) Human Rights Council to shrink the space available for the UN and civil society to hold states accountable for their human rights records, as well as making efforts to reframe human rights as a "cause" as opposed to a state's legal obligations to its people. As China has become more powerful, it has been able to shut down human rights dialogues and intimidate those that criticize its record. In 2013, Xi Jinping launched the Belt and Road Initiative (BRI), steering much of this finance into infrastructure projects. Many of the projects that make up BRI are based in countries where there is much potential for exploitative labor practices, environmental degradation, and weak governance and accountability.

In July 2015, an unprecedented government crackdown on human rights lawyers and other activists began during which nearly 250 targeted individuals were questioned or detained by state security agents. Many other lawyers have been disbarred and thus are no longer able to use their legal expertise to seek justice for victims of human rights abuses. The effects of this crackdown are being felt throughout Chinese society.

The internment of predominantly Muslim ethnic groups in Xinjiang has intensified since March 2017, when a "Regulation on De-extremification" was adopted in the region. Open or even private displays of religious and cultural affiliation, including growing an "abnormal" beard, wearing a veil or headscarf or regular prayer can be considered "extremist" under the regulation. Since then, there has been a growing government campaign of mass internment, intrusive surveillance, political indoctrination, and forced cultural assimilation against Uyghurs, Kazakhs, and others in Xinjiang. It is estimated that up to one million people have been held in internment camps.

TALKING POINTS:

- The deterioration of civil society and rule of law in China appears to signal a systematic effort by the Chinese government to tighten its controls on free expression and undermine the will of its own people, including the rights of its ethnic minorities, such as Uyghurs and Tibetans, guaranteed under China's own Constitution.
- As President, I plan to work with allies and partners to use all diplomatic and economic tools to push back on China's systematic attack on international human rights norms, whether they be inside China, globally, or

at the United Nations.

- Our values need to be front-and-center as we manage our relationship with China. A rights-respecting China is a U.S. national security imperative and would help the U.S. achieve our other political, economic, and security goals.

RECOMMENDATIONS:

- The U.S. should robustly fund and support human rights non-governmental organizations that support human rights defenders (HRDs), including by prison visits, legal representations, consultations with HRDs, provisions of visas, and trial monitoring in China.
- The U.S. should make the human rights crisis in Xinjiang a national security priority by calling for and supporting a U.N. Fact Finding Mission to Xinjiang, holding accountable the Chinese government officials who are responsible for abuses, providing protection opportunities to Uyghurs and other ethnic Muslims to ensure humanitarian pathways to the U.S., and banning surveillance exports that pose a substantial risk of violating human rights in their destination.
- The U.S. should aggressively push for international human rights norms vis-à-vis China in bilateral, regional, and multilateral forums through positive and negative diplomatic and economic incentives and disincentives.

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HONG KONG

THE ISSUE:

Hong Kong, a Special Administrative Region of China, maintains separate governing and economic systems from that of mainland China under the principle of “one country, two systems.” Chinese national law does not generally apply in the region, and Hong Kong is treated as a separate jurisdiction. In March 2019, Hong Kong’s government introduced plans for legislative changes that would enable criminal suspects to be extradited to mainland China. However, the bill faced widespread criticism from many sectors of society concerned that it would undermine Hong Kong’s legal freedoms and might be used to intimidate or silence dissidents.

Beginning in March, the people of Hong Kong repeatedly protested the proposed extradition bill. Over one million people flooded the main streets on June 9, June 16 and August 18. Countless smaller scale protests took place in other parts of Hong Kong. The Hong Kong police used water cannons, tear gas, and pepper spray, and, in some instances, guns firing bean bags, rubber bullets and live rounds to disperse the largely peaceful demonstrations.

On June 15, the Hong Kong government announced it would indefinitely suspend the extradition bill. Then, on September 3, 2019, Hong Kong Chief Executive Carrie Lam announced that the controversial extradition bill would be formally withdrawn. Now, the protesters demands have broadened to demand that the authorities conduct an independent investigation into the police use of force, withdraw the “riot” label for the anti-extradition bill protests, release any arrested anti-extradition bill protesters and not pursue any charges against them, as well as universal suffrage for all Legislative Council members and the Chief Executive. The protests further intensified in response to police inaction as violent counter-protesters attacked by-standers and protesters in the Yuen Long area of Hong Kong.

The Hong Kong police have used violent acts by a small group as a pretext to classify the largely peaceful protests as unlawful assemblies and, specifically, “riots”. Amnesty verified numerous incidents involving the dangerous use of rubber bullets, officers beating protesters who did not resist, aggressive tactics used by police to obstruct journalists on site, and the misuse of tear gas and pepper spray. By early August, police said they had fired 1,800 rounds of tear gas, 300 rubber bullets, and 170 sponge grenades. As of December 16, more than 6,000 people had been arrested, while 517 people had been charged with “rioting,” which carries a maximum prison sentence of ten years.

On October 5, the Hong Kong government invoked a colonial-era law, the Emergency Regulations Ordinance (ERO), to bypass the legislative bodies and enact the Prohibition of Face Covering Regulation (also known as the “Mask Ban”). The ban has far-reaching repercussions for the human rights to privacy, health, and protection against discrimination. On December 10, the Hong Kong Court ruled the Mask Ban unconstitutional. The court is now pending an appeal case from the Hong Kong government.

While the formal withdrawal of the extradition bill is welcome, the withdrawal cannot change the fact that the Hong Kong authorities have chosen to suppress protests in a grossly unlawful way that has seriously damaged the people’s trust and sense of the legitimacy of the government.

TALKING POINTS:

- The United States has an obligation to stand with the people of Hong Kong in their yearning for freedom and a government that respects international human rights.
- As President, I will ensure that Hong Kong remains a priority in our dialogues with China and call on them to fully conduct an independent investigation into unnecessary or excessive use of force, de-escalate the situation, and respect the rights of protestors.

RECOMMENDATIONS:

- The United States should, with allies and partners, use diplomatic and economic tools to urge the Chinese government and Hong Kong authorities to allow an independent investigation into unnecessary or excessive use of force by police at protests and to withdraw the present mask ban and bring the ERO in line with Article 4 of the International Covenant on Civil and Political Rights.
- The Executive Branch should fully implement the Hong Kong PROTECT Act, which prohibits the issuance of licenses to export covered munition items such as tear gas, rubber bullets, water cannons and other items to the Hong Kong Police Force.
- The United States should support the human rights of the people of Hong Kong in its bilateral and multilateral dialogues with China, both publicly and privately.

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INDIA

THE ISSUE:

India currently faces a human rights crisis on multiple fronts. The government has fostered a climate of fear and discrimination that threatens the largest, and one of the most vibrant, democracies in the world. This may strain U.S.-India relations, which officials from both countries have long claimed are built on a foundation of shared democratic and rights-respecting values.

After securing an increased majority in the 2019 general elections and appointing Amit Shah as the Home Minister, the Government of India made a surprise announcement of an end to Jammu and Kashmir's special status, as well as splitting it into two Union Territories. Since the announcement on August 5, 2019, India has launched a wide-ranging crackdown on civil society and dissidents, with thousands of arrests under laws permitting detention for months or years; three former Chief Ministers have been held without charge and the entire Kashmir Valley, which has suffered from decades of human rights violations, has been under a partial communications blockade.

In August 2019, the Government of Assam published the final draft of the National Register of Citizens (NRC), which excluded almost two million people. For the last 15 years, the quasi-judicial Foreigners Tribunals have wreaked havoc in Assam by arbitrarily denying people their citizenship. The Foreigners Tribunals have declared Indian citizens to be foreigners for minor spelling mistakes in their names or for their inability to provide detailed documents or recall minute ancestral details dating back 50 years or more.

Related to the NRC is the Citizenship Amendment Act (CAA) and its explicitly discriminatory application only to non-Muslims. When coupled with the NRC, the CAA has the potential to render Muslims stateless and cause one of the world's largest statelessness crises. The Indian Home Minister, Amit Shah, said as much: "We will selectively throw out all infiltrators and this task [NRC] will be undertaken by the BJP before 2024."

Large protests broke out across India in reaction to the CAA. Many of these demonstrations have been brutally suppressed by the police. Police often imposed Section 144 of the Code of Criminal Procedure, a British colonial era law, to ban almost all protests in the states of Karnataka and Uttar Pradesh. This brutal crackdown was especially evident in Uttar Pradesh, where at least 20 people were killed. About 25 people, including an eight-year-old in the Prime Minister's constituency of Varanasi, have been killed in anti-CAA demonstrations. More recently, police have failed to protect students and faculty from a masked mob armed with iron rods and sledgehammers at a peace march in Jawaharlal Nehru University.

India's civil society has experienced significant challenges even prior to these events. On October 25, 2018, Amnesty India endured a ten-hour-long raid conducted by a group of officers from a financial investigation agency under the Ministry of Finance. Similar action was undertaken against Greenpeace India in early October of last year, and other human rights NGOs have faced similar actions.

One of the repressive foreign funding laws that is often used by government authorities to obstruct the work of NGOs is the Foreign Contribution Regulation Act (FCRA). Authorities have cited financial 'irregularities' and activities that are against 'public interest' and 'national interest' to cancel numerous NGOs' foreign funding licenses under the FCRA. Successive governments have used the FCRA to harass groups holding dissenting opinions. Organizations targeted under this law include Lawyers Collective, People's Watch, Sabrang Trust, and Navsarjan Trust.

TALKING POINTS:

- The United States-India relationship is founded on shared democratic and rights-respecting values. It is incumbent on both of us to uphold international human rights norms, which are at the core of those values. A healthy civil society is in the interest of a prosperous India and should be encouraged, not stifled.
- We worry about regional security if India goes ahead with a National Registration of Citizens under the new Citizenship Amendment Act because the potential to leave millions stateless is high, causing unimaginable human suffering and security risks.

RECOMMENDATIONS:

- The United States should use all diplomatic and economic tools to call for a human rights dialogue with India where issues such as Kashmir, civil society crackdown, religious freedom, and refugees are raised.
- The United States should, through global funds and unilaterally, fund civil society and human rights groups to operate in India to monitor human rights and push back on closing space for civil society.
- The United States should push the United Nations for an independent and impartial fact-finding mission in Kashmir.

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MYANMAR

THE ISSUE:

In August 2017, an armed group known as the Arakan Rohingya Salvation Army (ARSA) launched coordinated attacks on security force posts in northern Rakhine State, Myanmar. In response, the Myanmar security forces, led by the Myanmar Army (“Tatmadaw”), attacked the entire Rohingya population in villages across northern Rakhine State. In the ten months after August, the Tatmadaw drove more than 700,000 women, men, and children—more than 54 per cent of the Rohingya who lived in northern Rakhine State at the outset of this crisis in 2017—into neighboring Bangladesh.

An overwhelming population of the affected communities in Bangladesh, including about 500,000 Rohingya, are school-aged children who have no access to accredited education and are vulnerable to forced recruitment into armed groups, child labor, sexual exploitation, and child marriage.

The Myanmar Security Forces carried out a relentless and systematic campaign in which they unlawfully killed thousands of Rohingya, including young children; raped and committed other sexual violence against hundreds of Rohingya women and girls; tortured Rohingya men and boys in detention sites; pushed Rohingya communities toward starvation by burning markets and blocking access to farmland; and burned hundreds of villages in a targeted and deliberate manner.

Crimes against humanity continue against the estimated 600,000 Rohingya who are still living in Rakhine State. Their rights to equality, a nationality, freedom of movement, and access to adequate healthcare, education, and work opportunities are routinely violated. Seven years after they were forced from their homes, some 128,000 people remain confined to squalid detention camps within Rakhine State, reliant on humanitarian assistance for their survival. The Rohingya have long faced systematic persecution; for example, the 1982 Citizenship Law stripped many of their Myanmar citizenship and deprived them of their right to a nationality.

The Myanmar Military and the Arakan Army (AA), an ethnic Rakhine armed group, have clashed on and off for years—though the last year marked a clear escalation in the violence, with nearly 45,000 people displaced in Rakhine and Chin states as of December 2019. Amnesty has documented serious human rights violations against civilians committed by the military, including unlawful attacks, arbitrary arrests, torture and other ill-treatment, enforced disappearances, extrajudicial executions, and forced labor. Many of these constitute war crimes.

Shan State in northern Myanmar has also seen decades of conflict and violence. In 2011, conflict renewed in northern Myanmar between the military and ethnic armed organizations (EAOs). Despite efforts to end the fighting—including through a national peace process—conflict has continued, with civilians often bearing the brunt. Amnesty has documented war crimes and other serious violations by the Myanmar military in the ongoing conflict, including arbitrary arrests, detention on military bases, torture and other ill-treatment, and unlawful attacks.

TALKING POINTS:

- We say “never-again,” yet the international community continues to watch and fail to put an end to the systematic and widespread persecution of the Rohingya population, which has resulted in war crimes and crimes against humanity.
- As President, I would seek to bring justice to the millions of Rohingya and other ethnic minorities in Myanmar who have been displaced at the hands of the Myanmar military. Whether through supporting international accountability mechanisms or through multilateral sanctions, I will make sure that we protect the most vulnerable and support our values through our engagements.
- More than half a million Rohingya children have yet to see the inside of a classroom since they arrived in the refugee camps of Bangladesh more than two years ago. That’s almost an entirely lost generation in a volatile region where extremist groups are operating. We should support, sustain, and increase humanitarian assistance—including access to education—to help give the Rohingya and other refugees in the region a better future.

RECOMMENDATIONS:

- The United States should use all of its diplomatic and political levers to push for a United Nations Security Council referral of the situation in Myanmar to the International Criminal Court to bring those most responsible for atrocity crimes to justice.
- The United States should create a global coalition to respond to the Myanmar human rights crisis, calling for multilateral targeted sanctions against senior military officials responsible for atrocities.
- The United States should increase and sustain its support for humanitarian assistance—including access to education—for refugees in Bangladesh and in Myanmar.

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NEPAL

THE ISSUE:

Impunity for the thousands of cases of enforced disappearance, unlawful killing, torture, and other grave human rights abuses committed during Nepal's Civil War (1996-2006) continues to be a major challenge. The Comprehensive Peace Agreement of 2006 included guarantees of a transitional justice process to address the human rights violations committed during the conflict. Although a Truth and Reconciliation Commission and a Commission on Investigation of Disappeared Persons were formed in 2015, these bodies have failed to address the many thousands of complaints brought to them by victims and their families. Not a single case has been successfully prosecuted. Impunity and denial of access to justice to victims and their families therefore remain a serious issue.

Recently, a committee was formed by the Nepalese Government to recommend a new Truth and Reconciliation Commission. Concerns have been raised by victims' groups that the government will re-appoint old commissioners, and that the new process will again not be adequately consultative and impartial. Amnesty International is calling on the Government of Nepal to ensure laws are reformed so that a new Commission is chosen in an impartial and transparent manner meeting international human rights standards. Fourteen years after the conflict ended in 2006, the victims of the conflict and their families finally deserve justice.

Due to limited economic opportunities at home, every year, hundreds of thousands of Nepalis migrate abroad for employment, primarily to the Gulf States or Malaysia. Their remittances are important for the economy of Nepal. However, human rights abuses suffered by migrant workers are rampant and have been well-documented by Amnesty and other human rights groups. Workers are recruited by employment agencies in Nepal who charge them exorbitant fees, resulting in crippling debt. When they arrive at the destination country, they often find that the job is not what they were promised and the pay is much less. Their passports are often taken away so that they are unable to leave. Many end up working in dangerous conditions, and there have been substantial numbers of deaths and serious injuries.

The Government of Nepal needs to do more to regulate unscrupulous recruitment agencies in Nepal who routinely overcharge and deceive potential workers. Governments in the Gulf States and Malaysia need to enact and enforce laws to protect foreign workers from exploitation and other abuses. For example, the Qatar Government has promised labor law reforms in advance of the 2022 World Cup; however, many abuses are still reported.

Economic, social, and cultural rights guaranteed under Nepal's 2015 Constitution—such as the rights to food, housing, land, and health—remain unrealized. Amnesty has provided suggestions on how to strengthen legislation and implementation mechanisms of these important Constitutional provisions. Hunger and food insecurity, poverty, homelessness, land issues, and caste discrimination remain significant problems. Many people affected by the 2015 earthquakes remain homeless or in unsafe housing. Violence against women and trafficking are also serious problems.

TALKING POINTS:

- The United States has considerable influence in Nepal, and it is incumbent upon us to use that influence to help Nepal turn a new chapter in its history, helping it to press for an end to impunity for the grave human rights violations committed during the Nepal civil war.
- For the country to move forward, there needs to be justice for the victims, and the perpetrators need to be held to account. We stand ready to make that possible.

RECOMMENDATIONS:

- The United States should build an international coalition that seeks to press for an end to impunity for the grave human rights violations committed during the Nepalese civil war and advance justice for the victims.
- The United States should push for accountability through all diplomatic and economic means for those responsible for human rights violations.
- The United States should increase foreign assistance to facilitate the realization of economic, social and cultural rights, particularly focusing on exploitative migrant labor issues, housing rights, women's rights, and the rights of Dalits and other socially marginalized groups.

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NORTH KOREA

THE ISSUE:

Whoever wins the presidency in 2020 will face two primary concerns regarding North Korea. The first is the need to relieve the suffering of the nearly 27 million North Korean people brought about by their government's violations of the full range of their human rights. The second is the threat of mass killing as the result of the use of nuclear weapons. The two concerns are inextricably bound: they arose together, they persist together, and they can only be addressed together.

The U.N. has found that several of the North Korean government's violations rise to the level of 'crimes against humanity.' The facts of the North Korean government's abuses of its people's human rights are long-established, well-known, and no longer in doubt. Hundreds of thousands of women, men and children are held in a gulag of political prison-labor camps as a result of some supposed disloyalty. For many, this is a death sentence. Torture is used, permitted, and encouraged in jails, camps, and prisons. Whole families are 'disappeared' into a system that does not recognize the necessity of charge, defense, or trial. Executions are routine and often public, held before the eyes of schoolchildren.

The government's resource decisions ensure that all but the elite are hungry, malnourished, or starved. Access to fundamental rights such as education, housing, and health care is distributed in a discriminatory fashion as punishment and reward. The system of state surveillance is so pervasive that North Koreans dare not speak, gather together, read, worship, or travel. Any attempt to leave the country is defined as treason and punishable by death.

There is a distinct and fundamental connection between the human rights violations committed by the North Korean government and its willingness to develop, deploy, and export weapons of mass destruction. We must consider the possibility that a government that is willing to sacrifice the wellbeing and the very lives of its people in order to maintain power would also be willing to accept levels of war casualties on a massive scale.

The North Korean government's willingness to sacrifice the wellbeing of its people directly and tangibly enhances its ability to develop and deploy nuclear weapons. All of the resources that should be prioritized to ensure that North Koreans' rights to food, shelter, employment, medical care, and education are met are instead spent on military programs, including the development of WMDs.

TALKING POINTS:

- The plight of the North Korean people for the last 50 years has been horrific. Hundreds of thousands of women, men, and children are languishing in gulags, and the world has heard repeated accounts of torture or executions for disloyalty. We cannot continue to sideline human rights while we seek progress on de-nuclearization.
- When it comes to North Korea, the issues of why and how a regime decides to seek nuclear weapons and starve its own people are intrinsically linked and cannot be separated.
- The United States and the international community have a special responsibility to address the concerns raised by North Korea's repressive government because there is such a small possibility for the voice of a domestic North Korean opposition to be heard. We must amplify the few voices of those who have escaped and be a champion on human rights once more.

RECOMMENDATIONS:

- The United States should work through the United Nations, regional forums, and like-minded allies to address human rights violations in North Korea. The initial demand should be for an end to the practice of incarcerating families and for expedited reunions of families separated by the Korean Demilitarized Zone. This includes pushing for a United Nations Security Council meeting on human rights in North Korea, as well as urging China and Japan to be more assertive in challenging the North Korean government's human rights record.
- The United States should appoint a Special Envoy on Human Rights in North Korea and adequately fund this position and office that will focus on galvanizing the international community, holding senior North Korean officials accountable, and coordinating and pushing for access to information in North Korea.
- The United States should provide necessary humanitarian aid and urge the North Korean government to accept international humanitarian aid, with proper monitoring consistent with international standards of transparency and accountability.

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SRI LANKA

THE ISSUE:

Sri Lanka suffers from impunity, recent and longstanding, for human rights abuses against minorities and other vulnerable groups. After the 2019 Easter Sunday bombings, Sinhalese mobs attacked members of the Muslim minority and damaged Muslim homes and businesses. None of the Sinhalese attackers has been publicly prosecuted. The Sri Lankan government responded to the bombings with new emergency regulations allowing for detention without trial and with inadequate safeguards against torture. Sri Lanka's existing laws, prior to enactment of the new emergency regulations, provide ample powers to the security forces and law enforcement agencies to investigate the bombings and secure the country. Mobs have also forced more than 1,100 refugees and asylum-seekers in Sri Lanka (mostly from Afghanistan and Pakistan) from their homes; they were living under dire conditions, and some are still at risk of deportation back to their home countries, where they could face human rights violations.

Longstanding impunity exists for human rights violations in connection with the 26-year civil war against Tamil separatists, which ended in 2009 under President Mahinda Rajapaksa's administration with a government military victory. The U.N. has documented the war crimes and crimes against humanity committed by both sides during the conflict. In the vast majority of these cases, no one has been held accountable. In a few emblematic cases, investigations have stalled due to the unwillingness of the security forces to provide information crucial for prosecutions.

During President Mahinda Rajapaksa's 10-year administration (which ended in 2015), freedom of expression was threatened, with independent journalists being attacked and sometimes killed. One well-known case is the journalist Prageeth Eknaligoda, who was "disappeared" in 2010, shortly before Presidential elections, in which Mahinda Rajapaksa was seeking a second term. Vigorous campaigning by Prageeth's wife, Sandya Eknaligoda, has resulted in the case being taken up at the Permanent High Court trial-at-bar.

The government has made limited progress in implementing promises of improved performance by security forces with respect to human rights. Despite the lease of some parcels, civilian land in the former war zone continues to be occupied by security forces despite government promises of all such lands being released back to their owners before 2019. Torture of detainees in custody continued to be recorded by the Human Rights Commission of Sri Lanka. Despite government promises of repeal, the draconian Prevention of Terrorism Act (PTA) remains in effect and continues to be used, particularly in the aftermath of the Easter Sunday bombings; the PTA allows detention without trial and facilitates the use of torture. The government has misused the International Covenant on Civil and Political Rights (ICCPR) Act—intended to promote freedom of expression—in order to prosecute writers such as Shakthika Sathkumara, whose only "crime" was to write a short story that offended some Buddhist monks.

Last November's presidential election saw the return of the Rajapaksa brothers to power, with Gotabaya Rajapaksa (former Defence Secretary) elected president and Mahinda Rajapaksa appointed as prime minister. The new government must follow up on the 2015 commitments made to the U.N.: return military-occupied land to its rightful owners, repeal the Prevention of Terrorism Act, and investigate and prosecute those responsible for war crimes and human rights violations. Further, the government must immediately repeal the new emergency regulations, provide protection to refugees and asylum-seekers in Sri Lanka while their claims are being processed, and stop misusing the ICCPR Act, including by dropping the pending charges against Shakthika Sathkumara.

TALKING POINTS:

- The United States has a strong interest in a peaceful and prosperous Sri Lanka – and the United States a lead co-sponsor of the United Nations Human Rights Council resolution.
- As such, we feel we have a shared responsibility to see this process through: to help Sri Lankans restore accountability and the rule of law to their country and continue to build and support the institutions that have started this human rights reform process.

RECOMMENDATIONS:

- The United States should include Sri Lanka in an inter-agency atrocity prevention board review to create a set of policy recommendations that will prevent a return to grave human rights abuses in Sri Lanka.
- The U.S. Administration must reiterate to the Sri Lankan government the importance of upholding human rights, including by attending court hearings in key cases (e.g., the Trinco Five students, Prageeth Eknaligoda and Shakthika Sathkumara).
- The United States should substantially increase civil society assistance for human rights groups that are working on truth and reconciliation issues and protecting human rights defenders.

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4: EURASIA

AFGHANISTAN

THE ISSUE:

The U.S. war in Afghanistan has raged for over 18 years. Civilians have borne the brunt of the conflict. According to the United Nations, over 100,000 civilians have been killed or injured in the last decade alone. While armed groups such as the Taliban and the armed group calling itself Islamic State in the Khorasan have been responsible for most of the civilian casualties throughout the conflict, this dynamic has recently reversed as the Afghan government and its international allies have begun to rely more on air power in their military campaign.

In September 2018, the White House appointed Ambassador Zalmay Khalilzad to serve as U.S. Special Representative for Afghanistan Reconciliation. Ambassador Khalilzad then led the U.S. through nine completed rounds of negotiations with the Taliban before talks broke down in December 2019 following an attack in Kabul that killed 12 people, including a U.S. soldier.

Ambassador Khalilzad has repeatedly said that U.S. negotiators are looking for a “peace deal” and not an exit strategy. Yet Afghan women, who have the most to lose from the Taliban’s return, have been largely shut out of the negotiation process. Indeed, Afghan women have only had limited participation in one of the rounds of negotiations.

Under Taliban rule, Afghan women and girls have suffered years of humiliation, violence, and repression. The Taliban’s draconian rules and edicts prevented girls from attending school and women from leaving their houses without guardians unless seeking medical care. Barbaric public executions of women for real or perceived infractions were common. Afghanistan remains an exceedingly difficult place for women, but over the interceding 18 years they have made tremendous strides. Afghan women are lawyers, doctors, judges, teachers, engineers, athletes, activists, politicians, journalists, and bureaucrats. They run their own businesses and serve in the ranks of the military and police.

In October 2017, President Trump signed the bipartisan Women, Peace, and Security Act, stipulating that the inclusion of women in the prevention and resolution of conflicts would be a foreign policy priority for U.S. military, development, and diplomatic personnel. This bill provides the mandate for the U.S. Department of State, the U.S. Agency for International Development, and the Department of Defense to strengthen women’s participation in peace and conflict resolution.

THE HUMAN COST:

Nilofar Sayar is a women’s rights activist from Afghanistan’s northern Balkh province who promotes women’s inclusion in the decision-making processes and in peace negotiations. In 2018, she started receiving threatening messages and calls on her phone warning her that if she continues to speak out against warlords and armed groups in her province, her family would face grave consequences. Not easily intimidated, Nilofar persisted with her advocacy. On June 12, 2018, her son disappeared. Two days later, his body was found by locals in a neighboring district. While Nilofar has no doubt her son was killed in retaliation for her work, she still has no answer as to who was behind the killing. Her repeated calls to the local police have gone unanswered, authorities have not launched an investigation, and she has continued to receive threats, even after she left her home city for the capital.

TALKING PONTS:

The U.S. government justified its invasion of Afghanistan by promising to make life better for that country's women and girls. This goal was once used to justify a war. Today we must use it to forge the peace.

Afghan women and girls have made tremendous progress. It must be the policy of the U.S. administration that any settlement in Afghanistan will protect their gains and put them on the pathway to securing more of them.

RECOMMENDATIONS

- The U.S. should demand that the Taliban accept the participation of key Afghan women leaders from government and civil society as a precondition for the talks moving forward into the next round.
- The U.S. should ensure the U.S. negotiating team led by Ambassador Khalilzad is staffed with human rights and gender specialists at the highest levels. Specifically, assign senior members from the State Department's Bureau of Democracy, Human Rights, and Labor (DRL) and Office of Global Women's Issues (S/GWI) to permanent detail on the negotiation team for the duration of the talks.
- The President should announce a public commitment to supporting Afghan women and girls after the withdrawal of U.S. military forces in Afghanistan. This commitment must also extend to providing Afghan women with a pivotal role in resolving their country's conflict as part of any future Women, Peace, and Security Strategy.

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BELARUS

THE ISSUE:

JUVENILE JUSTICE AND FAIR TRIALS

Thousands of children and young people in Belarus are serving lengthy prison sentences after being convicted—often in unfair trials—for minor, non-violent drug-related offences that they committed or allegedly committed when they were minors. In cases brought to Amnesty International's attention, children as young as 16 have been sentenced to between eight and ten years' imprisonment under Article 328 of the Belarusian Criminal Code for "illicit trafficking in narcotic and psychotropic substances, their precursors and analogues." Some cases involve children who had worked for anonymous online suppliers, including those unaware that they were transporting illicit drugs. In most of the cases Amnesty has analyzed, they were found guilty of being "part of a group" or "part of an organized group" although the authorities failed to identify or prosecute any other members of "the group." Other children were found guilty of charges such as trafficking, despite the fact that they were found with a negligible amount of drugs or none at all. Still others were targeted for non-cooperation with drug enforcement officials trying to use them as secret informers and provocateurs to implicate others.

There are consistent allegations of human rights violations, including excessive use of force by law enforcement officials at the point of arrest or detention, the use of unsubstantiated or disproportionately harsh charges against suspects, violations of their right to a fair trial, failure to inform their legal guardian and lawyer following their arrest, arbitrary deprivation of liberty, and discriminatory treatment in prisons of children and young people imprisoned on charges under Article 328.

THE HUMAN COST:

At 17, Emil Ostrovko had his whole life ahead of him, but his dreams were shattered when he was charged with 'illicit drug trafficking as part of an organized group' after taking an after-school courier job at a company which, he was told, sold legal smoking blends.

Investigators never looked for the owner of the company. Only Emil was prosecuted. After an unfair trial, Emil was given a lengthy prison sentence.

In the juvenile prison colony, Emil was made to work very long hours doing manual labor, and he got frost bite from clearing the snow with his bare hands. Emil is believed to be one of around 15,000 people serving lengthy prison sentences in Belarus for minor, non-violent drug offences.

FREEDOM OF ASSOCIATION, PEACEFUL ASSEMBLY, AND EXPRESSION

Freedom of expression, peaceful assembly, and association are severely restricted in law and in practice in Belarus. Government critics face harassment and other reprisals from the authorities, including in administrative and criminal proceedings.

The Law on Mass Media, which entered into force in December 2018, has considerably tightened state control over online media. The law requires registered and unregistered online media outlets to register the names of people who submit comments, disclose relevant information to authorities on request, and make owners of registered online media liable for

the content of the comments.

The Law on Mass Events—which entered into force in January 2019—established new procedures and fees for organizers of public events, obliging them to pay policing, medical, and clear-up costs. All assemblies require prior notification and the authorities' express permission. Moreover, the notification procedure has been extended to specific, previously pre-approved, areas (typically in remote locations). Approval for assemblies in other areas is in practice often refused or delayed. Article 23.34 of the Code of Administrative Offences (“violating the rules of organizing and holding mass events”) is continually used to prevent people from exercising their right to peaceful assembly.

Obstacles to officially registering independent NGOs remain, with registration applications frequently turned down on arbitrary grounds.

RECOMMENDATIONS:

- As the U.S. moves to deepen relations with Belarus, the White House should press the government of Belarus to enter into an annual structured policy dialogue that engages all aspects of the bilateral relationship, including human rights and the rule of law. The dialogue should be conducted in Minsk and Washington and provide ample opportunities for international and Belarussian civil society to communicate with senior policy makers.
- The White House should instruct the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) to support drug prevention capacity building programs in Belarus. For example, INL can organize a training on drug addiction treatment for a Belarussian delegation consisting of ministry officials, healthcare professionals, and civil society representatives. Effective approaches for drug treatment, current best practices, and the programs implemented by INL should be discussed.

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CENTRAL ASIA

THE ISSUE:

ACCESS TO EQUAL RIGHTS FOR LGBTI PEOPLE IN CENTRAL ASIA

In the republics of Central Asia, people are under attack for who they love, how they dress, and ultimately for who they are. In Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, being lesbian, gay, bisexual, transgender or intersex (LGBTI) means living with daily discrimination. From name-calling and bullying to being denied a job or appropriate healthcare, the range of unequal treatment faced is extensive and damaging. It can also be life-threatening.

In all too many cases, LGBTI people are harassed in the streets, beaten up, humiliated, tortured and sometimes killed, simply because of who they are. Many live in hiding, some face time in prison in cruel, inhuman, and degrading conditions. Hostility directed at LGBTI people is stoked by the very governments that should be protecting them. Authorities in Central Asia reinforce their power and the status quo by openly justifying discrimination in the name of “morality,” cultural traditions, and religion.

CRIMINALIZING SAME SEX CONSENSUAL RELATIONS BETWEEN MEN

Consensual same sex relations between men remains a criminal offense in Turkmenistan and Uzbekistan. The authorities in both countries have repeatedly stated that they have no intention of decriminalizing consensual sexual relations between men, which constitute a crime under Article 120, punishable by a fine or a prison term of up to two or three years respectively. They argue that any sexual relations other than heterosexual ones contradict cultural traditions and moral norms.

As long as Article 120 is not abolished, members of the LGBTI community remain at extreme risk of persecution and torture. Police regularly detain homosexual or bisexual men and transgender people, threaten them with imprisonment under Article 120, intimidate, physically or sexually abuse them, and use their knowledge of the individual’s sexual orientation or gender identity to blackmail and extort money from them or coerce them into collaboration.

Police officers, prison guards and fellow-inmates will rape detained homosexual and bisexual men with bottles and truncheons, attach heavy water bottles to their genitals, wrap newspaper around their genitals and set the paper on fire. They have the lowest status in prisoner hierarchy and are regularly used as ‘slaves’ by other inmates and guards, forced to clean dirty toilets with their bare hands, for example.

TARGETING LGBTI PEOPLE FOR DISCRIMINATION AND VIOLENCE

In Kazakhstan, Kyrgyzstan, and Tajikistan same-sex consensual relations are not criminalized, but they remain nevertheless highly stigmatized, and LGBTI people are regularly subjected to violence, arbitrary arrests, and discrimination by state and non-state actors.

In Tajikistan, individuals suspected of being LGBTI have been forcibly registered on lists of “amoral crimes, prostitution, and procurement” kept by the Ministry of Internal Affairs. The authorities have accused NGOs working with LGBTI people in the context of sexual health of undermining traditional cultural values. The same accusation has been levelled at NGOs providing sexual health advice and HIV and AIDS prevention and treatment programs in Uzbekistan and Kyrgyzstan.

In Uzbekistan, gangs of young men have targeted members or suspected members of the LGBTI community in violent attacks in the streets or in their homes, subjecting them to beatings and threats of sexual violence, often stripping them naked and filming the attack and threatening to upload—and often actually posting—the footage on social media.

TALKING POINTS:

- Everyone should be able to feel proud of who they are and who they love. We all have the right to express ourselves freely.
- By embracing LGBTI people and their identities, countries across Central Asia can free everyone to achieve their potential. By standing up for equal rights in Central Asia the United States can lead from the front.

RECOMMENDATIONS

- Travel to Central Asia to press officials on human rights. No sitting U.S. President has ever traveled to the five central Asian former-Soviet republics. As China and Russia extend their influence in the region, the incoming administration will face calls to visit the countries and assert U.S. interests. Any visit by the U.S. President must include clear calls to decriminalize consensual sexual intercourse between adult males by abolishing Article 120 in the Criminal Codes of Turkmenistan and Uzbekistan. In all five Central Asian republics, the U.S. President should demand that everyone be protected from discrimination and violence by state and non-state actors alike.
- Consider nominating a member of the LGBTI community to serve as U.S. Ambassador to Turkmenistan and/or Uzbekistan.

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HUNGARY

THE ISSUE:

The government of Prime Minister Viktor Orbán has embarked on a concerted campaign to destroy civil society and free media in Hungary. On June 13, 2017, the Hungarian Parliament adopted the '*Law on the Transparency of Organizations Supported from Abroad*,' which aims to stigmatize and further hamper the work of independent civil society in Hungary. The law echoes the infamous Russian 'foreign agents' law' and is the first law of its kind in the European Union. Under the law, civil society organizations receiving more than \$24,500 per year from any foreign source must be registered as a "foreign funded organization" by the court and label themselves as such on their website, publications, and press materials.

Hungarian authorities embarked on another round of attacks against civil society in 2018, when the Parliament adopted the final version of the so-called 'Stop Soros Bill' that amongst other things amended the Criminal Code by making the provision of support to asylum and residence applications a crime punishable with one year of imprisonment. The bill threatens individuals and organizations objecting to the Orbán government's draconian policies towards refugees with criminal sanctions and potentially imprisonment.

On July 20, 2018, the Hungarian parliament passed a law that imposes a punitive 25% tax on any Hungarian organization that "carries out activities to promote migration." The tax law is intentionally vague and has created uncertainty about how it will be applied; hence, it paves the way for politically motivated tax investigations of NGOs that are already under attack.

These attacks against civil society have not gone unnoticed by the international community. Partly owing to Hungary's attack on civil society actors, the European People's Party recently voted to suspend Hungary's ruling Fidesz party from the European parliamentary bloc. The State Department's own human rights report points to "political intimidation of and legal restrictions on civil society" as a major human rights issue in Hungary.

In a society with a free media, journalists would inevitably investigate such abuses and publish their findings in public. This is plainly impossible in Hungary, where the government exercises overwhelming control over the print and broadcast media. In November 2018, the government established a foundation ("KESMA") to centralize control over its media holdings. The new media empire was created by owners donating 476 media outlets, including websites, newspapers, television channels, and radio stations. Based on revenue, pro-government media controls about 80% of the news media market and coverage of political content.

Meanwhile, the Hungarian government has engaged in a campaign of incitement targeting minorities and members of vulnerable communities. In 2019, Hungary witnessed a significant increase of homophobic statements coming from government officials and members of the largest governing party (Fidesz) in Parliament. In one case, the Speaker of the House compared the members of the LGBTI

THE HUMAN COST:

On Thursday, April 12, A Hungarian magazine with close ties to the government of Prime Minister Viktor Orbán published a list of individuals it described as "mercenaries" paid to overthrow the government. The list included staff of Amnesty International, as well as numerous other civil society activists, journalists, and academics. Individuals whose names were published on the list found themselves on the receiving end of a campaign of harassment that sometimes included threats of rape and death.

community to pedophiles. Prime Minister Orbán has repeatedly called refugees “Muslim invaders” and described them as “poison,” saying “every single migrant poses a public security and terror risk.”

RECOMMENDATIONS:

- The White House should direct the State Department to provide financial support and technical assistance to embattled civil society organizations and independent media outlets in Hungary.
 - ◇ In the summer of 2018, the State Department mysteriously canceled a proposed \$700,000 program to support media freedom in Hungary. The State Department should restart this program.
 - ◇ Numerous international organizations applauded the U.S. Agency for Global Media’s decision to restart Radio Free Europe/Radio Liberty broadcasting to Hungary. The Hungarian service should be expanded to include robust broadcasting in Budapest and the regions.
- The White House should direct the U.S. Ambassador to Hungary to meet publicly with members of the LGBTI community and migrants and asylum seekers to communicate the U.S. government’s support for these embattled communities.

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KAZAKHSTAN

THE ISSUE:

TREATMENT OF ETHNIC UIGHUR AND KAZAKH ASYLUM-SEEKERS FROM XINJIANG UIGHUR AUTONOMOUS REGION (UAR)

The UN and states around the world have condemned the ongoing systematic oppression of ethnic minorities in China, including the mass arbitrary detention of Chinese Uyghurs and other Muslim minorities, including Kazakhs in the Xinjiang Uyghur Autonomous Region (XUAR). As documented by Amnesty International, the government of the People's Republic of China has engaged in a campaign of mass internment, intrusive surveillance, political indoctrination, and forced cultural assimilation against Uyghurs, Kazakhs, and other predominantly Muslim ethnic groups living in Xinjiang. An estimated one million people are detained in the political “re-education camps” in Xinjiang. The Kazakhstani government has been reluctant to raise the issue of human rights violations against ethnic Kazakhs living in XUAR. It has not only failed to protect asylum seekers fleeing persecution in XUAR, but has also tried to silence those exposing human rights violations in China.

FAILURE TO PROTECT ASYLUM-SEEKERS

Kazakhstan has international human rights obligations under the Convention on the Status of Refugees and the Convention Against Torture not to return anybody to a country where they have a well-founded fear of persecution or where they could face torture, and not to prosecute refugees and asylum-seekers for their illegal entry or presence in a country. However, asylum-seekers from XUAR in Kazakhstan are frequently prosecuted for illegally crossing the border and denied asylum.

In April 2018, Sayragul Sautybai fled China and sought asylum in Kazakhstan. She had worked as an instructor in re-education camps in China and testified about the situation in the camps. She was arrested for illegally crossing the border and spent several months fearing deportation to China before being released on bail in August. In October 2018, her application for asylum was turned down and she has since left the country.

THE HUMAN COST:

On January 6, 2020, court hearings began against two ethnic Kazakh men—Kaster Musakhanuly and Murager Alimuly—on charges of illegally crossing the border. Both have applied for asylum in Kazakhstan.

Kaster Musakhanuly claims that he was held in a re-education camp in XUAR and beaten.

On December 6, 2019, the director of the border service of the Committee of National Security of Kazakhstan, Darhan Dilmanov, stated that the men would be returned to China.

PROSECUTING HUMAN RIGHTS DEFENDERS

On March 10, Serikzhan Bilash, the leader of the human rights organization Atajurt—which exposes human rights violations against ethnic Kazakhs in China—was placed under house arrest. He was charged with “incitement of social, national, clan, race, class, or religious hatred” for his outspoken criticism of human rights violations against Muslim ethnic minorities in China. He was released on August 17 after he agreed to stop campaigning on human rights violations in China, was fined the equivalent of \$300 and was placed under travel restrictions for three months.

TALKING POINTS:

- Nobody should be purposefully put into harm's way. The Chinese government's abuses against Muslims are horrific, systematic, and well documented. Kazakhstan's authorities must provide refuge to people fleeing the abuse, not send them back to their abusers.
- The U.S. cannot be silent as the Chinese government arrests and imprisons over one million people simply for who they are, and we cannot be silent as the governments of neighboring countries abet them. We need all countries in the region to protect Muslims who are at risk.

RECOMMENDATIONS:

- Urge the Kazakhstani authorities to live up to their international human rights obligations to not return asylum-seekers from XUAR to China, where there is a high risk that they would face torture and other ill-treatment. In particular, demand that Kaster Muakhanuly and Murager Alimuly be granted asylum in Kazakhstan.
- Urge the Kazakhstani authorities to uphold the principles of the UN Declaration on Human Rights Defenders by promoting and protecting the work of human rights defenders and recognizing the right of all to raise concerns about the policies and actions of individual officials and governmental bodies that violate human rights.
- Suggest to the Kazakhstani authorities that they substantially amend Article 164 of the Criminal Code to ensure that any provision aimed at combatting advocacy of hatred or discrimination is in strict compliance with Article 19(3) of the International Covenant on Civil and Political Rights, and that it does not unlawfully restrict freedom of expression.

ADDITIONAL RESOURCES:

- China: "where are they?" Time for answers about mass detentions in the Xinjiang Uighur Autonomous Region, 24 September 2018, Index Number: ASA 17/9113/2018, <https://www.amnesty.org/en/documents/asa17/9113/2018/en/>
- Kazakhstan: Fundamental freedoms under pressure: Amnesty International submission for the UN Universal Periodic Review, 34th session of the UPR working group, November 2019, <https://www.amnesty.org/en/documents/eur57/0502/2019/en/>
- Kazakhstan: Further information: human rights defender facing bogus charges: Serikzhan bilash, 16 August 2019, Index number: EUR 57/0894/2019, <https://www.amnesty.org/en/documents/eur57/0894/2019/en/>

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PAKISTAN

THE ISSUE:

States have an obligation to respect the rights to freedom of thought, conscience, and religion or belief, and to protect those rights against acts committed by non-state actors that would impair the enjoyment of the rights. In Pakistan, this right is under assault.

The country's draconian blasphemy laws violate human rights, both in their substance and their application. In Pakistan, blasphemy laws have a long history. They were first introduced during the British colonial era, but were expanded under the military government of General Zia-ul-Haq and again during the 1990s government headed by Prime Minister Nawaz Sharif. The laws do not meet human rights standards and lack essential safeguards to minimize the risk of additional violations and abuses. While they purport to protect religious sentiments – mainly those of the Muslim majority—there are ulterior motives such as professional rivalry, personal disputes, hostility to towards religious minorities, and seeking economic gains that often drive a blasphemy allegation with deadly consequences. Under Pakistani law, the death penalty is the mandatory punishment for those convicted of blasphemy under Section 295-C. At least 40 people are currently on death row on blasphemy charges.

The blasphemy laws create an environment in which some people—including complainants and their supporters—believe themselves entitled to take the law into their own hands, with violent mobs attacking the accused while the police stand aside. Even if a blasphemy-accused defendant makes it to court, there are serious security and fair trial concerns that all but guarantee a wrongful sentence. Appeals and acquittals are often delayed, and the accused face serious risks to their safety throughout the process, rendering the the blasphemy laws in complete contravention of religious freedom.

THE HUMAN COST:

Junaid Hafeez, 33, is a Fulbright Scholar and a university professor in Multan, Punjab who was sentenced to death on December 21, 2019 on blasphemy charges. There have been severe violations at every stage of his case: during detention, trial, and sentencing. He was arrested over his social media activity and has been in solitary confinement since June 2014.

There were severe delays in his trial, with frequent judge transfers. His first defense lawyer, Rashid Rehman, was gunned down in his office in May 2014 after receiving threats in open court for defending Junaid.

TALKING POINTS:

- Pakistan's blasphemy laws are often used to target religious minorities and embolden vigilantes prepared to threaten or kill the accused, and they ensnare the accused in a system that offers them few protections and presumes them guilty. They must be repealed.
- A pall of fear hangs over those working in Pakistan's criminal justice system, preventing lawyers, police, prosecutors, and judges from carrying out their jobs effectively. Lawyers who have defended people accused of violating blasphemy laws have been targeted by mobs and gunned down in the street. There is no justice in such a system.
- The U.S. must recommit itself to promoting

religious freedom across the world. Given the U.S.'s longstanding relationship with Pakistan, we will use all diplomatic means to urge Pakistani authorities to protect individuals ensnared by these draconian laws.

RECOMMENDATIONS:

- The U.S. should direct its permanent representative to the UN to repeatedly raise concerns about Pakistan's blasphemy laws, to use all relevant UN mechanisms to urge the Pakistani authorities to repeal the laws, and—pending appeal—to put procedural safeguards in place to prevent the abuse of the blasphemy laws.
- The U.S. should dispatch the United States Ambassador at Large for International Religious Freedom to Pakistan to urge the Pakistani government to immediately and unconditionally release those deprived of their liberty under the blasphemy laws.
- The U.S. must ensure that any training or cooperation in regard to the criminal justice sector in Pakistan, including police and other law enforcement officials, prosecutors, defense lawyers, and judges, includes a specific human rights component, particularly in regard to their specific roles in respecting and protecting human rights in blasphemy cases.

ADDITIONAL RESOURCES:

- Authorities in Pakistan must unconditionally release Junaid Hafeez (2019) <https://www.amnesty.org/en/latest/news/2019/09/pakistan-authorities-immediately-unconditionally-release-junaid-hafeez/>
- Research: 'As Good As Dead' – The Impact of Blasphemy Laws in Pakistan (2016) <https://www.amnesty.org/download/Documents/ASA3351362016ENGLISH.PDF>

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POLAND

THE ISSUE:

SUPPORT THE STRUGGLE OF THE JUDGES, PROSECUTORS AND LAWYERS FOR THE INDEPENDENCE OF THE JUDICIARY

Since late 2015, the government of Poland has implemented legal and policy changes that undermine the independence of the judiciary. This represents a problem for both the judiciary and for people in Poland who rely on the courts to protect their human rights. Dozens of judges who spoke out against the government's "reforms" faced disciplinary proceedings, and there are some cases of the authorities considering use criminal charges, such as defamation.

In 2016, the government took control over the Constitutional Tribunal, a court in charge of reviewing adopted legislation as well as individual human rights petitions. Then, in 2017, the government targeted the National Council of the Judiciary (NCJ), a constitutional body responsible for safeguarding the independence of the judiciary in Poland. It has 25 members, of which 15 are judges. While in the past, the judges were elected by their peers, now they are elected by the Parliament. In December 2019, the Supreme Court ruled that the National Council of the Judiciary was appointed in a manner that does not guarantee its independence.

In July 2017, the President of Poland signed an amendment to the Law on the System of Common Courts. The law empowered the Minister of Justice to dismiss and appoint presidents and vice-presidents of courts. In the first six months of the law entering into force, the Minister had the power to replace the presidents or vice-presidents without providing any justification whatsoever. Within that period, the Minister dismissed and subsequently appointed at least 130 presidents and vice-presidents of common courts.

In 2018, the independence of the judiciary received another blow. The Ministry of Justice started implementing the new disciplinary regime. Professional associations of judges in Poland have spoken out against the new system of disciplinary proceedings, the power over which is concentrated in the hands of the Minister of Justice. The Association of Judges has likened the new system of disciplinary proceedings as like an "inquisition." Amnesty International has raised concerns that the proceedings were using against judges in some cases for simply doing their work.

The government's campaign against judicial independence has had real life consequences for judges and for people petitioning for justice. Judges who spoke out against the government's policies have told Amnesty that they have received hate mail, abusive text messages, and even smear campaigns on national television. The number of peaceful protestors facing prosecutions has increased.

THE HUMAN COST:

On November 11, 2017, during the annual Independence Day march in Warsaw, 14 women stood near one of the main bridges and opened a 7-meter-long banner that read "Fascism Stop." The march has attracted extremist, far-right demonstrators since its inception. The march participants responded by verbally and physically attacking the women. Videos obtained by Amnesty International depict marchers kicking, hitting, spitting on, and verbally abusing the 14 women. Some people grabbed one of them by the neck and dragged her onto the pavement. Others violently pushed another of the women protestors to the ground; she lost consciousness and had to be attended to by medical personnel.

Upon arrival, the police ID-checked the women and questioned their presence at the march. The police did not approach or question any of the marchers.

In September 2018, the prosecutor closed the investigation into the complaint filed by the 14 women who alleged they had been verbally and physically attacked. While an investigation was restarted following an appeal by the women, it was then shuttered for a second time. Instead, the women themselves faced fines for “interfering with a lawful assembly” in a separate proceeding. These charges against the women were finally quashed in late 2019.

TALKING POINTS:

- The changes in Poland’s judiciary are not a “reform,” they were weaponized to put the judiciary under the control of the government.
- Judges who speak out must not be smeared and harassed.

RECOMMENDATIONS:

- The United States should defend the independence of Poland’s judiciary by creating avenues for U.S. judges to participate in exchange programs with their Polish counterparts.
- The United States should leverage its influence in relevant multilateral bodies to press the government of Poland to reverse its attacks on judicial independence. This includes raising concerns about the government’s policies at the OSCE and expressing support for Article 7 proceedings against Poland in the European Union.

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RUSSIA

THE ISSUE:

The government of Russia's human rights record is abysmal. Russian officials have leveraged the full power of the state's legislative, judicial, and carceral powers to suppress dissent. In doing so, they have suppressed peaceful demonstrations, targeted vulnerable communities, and jailed critics.

In 2017, Russians outraged at the Kremlin's proposals to cut social benefits and at the endemic corruption in government took to the streets. While demonstrations have frequently taken place in Moscow and St. Petersburg, the 2017 protests marked an escalation, as tens of thousands marched in cities across the country. Since that time, Russia's security services have responded to this new wave of mostly peaceful activism with ferocity. The government has used a raft of measures to stifle dissent: preemptively arresting opposition leaders, cordoning off city streets, denying permits to organizers, slapping participants with heavy fines, beating demonstrators with batons, and arresting people en masse.

These human rights abuses are buoyed by an array of legislation that empowers the government to silence dissent. In 2012, President Vladimir Putin signed a law requiring any NGO receiving foreign funding and engaging in "political activity" to register as a "foreign agent," broadly interpreted by many Russians to signify a spy. In 2017, the bill's scope was expanded to cover foreign-funded media and in 2019, the "foreign agents" status was expanded to cover individuals. In 2015, a separate law allowed the Russian government to shutter organizations it deems "undesirable."

Members of the LGBTI community have particularly faced violence at the hands of Russian government. In 2017, security services in Chechnya arrested 100 men who are gay or perceived to be gay. The men reported being beaten, tortured, and forced to disclose the names of other LGBT individuals. Some of those detained were killed. Despite massive international condemnation, Chechen authorities resumed the crackdown in

2019. Over 40 individuals were arrested, and at least two people are reported to have been tortured to death.

THE HUMAN COST:

Dedicated to chronicling abuses in the Soviet Union and spotlighting current human rights violations, Memorial is one of the most storied civic organizations operating across the former Soviet Union. In Russia, the organization is under sustained attack. In 2009, Natalia Estemirova, a researcher for the organization in the North Caucasus, was abducted by unknown assailants and subsequently shot. In 2018, her successor—Oyub Titiev—was arrested on fabricated drug charges. He was paroled after spending one and a half years in prison. Memorial's offices have repeatedly been subjected to raids by security personnel. As of December 2019, Memorial has been fined 19 times by the Russian government under the "foreign agents" law.

The Russian government has been meticulous in exporting its human rights abuses. Following a 2008 war with Georgia, Russia exercises effective control over the breakaway regions of South Ossetia/Tskhinvali. There, Russian border guards and de facto authorities have securitized the administrative boundary, eroding living standards, limiting freedom of movement, and cutting off Georgians from their livelihoods and places of worship. Between February and March 2014, the government of the Russian Federation occupied and illegally annexed Ukraine's

Crimean Peninsula. Since the annexation, the Kremlin has targeted the Crimean Tatar community with a campaign of repression. Crimean Tatar activists have been arrested, media outlets shuttered, and elected representative bodies disbanded.

TALKING POINTS:

- The assault on the LGBTI community in Russia is horrific. We have a choice: we can choose to live in a world where people are tortured and killed for who they love, and where those in power turn a blind eye to abuses, or we can live in a world of justice, decency, and respect for international law. It must be the policy of the United States to pursue this other, better world.
- The government of Russia calls activists, protestors, and NGOs foreign agents and undesirables. None of these slurs can change the truth: what they truly are is brave.

RECOMMENDATIONS:

- The United States should provide additional opportunities for young Russian reformers in civic society, government, and business to strengthen their skills by investing heavily in people to people and cultural exchanges. These programs have benefited from decades of bipartisan support. They can empower Russian activists and reformers—frequently isolated and denied opportunities by the Kremlin—to gain a broader perspective on issues that impact their communities.
- The United States should provide safe sanctuary to individuals targeted for repression by Russia's government, including members of the LGBTI community in Chechnya fleeing torture and killing at the hands of their government.

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TURKEY

THE ISSUE:

THE RIGHT TO EXPRESS FREEDOM OF EXPRESSION

In Turkey, the crackdown on real or perceived dissent continues, despite the end of the two-year long state of emergency in July 2018. Thousands of people are held in lengthy and punitive pre-trial detention, often without any credible evidence of their having committed any crime recognizable under international law. Journalists, political activists, human rights defenders, and people considered critical of the current government see their rights to freedom of expression and peaceful assembly severely restricted through lengthy pre-trial detention and trumped-up criminal charges. The authorities arbitrarily ban demonstrations and use unnecessary or excessive force to disperse peaceful protestors.

Criminal investigations and prosecutions under anti-terrorism laws and punitive pre-trial detention continue to be used, in the absence of evidence of any criminal wrongdoing, to silence real or perceived dissent. At least 839 social media accounts have been investigated for allegedly “sharing criminal content” related to “Operation Peace Spring.” Hundreds of people were taken into police custody and at least 24 were remanded in pre-trial detention.

Over 100 journalists and other media workers are in prison, either held in pre-trial detention or serving a custodial sentence. Some of those investigated and prosecuted under anti-terrorism laws were convicted and sentenced to years of imprisonment, their peaceful journalistic work presented as evidence of a criminal offence. Dozens of human rights defenders face criminal investigations and prosecutions and are detained in police custody or imprisoned for their human rights work, and opposition politicians and activists are continually arrested, tried, and convicted for crimes such as, for example, “making propaganda for a terrorist organization” in the case where 10 academics signed a peace petition in 2016 criticizing indefinite curfews and security operations in southeastern Turkey.

THE HUMAN COST:

Author Ahmet Altan and broadcaster Nazlı Ilıcak have spent over three years in prison, the majority of which was in pre-trial, solely based on their critical writings and broadcast media commentary. On 4 November 2019, Ahmet Altan was sentenced to 10 and a half years in prison. Nazlı Ilıcak was sentenced to eight years and nine months in prison on ludicrous charges of ‘aiding a terrorist organization without being its member.’ Both Ahmet Altan and Nazlı Ilıcak were released pending their appeals by the Istanbul Heavy Penal Court No. 26, subject to foreign travel bans.

The prosecutor appealed against Ahmet Altan’s release on November 6. On November 8, the Istanbul Heavy Penal Court No. 26 rejected the prosecutor’s request for Ahmet Altan’s return to prison, referring it to the Heavy Penal Court No. 27, which accepted the prosecutor’s appeal on November 12. While Ahmet Altan’s lawyers were not informed of the decision, it was leaked to media. Ahmet Altan was taken into police custody the same evening at his home in Istanbul.

Ahmet Altan’s re-arrest and detention give every appearance of being politically motivated, arbitrary, and incompatible with the right to liberty under Article 5 of the European Convention on Human Rights, which

prohibits all arbitrary deprivation of liberty. The European Court of Human Rights has held that arbitrariness can arise where there has been an element of bad faith on the part of the authorities. His continued arbitrary detention in prison is a serious violation of his rights.

RECOMMENDATIONS:

The United States should:

- Use all diplomatic opportunities with Turkey to raise concern about the unfair and unlawful restrictions of the right to freedom of expression of journalists, human rights defenders, politicians and others
- Urge Turkey to end the crackdown on peaceful dissenting opinion through trumped up criminal investigations, prosecutions and the punitive use of lengthy pre-trial detention to silence dissent.

ADDITIONAL RESOURCES:

- Turkey: Prosecution call for jail term of up to 15 years for six human rights defenders, including Amnesty's honorary chair and former director, defies logic <https://www.amnesty.org/en/latest/news/2019/11/turkey-amnestys-exdirector-and-honorary-chair-must-be-acquitted-in-absurd-terror-trial/>
- “We can’t complain”: Turkey’s continuing crackdown on dissent over its military operation “Peace Spring” in north-east Syria <https://www.amnesty.org/en/documents/eur44/1335/2019/en/>
- Turkey: “Judicial reform” package is a lost opportunity to address deep flaws in the justice system <https://www.amnesty.org/en/documents/eur44/1161/2019/en/>
- Turkey: Deepening backslide in human rights: Amnesty International submission for the UN Universal Periodic Review, 35th session of the UPR Working Group, January 2020 <https://www.amnesty.org/en/documents/eur44/0834/2019/en/>

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UKRAINE

THE ISSUE:

Civil society activists are a driving force of change and reforms in Ukraine. They are at the frontline of fighting corruption and defending human rights. Because of their success, anti-corruption campaigners, journalists, and LGBTI and women's rights activists are increasingly being physically attacked and threatened. Many sustained injuries and were silenced by violence. Some of them have paid with their lives for their work, like anti-corruption activist Kateryna Handziuk, who was attacked with sulfuric acid in July 2018 and died in November 2018 from her injuries.

Impunity for such attacks is endemic; perpetrators and organizers of the attacks often remain unpunished, and it emboldens them to plan and execute new attacks. Women, LGBTI people, and ethnic minorities are at greater risk since the hate motive of attacks against them is often not taken into account by police investigators. Unaddressed violence often leads to self-censorship, shrinking the space for activists to speak out, including online and at public gatherings.

From 2017-2019, Amnesty International documented a number of cases when victims were not aware of any progress in the investigation of attacks against them, let alone being contacted by the investigators after filing a complaint. Publicity and statements by foreign governments and international organizations often help move investigations forward, but this does not help address the problem at the systemic level.

Investigation departments within the National Police of Ukraine remain largely unreformed, unlike the patrol police, who underwent a sweeping reform to great success – in many ways thanks to the US government's financial aid and supervision. This positive experience could be applied in reforming the police investigation departments.

THE HUMAN COST:

Vitalina Koval organized a women's rights public action on 8 March 2018 to mark International Women's Day. During the event, two men and four women from a local hate group threw red paint all over Vitalina, shouting homophobic slurs. Her eyes began to hurt immediately. She suffered from chemical burns.

Recalling her experience of the attack, Vitalina told Amnesty International: "I felt pain, shock and fear: 'I could go blind!' ... These long minutes it hurt, and I couldn't get the thought that I could lose my sight out of my head."

Since then, Vitalina has received threatening messages and has even been followed home. Within a month, Vitalina decided to relocate from her hometown because she didn't feel safe anymore. The investigation into the attack against her continues, thanks in part to public international outcry. As the result of Amnesty's 2018 Write for Rights campaign, 395,655 actions were taken globally in support of Vitalina, including 54,519 by people inside the U.S.

TALKING POINTS:

The U.S. government must build on its successful experience of aiding Ukraine to reform its patrol police. Helping Ukraine reform police investigation departments would help to address the root causes of endemic

impunity for attacks against activists and thus ensure the activists will be able to continue pushing for reforms in the country without fear of attacks or retaliation.

Many civil society activists in Ukraine are implementing U.S.-funded reform projects, and it is in the United States' best interests to make sure they can do their work without fear of being attacked.

RECOMMENDATIONS:

The United States should:

- Call on the Ukrainian government to take the issue of impunity for attacks seriously and publicly recognize its devastating impact on the work of civil society activists in Ukraine.
- Call on the Ukrainian government to reform police investigation departments, pointing out that impunity for attacks against activists needs to be addressed at the systemic level.
- Consider providing training, consultation and financial aid in order to facilitate the pace and quality of the reform.

ADDITIONAL RESOURCES:

“The authorities’ inaction emboldens rising violence by the far-right” (May 2018), about series of hate crimes that took place between March 2017 and May 2018

<https://www.amnesty.org/en/documents/eur50/8434/2018/en/>

“Address attacks against activists and human rights defenders” (October 2018), a joint statement by Amnesty International, Human Rights Watch, Freedom House and Front Line Defenders that was released amidst growing public protests in Ukraine calling to address the impunity for attacks <https://www.amnesty.org/en/documents/eur50/9201/2018/en/>

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5: MIDDLE EAST &

NORTH AFRICA

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

THE ISSUE:

The international community has long recognized that Israeli settlements are illegal under international law. By continuing with its discriminatory settlement policy, Israel is brazenly breaching multiple UN Security Council Resolutions. In 2019, Israel continued to expand illegal settlements and related infrastructure in the occupied West Bank, including in East Jerusalem.

Israel's policies of settling Israeli civilians in the Occupied Palestinian Territories, wantonly destroying property, and forcibly transferring Palestinians living under occupation violate the Fourth Geneva Convention and are war crimes listed in the statute of the International Criminal Court. Since 1967, Israel has forcibly evicted and displaced entire communities and demolished more than 50,000 Palestinian homes and structures.

Building of settlements in the West Bank—including in East Jerusalem—and transferring the occupying power's civilians into the occupied territory is prohibited without exception. Settlements entirely depend on the large-scale appropriation and destruction of Palestinian private and state property. They are created with the sole purpose of permanently establishing Jewish Israelis on occupied land.

As has been well-documented for many years by the UN, Amnesty International, and other NGOs, Israel's settlement policy is one of the main driving forces behind the mass human rights violations resulting from the occupation, including, but not limited to, violations of the right to life, liberty, security of the person and equal treatment before the law.

THE HUMAN COST:

The Palestinian community of Khan al-Ahmar is surrounded by several illegal Israeli settlements, including Kfar Adumim.

The village is now facing demolition and the forcible transfer of its residents to make way for further illegal settlements. The demolition order includes the village's school, which provides education for some 170 children. If implemented, these actions will constitute war crimes as well as violations of the human rights to adequate housing, education, and non-interference with family and home.

The Israeli authorities have offered the villagers a choice of two possible destinations: a site near the former Jerusalem municipal garbage dump near the village of Abu Dis, or a site in the vicinity of a sewage plant close to the city of Jericho.

After nearly a decade of trying to fight the injustice of this demolition, the residents of Khan al-Ahmar now approach the devastating day when they will see their home of generations torn down before their eyes. This act is not only heartless and discriminatory; it is illegal. The forcible transfer of the Khan al-Ahmar community amounts to a war crime. Israel must end its policy of destroying Palestinians' homes and livelihoods to make way for settlements.

TALKING POINTS:

In November 2019, the U.S. government announced that it would not consider Israeli settlements in the West Bank illegal under international law. The U.S. has given Israel the green light to continue with its settlement building and expansion policy, which has been a hallmark of Israel's brutal five-decade long occupation. The United States must acknowledge the settlements as illegal and actively cooperate to bring them to an end.

RECOMMENDATIONS:

- Acknowledge that the settlements breach international law and should actively cooperate to bring this situation to an end.
- Take regulatory action to ban any companies domiciled or headquartered in the United States from conducting business in or with settlements or settlement actors.
- Support the work of the UN Database of Business Activities in the Israeli Settlements and the UN Office of the High Commissioner for Human Rights in compiling and regularly updating the UN Database, a necessary tool to promote greater transparency, accountability, and respect for international law by both states and businesses.

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LEBANON

THE ISSUE:

A wave of nationwide protests erupted October 17, 2019, against a ruling class accused of steering Lebanon towards its worst economic crisis since the 1975-1990 armed conflict. The Lawyers' Committee to Defend Protesters in Lebanon estimates that security forces have arrested as many as 100 people across the country, including five children (under the age of 18) since early 2020. The Lebanese Red Cross reported that 47 people were injured on Wednesday, January 15, 2019, 37 of whom were taken to nearby hospitals. The recent escalation took place as protesters called for a "week of rage" in reaction to the spiraling economic crisis and what they characterize as the authorities' failure to take any meaningful measures to address this crisis.

Mass protests swept across Lebanon in late 2019 and early 2020 shortly after the government announced new tax measures on October 17, 2019. Tens of thousands of peaceful protesters from different religious and class sectors of society assembled in cities across the country accusing the political leadership of corruption and calling for social and economic reforms.

Underlying frustration with the government and the political elite had been accumulating for years. Public anger has escalated in recent years over electricity and water shortages, as well as the government's failure to manage the country's waste and economic crises.

While protesters remain overwhelmingly peaceful, Amnesty International documented a range of human rights violations by the Lebanese authorities across different cities where protests have been taking place.

TALKING POINTS:

- Failure to protect peaceful protesters who come under attack from supporters of Amal and Hizbullah, or who are mistreated at the hands of security services, is a human rights violation.
- Excessive use of force by the Lebanese army and security forces, including the use of live ammunition against protesters along with the use of tear gas and rubber bullets, has caused hundreds of injuries and one death. This response, sanctioned by the government, must end.
- Violations during arrest and unlawful detention of peaceful protestors in different areas of Lebanon must end immediately.

RECOMMENDATIONS:

- The U.S. government must pressure the Lebanese government to end torture, end unlawful detention, and respect the human rights of individuals, including by:
 - ◇ Ensuring that the army and security forces end the use of unnecessary or excessive force against peaceful protesters and protect peaceful protesters from intimidation or violent attacks from other groups, and
 - ◇ Ensuring that the judiciary orders an independent and impartial investigation into unlawful use of force.

ADDITIONAL RESOURCES:

- Amnesty International, 17 January 2020. “The Lebanon Protests Explained.” <https://www.amnesty.org/en/latest/news/2019/11/lebanon-protests-explained/>

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LIBYA

THE ISSUE:

Since the self-proclaimed Libyan National Army (LNA), under the command of General Haftar, attacked the Government of National Accord (GNA) capital of Tripoli in March 2019, there has been a consistent deterioration in the human rights and humanitarian situation in Libya. The worsening crisis and tremendous suffering of people in Libya are compounded by the military stalemate and danger of a return to full-scale civil war.

The crisis in Libya continues to involve systematic and gross human rights violations by State and non-State actors. Those include: killing and injuring civilians through indiscriminate strikes, torture and ill-treatment, rape and other acts of sexual violence, arbitrary arrests and detention, forced displacement, enforced disappearances, and other unlawful killings.

Migrants and refugees also continue to face dangers from the conflict. According to Kate Gilmore, the United Nation's Deputy High Commissioner for Human Rights, of the 4,900 migrants detained in inhuman conditions in Libya, 3,500 are held in conflict areas, many in or next to militia compounds or ammunition stores. One in five of these detainees is a child. The Deputy High Commissioner has reported to the Human Rights Council that migrants are being subject to "unimaginable horrors," describing the reports of sexual violence, torture, and extortion against detained migrants as "the most harrowing accounts I have ever heard."

EXTERNAL FACTORS MAINTAIN ILLEGAL FLOW OF ARMS TO LIBYA

Recent fighting in Tripoli has killed and wounded over 100 civilians, including dozens of detained migrants and refugees caught in airstrikes and artillery barrages, and displaced over 100,000 civilians living near the city. Militias on both sides continue to launch indiscriminate strikes, often using inherently inaccurate weapons. Attacks have also been directed against health workers and health facilities. Both sides have shown utter disregard for the fundamental principles of international humanitarian law forbidding such attacks.

Most of the weapons used by the warring parties have been older munitions, likely obtained from pre-2011 stocks. However, both sides have also increasingly deployed new drones equipped with air-launched guided missiles against military and civilian targets. The GNA drones are provided and operated by Turkey, while the LNA uses Chinese drones operated by the United Arab Emirates. The provision, deployment, and use of these weapons constitute a violation of a UN arms embargo that has been in place since 2011.

THE HUMAN COST:

On July 17, 2019, Libyan parliamentarian and prominent women's rights defender Siham Sergiwa was abducted from her home in Benghazi by armed gunmen—allegedly associated with the LNA—after publicly criticizing the LNA's military campaign led by General Haftar to seize Tripoli. There are grave fears that she is at risk of torture and may have been killed.

Dr. Sergiwa is a member of the Libyan Parliament who advocated for women's rights and criticized General Haftar. She appears to have come under attack as punishment for peacefully expressing her opinions and criticizing the LNA's offensive on Tripoli.

Since 2014, Libyan women's rights defenders have routinely been targeted with assassination, attempted killings, abduction, physical assault, and sexual violence, as well as death threats, harassment, and smear

campaigns on social media.

TALKING POINTS:

- According to UN statistics, more than 284 civilians were killed and more than 140,000 displaced as a result of the armed conflict in Libya in 2019.
- Libya has become a battleground where Russia, Egypt, Turkey, the UAE, France, and Italy battle for influence at the cost of human lives.

RECOMMENDATIONS:

- The U.S. should instruct its Permanent Representative to the United Nations work within the United Nations system to demand full compliance with the United Nations Arms Embargo against Libya and strengthen mechanisms for uncovering violations of the embargo.
- The U.S. should dedicate financial and personnel resources to assist efforts undertaken by the Libyan government, the United Nations Support Mission for Libya (UNSMIL), and international institutions such as the African Court for Human Rights and the International Criminal Court to establish pathways to restoring the rule of law and an accountability mechanism in Libya and to investigate violations of international human rights and humanitarian law. Additional resources should be dedicated to ensuring that the Libyan government, the International Organisation for Migration (IOM), and the United Nations High Commissioner for Refugees (UNHCR) are able to establish and maintain a migration management and an asylum system throughout Libya that is consistent with international standards, including those pertaining to human rights.

ADDITIONAL RESOURCES:

- Oral update of the United Nations High Commissioner for Human Rights on Libya pursuant to Human Rights Council resolution <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25048&LangID=E>
- Libya's Relentless Militia War <https://www.amnesty.org/en/documents/mde19/1201/2019/en/>
- Amnesty International Siham Sergiwa Urgent Action <https://www.amnesty.org/download/Documents/MDE1912632019ENGLISH.pdf>

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SAUDI ARABIA

THE ISSUE:

The U.S. must end its complicity in the Saudi-UAE led coalitions violations in Yemen, some of which amount to war crimes, by banning arms sales to the coalition.

The discovery of U.S. munitions amongst the rubble of civilian markets, homes, hospitals, and hotels has been a constant throughout Yemen's devastating war. Amnesty International has repeatedly found evidence that U.S.-made munitions have been used by coalition forces to target civilians. The evidence is overwhelming: investigations by United Nations bodies, media outlets, and numerous other human rights organizations have reached similar conclusions. In one example from August 2017, a U.S. manufactured bomb was dropped in a residential area, leading to 16 civilian deaths in Yemen's largest city, Sana'a. As a result of the airstrike, five-year-old Buthaina was the sole survivor in her family; the bomb killed her parents and five siblings.

Although a host of European countries have suspended arms transfers to the coalition, the U.S. government continues to provide it with military support and arms sales. U.S. manufactured arms have also been diverted into the hands of Huthi and other armed groups fighting in Yemen. U.S. military support has included:

- Mid-air refueling support that facilitated airstrikes, including on civilian infrastructure;
- Logistical support and assistance identifying targets for aerial bombardment; and
- Sale of 30 F-15 fourth-generation fighter jets, 84 combat helicopters, 110 air-to-surface cruise missiles, and nearly 20,000 guided bombs.

All warring parties have openly flaunted international law, causing massive civilian casualties. Amnesty International has documented 36 airstrikes across six different governorates by the coalition that appear to have violated international law. These airstrikes have claimed more than 500 civilian lives and appear to have deliberately targeted civilian infrastructure such as hospitals, schools, markets, and mosques.

TALKING POINTS:

- In 2015, Saudi Arabia and eight other states—backed by the U.S., U.K., and France—began airstrikes against a rebel group known as the Huthis in Yemen. The fighting has resulted in a humanitarian crisis of historic proportions.
- 22 million Yemenis must rely on humanitarian assistance to survive, and half that number are at risk of famine.
- 400,000 children are at risk of starving to death.
- According to the World Health Organization, Yemen is struggling to contain the worst cholera outbreak in the world.
- A blockade of Yemen's ports of entry by the Saudi-U.A.E. led coalition has restricted aid from entering the country, triggering a famine which threatens the lives of 12 million people.

RECOMMENDATIONS:

- The United States must immediately suspend weapons sales to Saudi Arabia and the UAE.
- The President must call on the State Department to produce a report on violations of international law by all actors in the Yemen conflict and a separate report on human rights in Saudi Arabia.

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SYRIA

THE ISSUE:

Parties to the armed conflict in Syria committed war crimes and other grave violations of international humanitarian law and human rights abuses with impunity. Government and allied forces, including Russia, carried out indiscriminate attacks and direct attacks on civilians and civilian objects using aerial and artillery bombing, including with chemical and other internationally banned weapons, killing and injuring hundreds.

Government forces maintained lengthy sieges on densely populated areas, restricting access to humanitarian and medical aid to thousands of civilians. Government forces and foreign governments negotiated local agreements which led to the forced displacement of thousands of civilians following prolonged sieges and unlawful attacks.

Security forces arrested and continued to detain tens of thousands of people, including peaceful activists, humanitarian workers, lawyers, and journalists, subjecting many to enforced disappearances, torture, or other ill-treatment and causing deaths in detention.

Armed opposition groups indiscriminately shelled civilian areas and subjected predominantly civilian areas to prolonged sieges, restricting access to humanitarian and medical aid. The armed group calling itself Islamic State (IS) unlawfully killed and shelled civilians and used them as human shields. US-led coalition forces carried out attacks on IS in which civilians were killed and injured, at times violating international humanitarian law. By the end of the year, the conflict had caused the deaths of more than 400,000 people and displaced more than 11 million people within and outside Syria.

THE HUMAN COST:

Ali Mahmoud Othman: From the outset of the Syrian uprising in mid-March 2011, the Syrian government has struggled to prevent news of its violent crackdown on the protests from reaching the outside world. In Homs in February 2012, Ali Mahmoud Othman was part of a network of activists who ran the makeshift Homs media center, a temporary house used as a base by citizen journalists and media activists who were posting footage and information online and broadcasting news reports.

Ali Mahmoud Othman was also well-known for helping foreign journalists enter Baba Amr, and for facilitating the movement of foreign journalists in and out of Homs—including journalist Paul Conroy and French reporter Edith Bouvier after they were injured in shelling.

After he disappeared in March 2012, released detainees claimed to have seen him at a Military Intelligence branch in Aleppo and later at the Palestine Branch detention center in Damascus, but his family was never told where he was being held or why until he appeared on Syria state TV in May 2012, where the presenter explained that Ali Mahmoud Othman had been arrested for being a media worker who co-operated with “external powers plotting against Syria.” No one has heard from Ali Mahmoud Othman since the televised interview, and his family remains without any information about his fate and whether he was charged with any offenses.

TALKING POINTS:

- The failure to renew the mechanism established by UN Resolution 2165 in 2014, which had enabled

UN humanitarian agencies to deliver aid across the Turkish border to areas of northern Syria controlled by armed opposition groups, will seriously exacerbate the already dire humanitarian situation, especially in Idlib and surrounding areas.

- Civilians paid a very high price for Raqqa’s devastating ‘liberation’ by U.S.-led forces. Amnesty international has detailed the emblematic stories of four civilian families who were brutally impacted by the relentless aerial bombardment. Between them, they lost 90 relatives and neighbors – 39 from a single family – almost all of them killed by Coalition air strikes. They are part of a wider pattern and provide a strong case that many Coalition attacks that killed and injured civilians and destroyed homes and infrastructure violated international humanitarian law.
- The scope of detention of political prisoners and prisoners of conscience by the Assad government remains unchallenged. These prisoners are stripped of political and legal rights and are subject to widespread torture and ill-treatment in detention. At Saydnaya Military Prison, the Syrian authorities organized the killing of thousands of people in their custody. Amnesty International’s research shows that the murder, torture, enforced disappearance, and extermination carried out at Saydnaya since 2011 has been perpetrated as part of an attack against the civilian population that has been widespread, as well as systematic, and carried out in furtherance of state policy.

RECOMMENDATIONS:

- The United States should:
 - ◇ Work with the UN Security Council to alleviate humanitarian needs throughout Syria, currently most pressingly in the Idlib region.
 - ◇ Remove policies hindering the resettlement of Syrian refugees. In line with UNHCR’s recommendations about resettlement of Syrian refugees to relieve pressure on the host countries, the United States should increase the number of Syrians accepted for resettlement.
 - ◇ Publicly acknowledge the loss of civilian lives in the attacks on Raqqa made by the US-led coalition, and be transparent in providing information needed for investigations of the attacks. The government should commit to independent and impartial investigations of potential international law violations.

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BACK COVER PHOTO: Kaden* and his family outside their home in Zaatari refugee camp in Jordan. They would like to be resettled anywhere, and are unable to return to Syria.
*Name changed. © *Amnesty International*





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