



September 21, 2020

Rep. Ami Bera  
Chairman  
Subcommittee on Asia, the Pacific, and  
Nonproliferation  
House Committee on Foreign Affairs

Rep. Ted Yoho  
Ranking Member  
Subcommittee on Asia, the Pacific, and  
Nonproliferation  
House Committee on Foreign Affairs

**Re: September 22 hearing on “Stemming a Receding Tide: Human Rights and Democratic Values in Asia”**

Dear Chairman Bera, Ranking Member Yoho, and Members of the Subcommittee:

On behalf of Amnesty International, we submit the following statement on the situation of human rights in Asia. Human rights crises are rocking every country in Asia. Many governments have used the COVID-19 pandemic as a pretext to impose heavy-handed repressive measures while others have jailed human rights defenders and peaceful dissenters.

**China:** 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. Human rights defenders, including lawyers and activists, are increasingly subjected to monitoring, harassment, intimidation, detention, and imprisonment.

In July 2015, an unprecedented [government crackdown](#) on human rights lawyers and other activists began during which at least 250 targeted individuals were questioned or detained by state security agents. Many detained human rights lawyers and activists were held incommunicado for months awaiting trial. Some of them suffered torture and other ill-treatment during detention.

The internment of predominantly Muslim ethnic groups in Xinjiang Uyghur Autonomous Region (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 even 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](#) where they have endured a litany of human rights violations.

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.

[Protests](#) arose in September 2020 in China's Inner Mongolia Autonomous Region in response to a new "bilingual education policy" that would gradually change the teaching medium of several different classes from Mongolian to Mandarin Chinese throughout the nine years of compulsory schooling. At least 23 individuals have reportedly been arrested for "picking quarrels and provoking trouble" for participating in, or sharing information about, the peaceful protests. The authorities have yet to release information about the whereabouts of arrested individuals.

The U.S. must recognize that a rights-respecting China is a U.S. national security imperative and would help the U.S. achieve its other political, economic, and security goals. Congress should robustly fund and support human rights non-governmental organizations that support human rights defenders including through prison visits, legal representations, consultations with human rights defenders, provisions of visas, and trial monitoring in China.

The situation in Xinjiang is graver than ever. The United States should make this human rights crisis a national security priority by calling for and supporting a [UN fact-finding mission to Xinjiang](#), holding accountable the Chinese government officials who are responsible for abuses, and providing protection opportunities to Uyghurs and other persecuted populations from Xinjiang to ensure humanitarian pathways to the U.S.

**Hong Kong:** On June 30 China's top legislative body passed a [draconian national security law](#) for Hong Kong that entered into force the same day. Under the new law, "secession," "subversion," "terrorism," and "collusion with foreign forces" incur maximum penalties of life imprisonment. The law is dangerously vague and asserts jurisdiction over alleged offenses committed outside Hong Kong. The overly broad and imprecise definitions in the legislation mean that virtually anyone exercising their right to free expression anywhere in the world could be deemed a threat to "national security" and prosecuted.

Immediately after the law passed, authorities began using it to crack down on legitimate and peaceful expression. People were arrested for possessing flags, stickers and banners with political slogans. Four student activists were [arrested over social media posts](#) allegedly "inciting secession" under the new law and are potentially facing life sentences. Twelve candidates who advocate viewpoints at odds with those of the government were [disqualified](#) from running in Hong Kong's Legislative Council elections. On August 10, Hong Kong police raided the offices of [pro-democracy newspaper Apple Daily](#) and arrested owner Jimmy Lai and five others for "collusion with a foreign country or external forces to endanger national security" under the new national security law.

Moreover, on August 23, the Chinese coast guard [arrested 12 Hong Kongers](#) for allegedly crossing the border between Hong Kong and China in secret in a speedboat. Two of them were under 18 years old when arrested. Held incommunicado, without access to their family and family-hired lawyers, they are at imminent risk of torture and other ill-treatment.

Four family-hired lawyers from mainland China dropped the cases after they were threatened by authorities.

U.S. officials should support the human rights of the people of Hong Kong in its bilateral and multilateral dialogues with China both publicly and privately and urge the Chinese government and Hong Kong authorities to repeal or amend the National Security Law on the basis that it is incompatible with Hong Kong's international human rights obligations and stop using the National Security Law to disproportionately limit peaceful expression.

The United States should closely monitor the treatment of individuals who are criminally prosecuted, detained, or imprisoned on the basis of the National Security Law and insist that authorities comply with international human rights standards.

**Rohingya in Bangladesh and Myanmar:** Nearly one million Rohingya, a persecuted mostly Muslim minority in Myanmar, have fled waves of violent attacks in the country since 1978 and sought refuge in neighboring Bangladesh. The overwhelming majority of them began arriving three years ago, starting on August 25, 2017, when more than 740,000 Rohingya fled Myanmar after their homes were burned, and at least 10,000 Rohingya women, men and children were killed in a devastating campaign of violence by the Myanmar security forces.

The conditions in Myanmar, where crimes against humanity against the Rohingya continue to be committed and there has been no meaningful accountability, are not conducive for the "safe, dignified, voluntary, and sustainable" returns of the Rohingya refugees in Bangladesh. Amnesty International continues to receive video and photographs depicting human rights [violations](#) in Rakhine State. Video evidence acquired, verified, and released by Amnesty shows that the situation on the ground in northern Rakhine State is dire. Indeed, Rohingya who did not flee across the border to Bangladesh are a people still under siege from their government, which has not dismantled the apartheid regime that governs every part of their lives. Thus, for the foreseeable future, Rohingya refugees will remain in Bangladesh's Cox's Bazar district.

Amnesty International is calling on the U.S. government and international community to work with Bangladesh's government to develop rights-respecting policies that outline a framework of representation for Rohingya refugees, and that protects their human rights. The United States should continue and increase international humanitarian aid, cooperation and assistance, particularly in the areas of education, vocational training and livelihood for both Rohingya refugees and Bangladesh's host community who has been affected by the influx of refugees.

Further, the U.S. and international community should ensure that any international aid, development projects or financial assistance in Rakhine State are explicitly and specifically contingent on non-discrimination, non-segregation and equality, and that Myanmar takes immediate action to cease ongoing human rights violations against the Rohingya community and other minorities across the country and prevents the destruction of evidence of those violations.

**Thailand:** Amnesty International has long-standing concerns regarding Thailand's failure to prevent or investigate grave violations including torture, [enforced disappearances](#), and extrajudicial killings. Systemic torture and ill-treatment by the military continues to be facilitated by emergency law and decrees allowing individuals to be detained without charge or trial in unofficial places of detention. The delay in passing the draft Prevention and Suppression of Torture and Enforced Disappearance Act, which would criminalize both torture and enforced disappearances, hinders families of the disappeared from claiming their rights and seeking redress.

Moreover, Thailand has held refugee and asylum seekers indefinitely, in [extremely poor conditions](#) in immigration detention centers. Despite committing to avoid forcibly returning individuals to countries where they are at genuine risk of torture or other serious human rights violations, the Thai authorities have continued to forcibly return individuals, including recognized refugees. The Thai authorities should be encouraged to uphold their commitment to protecting the human rights of refugees and be held accountable if they do not.

With these concerns in mind, it is our hope that you carefully consider the Thai government's continuing poor human record and continue to raise concerns with the authorities. By ignoring these abuses, the U.S. government would be implicitly encouraging the continuation of repressive actions that threaten the future of human rights in the country and, indeed, in the region as a whole.

**Philippines:** Since 2016, Philippine President Rodrigo Duterte's "[war on drugs](#)" has resulted in the summary execution of thousands of people by members of the police and vigilantes, some of whom were acting as paid assassins for the police. Human rights defenders critical of the government are increasingly harassed, vilified and attacked. The prevailing climate of impunity in the country has fueled an increase in the killings of activists for their political views.

On August 10, 2020, Philippine activist and peace advocate [Randall Echanis](#) and a neighbor were killed by unidentified individuals. Echanis had been involved in peace negotiations between the government and the National Democratic Front of the Philippines, a coalition of groups involved in an ongoing insurgency in parts of the country. A week later, human rights defender [Zara Alvarez](#) was shot dead, becoming the 13<sup>th</sup> human rights worker of the group Karapatan killed during the Duterte administration. The deaths of Echanis and Alvarez are yet another addition to the intensifying attacks against activists in the country.

On July 3, 2020, President Duterte signed the "[Anti-Terrorism Act of 2020](#)", which puts human rights defenders, pro-democracy activists, civil society organizations and members of the political opposition at greater risk under the government's continuing crackdown against political dissent. Amnesty International has called on the Philippine government to [reject](#) this legislation that contains broad and dangerous provisions and risks further undermining human rights in the country.

The U.S. should demand an end to the extrajudicial executions in the Philippines. To that end, the U.S. government should link future assistance to clear progress in reforming the Philippine National Police and ending the impunity of police officers who commit or oversee unlawful killings.

**Pakistan:** Authorities have repeatedly used [enforced disappearance](#) as an insidious form of extra-judicial punishment, silencing and intimidating political activists, religious minorities, and numerous others. Despite the protestations of Pakistani officials, cases of enforced disappearance are neither rare nor incidental; as of March 2019, the Commission of Inquiry on Enforced Disappearances recorded 2178 unresolved cases.

In one emblematic case, human rights defender [Idris Khattak](#) was forcibly disappeared in November 2019. In a cruel twist of irony, Idris had spent years working to shed light on enforced disappearances in the country. After a sustained public outcry, the Pakistani government acknowledged custody of him but refused to reunite him with his family or charge him with a crime. Idris has yet to be granted access to his lawyer.

Prime Minister Imran Khan's government has formally committed to ending enforced disappearances, and in January 2019, the Minister of Human Rights submitted a draft bill criminalizing the practice. The bill has yet to become law and, to date, no one has ever been punished for taking part in an enforced disappearance in Pakistan. In September, Human Rights Minister Dr Shireen Mazari tweeted that Prime Minister Imran Khan found the practice "unacceptable."

Furthermore, recent events have given Pakistani Christians and Hindus reason to fear for their security in the country. In July 2020, authorities in Pakistan [barred the construction of a Hindu temple](#) following a sustained pressure campaign from well-connected politicians, media outlets and clerics in the country. A part of the temple's site was subsequently destroyed by a mob.

Blasphemy laws continue to pose a profound threat to many of Pakistan's religious minorities. These laws, which broadly proscribe actions, words, or expressions that may be interpreted as insulting to religious sensibilities, are broad, vague, and coercive. At varying times, they have provided license for the government to persecute religious minorities or for violent mobs to harm them. In one famous case, Asia Bibi, a Christian farm worker, was sentenced to death for blasphemy in 2010. Eight years later, Pakistan's Supreme Court acquitted her of all charges. While Asia Bibi has since left the country, her attorney continues to face threats and abuse. The Governor of Punjab [Salman Taseer](#) was shot and killed by his bodyguard in retaliation for publicly defending her.

Muslim minority denominations have not been immune from discrimination and violence. In 2018, an MIT-educated economist was removed from the Prime Minister's Economic Advisory Council after the government faced sustained pressure for appointing him due to his Ahmadiyya faith. Members of the Shi'a Hazara community of Quetta have been the target of violence, including during [a bombing](#) in April 2019 which killed at least 16 people.

The U.S. should publicly call on the government of Prime Minister Imran Khan to follow through on its promises by ending enforced disappearances, criminalizing the practice, and ratifying and implementing into national law the International Convention for the Protection of All Persons from Enforced Disappearance. Moreover, the U.S. should call on the government of Pakistan to identify and account for all victims of enforced disappearance and either release them or promptly charge and prosecute them in civilian court.

The Secretary of State and the United States Ambassador-at-Large for International Religious Freedom should express concern about Pakistan's blasphemy laws to Pakistani officials and urge for their comprehensive repeal.

**Afghanistan:** Afghan women and civil society leaders were not invited to participate in almost all of the nine rounds of negotiations between the U.S. and the Taliban. Those negotiations led to a peace agreement in February 2020 which set forth a shared [understanding of security matters](#), including a cease-fire, the withdrawal of foreign forces, and counterterrorism assurances. It did not, however, provide substantive guarantees for how the rights of women and girls would be protected in the future.

The subsequent *intra-Afghan* dialogue, which kicked off this month, may be marginally more inclusive: women will make up [five members](#) of the 21 member Afghan government negotiating team. There should be no controversy about the need to ensure that women are integrated into a country's decision-making processes. The view that women must play a pivotal role in making peace and protecting their own rights is a view upheld by [UN Security Council resolutions](#), [the U.S. Strategy on Women, Peace, and Security](#), and Afghanistan's [laws and constitution](#). It is also a view repeatedly expressed by members of both parties in the U.S. House and the Senate. The problems facing Afghan women are complex in origin and cannot solely be blamed on any one party to the conflict. The U.S. has been a dominant player in Afghanistan for nearly two decades and has a responsibility to exercise its influence to advance the human rights of women and girls.

The U.S. must prioritize Afghan women and girls as part of any reconstruction effort following the U.S.-Taliban peace treaty. In particular, Congress should call on the Secretary of State in concert with the Administrator of the U.S. Agency for International Development to publicly articulate a plan for supporting the empowerment and inclusion of women and girls in Afghanistan as per language in the bipartisan Afghan Women's Inclusion in Negotiations Act (H.R.4097).

**Sri Lanka:** Dissident voices and critics of the current government, including lawyers, journalists, human rights defenders, and victims of past abuses, are being targeted by the police, intelligence agencies, and pro-government media. In the months following the November 2019 presidential election, a number of organizations reported visits from intelligence officers who sought details of staff, programs and funding, in particular, organizations in the war-affected Northern and Eastern provinces of the country. Such visits are blatant attempts to harass and intimidate Sri Lankan civil society.



On 14 April, Hejaaz Hizbullah, a lawyer who has represented victims of human rights violations, was arrested illegally and without charge under the draconian Prevention of Terrorism Act. He was allowed limited access to his lawyers and family members and remains in arbitrary detention. The day before he was taken into custody, Hizbullah joined others in submitting a letter criticizing the denial of burial rights to the Muslim community under Sri Lanka's COVID-19 regulations

The U.S. has a strong interest in a peaceful and prosperous Sri Lanka and has a shared responsibility to help Sri Lankans restore accountability and the rule of law to their country. The United States should include Sri Lanka in an inter-agency atrocity prevention board review to create a set of policy recommendations to prevent grave human rights abuses. U.S. representatives must reiterate to the Sri Lankan government the importance of upholding human rights, including by attending court hearings in key cases. Congress should substantially increase civil society assistance for human rights groups that are working on truth and reconciliation issues and protecting human rights defenders.

**India:** Since the onset of the COVID-19 pandemic, Indian authorities have been [harassing journalists](#). Authorities accused Masrat Zahra, an award-winning photojournalist, on April 20 of “uploading anti-national posts [on Facebook] with criminal intentions to induce the youth.” The United States must call on Indian authorities to [stop](#) the harassment and intimidation of journalists through draconian laws that threaten the response to the COVID-19 pandemic and [create an atmosphere of fear and reprisal](#).

The February 2020 riots in Delhi claimed the lives of more than 50 people and injured more than 500 people, the majority of whom were Muslims. [An Amnesty International India field investigative briefing](#) revealed a disturbing pattern of serious human rights violations committed by the Delhi police during the riots. Police were complicit and actively participated in violence including use of excessive force against protesters, denial of medical services to victims, and torturing people in custody.

Six months later, Indian authorities have not opened a single investigation into the abuses committed by the Delhi police. By failing to investigate these human rights violations, Indian authorities have allowed the Delhi police to enjoy impunity and evade accountability. Amnesty International calls on Congress and the U.S. government to press India's Ministry of Home Affairs to conduct a prompt, thorough, transparent, independent, and impartial investigation into all allegations of human rights violations committed by Delhi police. Such investigation is essential to holding police officers accountable and bringing justice to victims and their families.

The Indian government's human rights abuses have taken a more severe form in [Jammu and Kashmir](#). On August 5, 2019, the Government of India unilaterally revoked Article 370 of the Indian Constitution, which guaranteed special autonomy to Jammu and Kashmir and bifurcated the state into two separate union territories, bringing the region under the direct control of the central government. These changes took place amidst a complete communication blackout, restrictions on movement, and mass detentions in the region.

The United States must push the United Nations for an independent and impartial fact-finding mission in Kashmir, and call on Indian authorities to immediately end the communications blackout in Kashmir and release all political leaders, journalists, and activists from administrative detention.

**Conclusion:** The U.S. should center human rights as it exerts diplomatic influence across the world, in order to stand with the people who are demanding their freedom. Congress should ensure that U.S. foreign policy in Asia includes a comprehensive and innovative human rights framework, in addition to economic, diplomatic, and security strategies. Without a concerted effort by the U.S. and the international community to strengthen human rights protections in Asia, abusers will continue to shatter human lives and stifle development without impunity. The world is watching to see whether and how the United States will choose to promote universal rights abroad. Congress must now own up to its responsibility to promote and protect human rights globally. Failure to do so will further undermine the United States' credibility and its ability to demonstrate leadership.

Please do not hesitate to contact Joanne Lin with any questions at [jlin@aiusa.org](mailto:jlin@aiusa.org) and 202/281-0017 or Deniz Yuksel at [dyuksel@aiusa.org](mailto:dyuksel@aiusa.org).

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