



December 10, 2020

Rep. Eliot Engel
Chair
House Committee on Foreign Affairs
2170 Rayburn House Office Building,
Washington, D.C. 20515

Rep. Michael McCaul
Ranking Member
House Committee on Foreign Affairs
2170 Rayburn House Office Building,
Washington, D.C. 20515

Re: International Human Rights Priorities for 2021

Dear Chair Engel, Ranking Member McCaul, and Members of the House Foreign Affairs Committee:

On behalf of Amnesty International and our 10 million members, activists, and supporters worldwide, I am writing to share our international human rights priorities for 2021. As the country emerges from the presidential election, the House Foreign Affairs Committee (“HFAC”) can and should use this opportunity to chart out a bipartisan foreign policy agenda that places human rights front and center—and in the process, model for Congress and the country how to find common ground, bring people back together, and advance human rights for all.

While this letter highlights Amnesty International’s topline priorities for 2021, the full suite of Amnesty International’s 80 policy recommendations for the incoming administration can be found here: <https://bidenhumanrightspriorities.amnestyusa.org/>. Our policy briefs address the spectrum of international human rights—organized by thematic area, region of the world, and country.

1. Human Rights Day: Set the stage for a foreign policy reset with a joint bipartisan statement in honor of Human Rights Day — December 10, 2020

To start off, HFAC should honor and promote Human Rights Day by issuing a joint bipartisan statement that signals a bold, transformational approach to human rights. The statement should marry the fight for human rights abroad with the fight for human rights at home. Centered on the right to peaceful protest and restricting police use of force, the

statement should lift up the rights to freedom of expression, association, and assembly. The statement should make connections between U.S. protest movements and protest movements in Nigeria, Belarus, Hong Kong, Thailand, Lebanon, Chile, and elsewhere. The statement should weave together the movements to root out systemic racism in the U.S. with movements to end political corruption, economic inequality, killings by security forces, and climate change worldwide. The statement should affirm the full spectrum of rights grounded in the Universal Declaration of Human Rights (“UDHR”) and should highlight the critical role of human rights defenders (“HRDs”) and civil society.

The statement should urge the incoming administration to rejoin the World Health Organization (“WHO”) and the Paris Climate Accords, and to reverse International Criminal Court (“ICC”) sanctions. Finally, the statement should urge the President-elect to organize a 2021 global forum at the United Nations (“UN”) or State Department (“DOS”) that promotes the full spectrum of human rights and prominently features HRDs and civil society leaders from around the world.

2. Civil Society: Urge All Presidential Appointees to Work Closely with Human Rights Defenders, Journalists, and Civil Society.

Members of the HFAC should encourage all Presidential appointees to meet regularly, and work closely, with human rights advocates and civil society leaders. U.S. Ambassadors and Representatives, prior to their deployment, should meet with U.S.-based human rights advocates with expertise in the relevant country, region, or thematic area. In addition, U.S. Ambassadors and Representatives, once relocated to their post, should meet frequently, and work closely with, HRDs, civil society, and journalists in their assigned country or region.

3. CRITICAL HUMAN RIGHTS LEGISLATION IN 2021

3a. Rescind all the Muslim, Africa, refugee, asylum, and immigration bans

The Trump Administration’s multiple Muslim, Africa, refugee, asylum, and immigration bans violate the rights enshrined in the UDHR and other internationally recognized standards. Congress should immediately reverse policies and procedures that limit refugee resettlement and asylum in the U.S. by passing legislation to rescind the Muslim, African, refugee, asylum, and immigration bans (Presidential Proclamations 9645, 9822, 9983, 9984, 9993, and 10014, and Executive Orders 13769, 13780, 13815, and 13888).

In July 2020 the House passed the National Origin-Based Antidiscrimination for Nonimmigrants Act (“NO BAN Act”) (H.R. 2486, formerly H.R. 2214; S. 1123 in the Senate). The bill would [undo the Trump administration’s Muslim ban](#) in place since 2017; check any President’s ability to discriminate on the basis of religion; rescind initiatives to unlawfully limit the right to seek asylum at the U.S. border; remove impediments placed on refugees who are already subject to more vetting than any other group entering the U.S., and ensure that DOS and Department of Homeland Security (“DHS”) must consult with Congress. The NO BAN Act sends a clear message that the U.S. welcomes and protects people from all faiths and backgrounds.

3b. Protect international human rights amidst COVID-19 pandemic

Leaders around the world have used the [COVID-19 pandemic](#) as cover to arrest critics, intensify surveillance, seize emergency powers, and discriminate against marginalized populations. The bipartisan Protecting Human Rights During Pandemic Act (“PHRDPA”) (S. 3819, H.R. 6986) was introduced in both chambers in June 2020. In late September 2020 the House Foreign Affairs Committee marked up and approved H.R. 6986. The Senate has yet to take up its companion bill.

The [PHRDPA](#) would require DOS and USAID to outline a five-year strategy to address persistent issues related to internationally recognized human rights in the context of the COVID-19 response and authorize the establishment of foreign assistance programs designed specifically to support civil society organizations and human rights defenders in countries where the abuse of emergency measures has resulted in the violation of human rights. The bill would also prohibit, subject to a waiver in extraordinary circumstances, the U.S. government from providing security sector assistance to countries engaging in a “consistent pattern of gross violations of internationally recognized human rights” by way of “emergency laws, policies, or administrative procedures.”

3c. Pass bipartisan Saudi Arabia Accountability and Yemen Act (S.398)

Amnesty International has repeatedly found [evidence](#) that U.S.-made munitions have been used by Saudi Arabia and UAE-led Coalition (“coalition”) forces to target Yemeni civilians. Amnesty has [documented](#) 36 coalition airstrikes across six different governorates 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.

Although European countries have suspended arms transfers to the coalition, the U.S. government continues to provide the coalition with military support and [arms sales](#). The U.S. government, therefore, has been complicit in the coalition's violations in Yemen, some of which amount to war crimes.

In 2019 the Trump administration pushed through emergency arms sales to Saudi Arabia, even over strong bipartisan, bicameral opposition. In an effort to block the arms sales to the coalition, Congress passed three resolutions, all vetoed by the President (Congress failed to meet the [super-majority threshold](#) required to overturn a Presidential veto).

The new House should introduce and pass a companion bill to the Saudi Arabia Accountability and Yemen Act (S.398) to block all future arms sales to the Saudi Arabia-UAE-led coalition.

3d. Halt Myanmar's atrocities against Rohingya and other minorities

In August 2017 Myanmar security forces, led by the Myanmar Army, [attacked the Rohingya](#) in villages across northern Rakhine State, driving more than 740,000 Rohingya into Bangladesh. Myanmar security forces carried out a [relentless and systematic campaign](#), killing at least 10,000 Rohingya including children; raping hundreds of Rohingya women and girls; torturing Rohingya men and boys in detention sites; and burning hundreds of villages in a targeted and deliberate manner. Today more than 54 percent of the Rohingya who had previously lived in northern Rakhine State are now living in mass refugee camps in [Bangladesh](#). Nearly one million Rohingya refugees live in [threadbare camps](#) in Cox's Bazar.

In response to these crimes against humanity, the House in 2019 passed the Burma Unified through Rigorous Military Accountability Act ([H.R. 3190](#)) and Burma Political Prisoners Assistance Act ([H.R. 2327](#)). These bills would apply much needed pressure against Myanmar authorities to halt atrocities against the Rohingya. H.R. 3190 would hold senior Myanmar military officials accountable for human rights abuses, while H.R. 2327 would direct DOS to assist civil society organizations in Myanmar working to free prisoners of conscience. Although the House passed both bills in 2019, the bills have languished in the Senate without a vote.

Congress should take up these bills and quickly pass them in 2021, in order to hold those responsible for these atrocities and to ensure continuing humanitarian assistance to the Rohingya in Bangladesh and Myanmar.

3e. Permanently repeal the Global Gag Rule and Helms Amendment

U.S. foreign policies like the [Global Gag Rule](#) (also known as the Mexico City Policy) and the [Helms Amendment](#) harm the health and other human rights of millions by restricting women and girls, especially those living in developing countries, from [accessing safe abortion services](#). The Helms amendment restricts U.S. foreign aid from going toward abortion services, and the Global Gag Rule prohibits foreign non-governmental organizations that receive U.S. foreign aid from using their own money to educate their communities on safe abortion services, advocate for safer abortion laws, or provide abortion services.

The Helms amendment and Global Gag Rule do not reduce abortion rates; they simply make abortion unsafe. Unsafe abortion is responsible for 13 percent of maternal deaths worldwide and represents one of the four major causes of pregnancy-related mortality and morbidity. Abortion rates have been shown to [increase](#) when the Global Gag Rule is in place, and people lose access to sexual and reproductive health education and services.

In 2021, HFAC should quickly take up and approve the Global HER Act ([S.368](#), [H.R.1055](#)), which would permanently repeal the Global Gag Rule, and a companion bill to the Abortion Is Health Care Everywhere Act ([H.R.7816](#)), which would repeal the Helms amendment.

3f. Lift restrictions on transferring detainees out of Guantánamo Bay

The U.S. government opened the detention center at [Guantánamo Bay](#) in 2002 to house people outside the reach of the law after the 9/11 attacks. Since then, 780 men have been detained at Guantánamo prison. Eighteen years after its opening, 40 detainees remain imprisoned there indefinitely. Most have never been charged with a crime. Five have been cleared for release from Guantánamo prison for years by all relevant national security agencies, yet still remain imprisoned. The few charged have not received fair trials. The prison is not equipped to provide adequate medical care to these aging detainees, many of whom have serious underlying medical conditions, some of them created or exacerbated by U.S.-sponsored torture and ill-treatment.

The Guantánamo prison costs more than \$540 million per year to maintain for 40 prisoners and denies them their rights to due process and humane treatment. Other suspects accused of committing or attempting violence are routinely safely housed in federal detention centers on U.S. soil. They are also routinely tried in U.S. courts.

One of the challenges President Obama faced in closing the Guantánamo prison was the restrictions placed by Congress on [transferring detainees to the U.S.](#), including for trial or medical treatment. HFAC should support amending the National Defense Authorization Act to remove the current restrictions (sec. 1043) that make it impossible to transfer Guantánamo detainees to the U.S.

3g. Support police reform in Nigeria

Beginning in October, [nationwide protests in Nigeria](#) demanded the government implement genuine, comprehensive police reform. While the demands initially focused on the Special Anti-Robbery (“SARS”) police unit, protestors are also calling for accountability for grave human rights violations committed by the SARS and other police units; access to SARS and other police detention centers; the review of the use of force and firearms by security agents to bring them in line with international standards; independent investigation into all cases of violence against protesters; respect and protection for the rights to peaceful protest, including the immediate release of all protesters held merely on grounds of their support of or participation in #EndSARS protests.

The United States is a critical ally of Nigeria and provides the country with significant security assistance. The House must continue to play a role in supporting nonviolent efforts to improve policing and respect for human rights in Nigeria by passing the resolution Supporting the #EndSARS peaceful protest movement in Nigeria ([H.Res.1216](#)).

3h. Protect human rights in Ethiopia

Armed conflict between the federal government of Ethiopia and the regional government of Tigray erupted on November 4. In just a matter of days, over 27,000 Ethiopians fled to Sudan where there is extremely limited capacity to receive and host refugees. There have been confirmed reports of missiles being used to hit targets in Asmara, the capital of Eritrea, and in the Ethiopian state of Amhara. Amnesty International and other human rights groups have received reports of massacres being committed, including one on [November 9](#) that resulted in the deaths of several hundred people. The Federal government also reportedly stripped Tigrayan members of parliament of immunity and has detained them.

The United States will have to play a role in assembling international and regional pressure to ensure human rights are respected and protected by all actors in order to prevent Ethiopia and the Horn of Africa region from being dangerously destabilized. This must include providing humanitarian support to Sudan and any other countries hosting

Ethiopian refugees. At the same time, the Ethiopian government must not be allowed to trample human rights and renege on key human rights reforms that are essential to building trust in national institutions and the government's commitment to the rule of law. The House can play a critical role in this effort by passing the resolution Supporting respect for human rights and encouraging continued democratic progress in Ethiopia, and for other purposes ([H.Res.1183](#)).

4. HFAC should hold hearings on international human rights issues including:

4a. Refugees and displaced peoples: HFAC should hold hearings to examine how the U.S. can fully implement the provisions of the 1951 Refugee Convention and its 1967 Protocol. The hearings should probe explore innovative solutions, including private sponsorship, to protect refugees, migrants, and displaced persons worldwide.

4b. Protest movements: In recent years the world has witnessed a surge in protest movements as huge waves of people have taken to the streets to exercise their right to protest and demand change from those in power. From Nigeria to Belarus to Hong Kong to Lebanon to Chile—many governments have responded to protesters with excessive force, arbitrary detention, and crackdown on civil society in violation of human rights standards.

4c. Debt cancellation for poorer nations recovering from COVID-19 pandemic: The economic fallout of COVID-19 has been devastating for developing countries. The poorest 77 countries will spend nearly \$85 billion in debt repayments in 2020 and 2021. These countries need urgent support from the U.S., the [top bilateral lender to developing countries](#). The U.S. government should call [on the G20 to cancel the debt owed by the poorest countries](#).

4d. Human rights defenders and prisoners of conscience: Since the adoption of the UN Declaration on Human Rights Defenders in 1998, over 4200 human rights defenders (“HRDs”) have been killed worldwide. In 2019 alone 304 HRDs were assassinated for their work with Colombia and the Philippines being the most dangerous countries to be an HRD. Thousands of prisoners of conscience (“POCs”) languish in prisons, sometimes for years on end, in horrendous conditions. Many are subjected to torture and other forms of ill-treatment in severely overcrowded prisons. Countries of particular concern are Saudi Arabia, China, Bahrain, Turkey, Vietnam, United Arab Emirates, and Egypt.

Foreign governments need to immediately investigate and promptly prosecute those found responsible for the killing of HRDs, including the intellectual authors behind such crimes. The US government should also call on foreign governments to repeal any legislation or practices that criminalizes or restricts the work of HRDs, like in India, Turkey, China, Guatemala, and Russia. Amnesty also calls on foreign governments to immediately and unconditionally release all prisoners of conscience around the world, and to fully, impartially, and promptly investigate any allegations of torture or other ill-treatment of POCs, and that those found responsible be held accountable. Foreign governments must guarantee POCs access to legal counsel, medical attention, and family members.

Amnesty International's experts in the U.S. and around the world stand ready to work with the HFAC on any of these human rights issues. We look forward to working with you to protect and advance human rights around the world in 2021 and beyond. Please do not hesitate to contact me at 202/281-0017 or Jlin@aiusa.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joanne Lin".

Joanne Lin
National Director, Advocacy and Government Affairs
Amnesty International USA