



February 10, 2021

Ms. Sumona Guha
Senior Director for South Asia
National Security Council
White House

Re: Amnesty International's South Asia Human Rights Priorities

Dear Ms. Guha:

On behalf of Amnesty International and our 10 million members, activists, and supporters worldwide, we urge the Biden administration to implement the following human rights policy recommendations below:

Myanmar: On February 1 the Myanmar military imposed a [state of emergency](#) under the authority of the Commander-in-Chief, Senior General Min Aung Hlaing, and detained scores of elected civilian officials including State Counsellor Aung San Suu Kyi, President U Win Myint, other senior political figures, activists, and human rights defenders (“HRDs”). Reports are that Suu Kyi has been charged with importing walkie-talkies without the proper paperwork, and that U Win Myint has been charged with violating coronavirus restrictions during the campaign last year. Both charges carry potential three-year sentences. In our 2018 [report](#), Amnesty International named Min Aung Hlaing among those who should be investigated for responsibility for crimes against humanity perpetrated as part of a widespread and systematic attack against the Rohingya population in northern Rakhine State.

The U.S. government should call on Myanmar authorities to drop all [trumped-up charges](#) against Suu Kyi, U Win Myint, and the others arbitrarily detained since the coup and immediately release them. The Myanmar military must guarantee that the rights of those arrested are fully respected, including against ill-treatment, and that they have access to lawyers of their own choice and to their family. The military must confirm their whereabouts and grant them access to medical care.

Rohingya in Bangladesh and Myanmar: Since August 2017 nearly 750,000 [Rohingya](#) have fled violence and attacks in Myanmar to seek refuge in neighboring Bangladesh. The [conditions](#) in Myanmar, where [crimes against humanity](#) continue to be committed with impunity, are not conducive for safe, dignified, voluntary, and sustainable returns of the Rohingya refugees in Bangladesh.

In June 2019 Myanmar authorities imposed [internet shutdowns](#) in Rakhine and Chin States, which lasted until August 2020. During the internet shutdowns it became impossible to get information about the ongoing armed conflict between the Myanmar military and the Arakan Army (a Rakhine ethnic armed group) or the [COVID-19 pandemic](#).

The U.S. government should use all of its diplomatic and political levers to push for the United Nations Security Council to refer the situation in Myanmar to the International Criminal Court to bring those most responsible for atrocity crimes to justice. The U.S. government should create a global coalition to respond to the Myanmar human rights crisis and call for Security Council to impose multilateral targeted sanctions against senior military officials responsible for the atrocities against the Rohingya community and other ethnic minorities in Myanmar.

The U.S. government should increase and sustain its support for humanitarian assistance—including access to education—for refugees in Bangladesh and internally-displaced persons in Myanmar and call for full and unfettered humanitarian access to at-risk populations. 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 take [immediate action](#) to cease ongoing violations against the Rohingya community and prevent the destruction of evidence of those violations.

Sri Lanka: On January 27, 2021, the Office of the UN High Commissioner for Human Rights (“OHCHR”) issued a damning [report](#), making clear the need for [robust action](#) on [Sri Lanka](#) by the international community, particularly with regards to contributing to accountability for serious [human rights violations](#). The report makes clear the repeated failure of domestic initiatives for accountability and reconciliation, raises alarm over “early warning signs of a deteriorating human rights situation and a significantly heightened risk of future violations,” and recommends “strong preventative action.” In line with [calls made by Amnesty International](#), the report urges the UN Human Rights Council (“UNHRC”) to ensure more robust monitoring and reporting on the human rights situation in Sri Lanka, and to mandate the collection and preservation of evidence of gross [human rights violations](#) for future prosecutions.

The U.S. government should reengage at a multilateral level to continue its important past efforts to promote human rights in Sri Lanka. In the absence of viable domestic avenues in Sri Lanka for accountability and reconciliation, the U.S. government should exercise its diplomatic influence as a matter of urgency, to ensure the UNHRC adopts a robust resolution on Sri Lanka when it meets for its [46th session](#) (February 22 - March 23), in accordance with the OHCHR’s recommendations.

Additionally, the U.S. government 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 should reiterate to the Sri Lankan government the importance of upholding human rights, including by attending court hearings in key cases (including the [Trinco Five students](#), [Prageeth Eknaligoda](#), [Shakthika Sathkumara](#), and [Hejaaz Hizbullah](#)). The U.S. government should substantially increase civil society assistance for human rights groups that are working on truth and reconciliation issues and protecting human rights defenders.

India:

Crackdown on civil society including Amnesty International India: The Indian government has created a [climate of fear and discrimination](#) that threatens the largest democracy in the world. Since the onset of the COVID-19 pandemic, Indian authorities have been [harassing journalists](#) and obstructing the work of civil society organizations. The U.S. government should 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](#)

In September 2020 [Amnesty International India](#) was forced to halt its human rights work and to close operations, after its bank accounts were frozen. It was in the wake of two major 2020 human rights reports that Amnesty International India's bank accounts were frozen. The first report covered the February 2020 [Delhi riots](#), documenting police complicity in the deaths of 50 people, many of whom were Muslim. The second report addressed the Indian government's human rights abuses [in Jammu and Kashmir](#), one year after it was stripped of its special status and brought under the direct control of the central government. Amnesty International requests that the U.S. government press Indian authorities to lift the freeze on Amnesty International India's bank accounts.

The U.S. government should 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. The U.S. government should press the Indian government to end the abusive application of anti-terror and foreign funding laws in an effort to harass groups holding dissenting opinions.

Kashmir: The U.S. government should push the U.N. to call for an independent and impartial fact-finding mission in Kashmir. Indian authorities must restore all forms of communication in Kashmir, release all political leaders, journalists, and activists from administrative detention, and end the crackdown on civil society groups in the territory.

Nationwide protests of farm laws: In recent months the Indian government has cracked down on [nationwide demonstrations](#) by farming leaders and journalists, protesting three recently introduced farm laws. Rather than investigating reports of violence against protesters and bringing suspected perpetrators to justice, the authorities have hindered access to protest sites, shut down the internet, censored social media, and used draconian laws against peaceful protesters. The U.S. government should call on Indian authorities to immediately cease the escalating crackdown on protesters, farming leaders, and journalists, and release all those arrested solely for peacefully exercising their rights to freedom of expression and peaceful assembly.

Pakistan: Pakistani authorities have repeatedly used [enforced disappearance](#) as an insidious form of extra-judicial punishment, silencing and intimidating [political activists](#), religious minorities, and numerous others. Prime Minister Imran Khan has formally committed to ending enforced disappearances, but to date, no one has ever been punished for committing an enforced disappearance.

The U.S. government should press the Pakistani government to follow through on its promises by [ending enforced disappearances](#), criminalizing the practice, holding violators to account, and ratifying and implementing into national law the International Convention for the Protection of All Persons from Enforced Disappearance.

[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. They have provided license for the Pakistani government to [persecute religious minorities](#) and for violent mobs to [harm them](#).

Amnesty International requests that Secretary Blinken call for the [comprehensive repeal](#) of the blasphemy laws and press for the release of those deprived of their liberty under the blasphemy laws. We further request Ambassador Thomas-Greenfield to use all relevant UN mechanisms to urge the Pakistani authorities to repeal the laws. The Ambassador to Pakistan should meet with religious minority communities.

Afghanistan: While the UN Security Council has passed multiple resolutions calling for the participation of Afghan women in peacemaking, women were not invited to participate in almost all of the nine rounds of U.S.-Taliban negotiations. In February 2020 negotiations led to a peace agreement which did not provide substantive protections for the [rights of women and girls](#).

The U.S. government must [prioritize Afghan women and girls](#) as part of any reconstruction effort following the U.S.-Taliban peace treaty. In particular, Secretary Blinken, in concert with the Acting Administrator of the U.S. Agency for International Development, should articulate a plan for supporting the empowerment and inclusion of women and girls in Afghanistan and ensure that the plan includes a deliberate and sustained financial commitment to the effort.

The U.S. government 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. The U.S. negotiating team must be staffed with human rights and gender specialists at the highest levels.

Despite ongoing peace talks, [civilians](#) continue to bear the brunt of the conflict in Afghanistan. In December 2019 a U.S.-operated drone strike killed five people including a mother who had just given birth. In October 2020 a U.S. air strike against an alleged drug lab in Farah province claimed the lives of 39 civilians.

The Department of Defense must thoroughly review the conduct of U.S.-led and U.S.-supported air strikes and other lethal operations to ensure that every effort is made to fully respect international humanitarian law and human rights law to protect the lives of all civilians. This includes investigating all claims of [civilian casualties](#) from the use of lethal force, and publicly reporting the findings. The White House should announce that it is the policy of the U.S. government to provide reparations for wrongful killings and to assist all civilian survivors harmed by U.S. lethal force.

Nepal: Impunity for the thousands of cases of enforced disappearance, unlawful killing, torture, and other grave [human rights abuses](#) committed during Nepal's civil war continues to be a major challenge. 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.

The U.S. government should press for an end to impunity for the grave human rights violations committed during the Nepal civil war. The U.S. government should push for accountability through all diplomatic and economic means for those responsible for human rights violations. Further, the U.S. government should increase foreign assistance to facilitate the realization of economic, social, and cultural rights, with particular attention to exploitative migrant labor issues, housing rights, women's rights, and the rights of Dalits and other socially marginalized groups.

Amnesty International looks forward to working with you and other NSC officials to ensure the protection of human rights worldwide. Our experts stand ready to provide briefings on any issues outlined above. Please do not hesitate to contact me at 202/281-0017 and 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