AMNESTY INTERNATIONAL



March 4, 2021

Ms. Shanthi Kalathil Coordinator for Democracy and Human Rights National Security Council White House

Re: Amnesty International USA -- Top Human Rights Priorities

Dear Ms. Kalathil: 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.

Our recommendations focus on five global themes¹: (1) internet shutdowns and restrictions; (2) Big Tech complicity in censorship; (3) government attacks on civil society and NGOs; (4) the COVID-19 pandemic; and (5) the climate crisis. Following the thematic discussion is an appendix summarizing Amnesty's country-specific recommendations.

I. <u>Internet shutdowns and restrictions:</u>

Since early 2019, Amnesty International has documented <u>internet shutdowns</u> in at least <u>nine African nations</u> as well as in <u>Iran</u>, <u>Myanmar</u>, and <u>Jammu and Kashmir</u>.

Human rights activists rely on the internet—in particular, encrypted messaging services—to document and share information. Without secure methods of communication, activists are forced to rely on less secure means of communication such as calls and texts, thereby increasing their risk of being surveilled, harassed, arrested, and prosecuted in connection with their work.

Myanmar: As the February 1 military coup was underway, internet and phone outages were reported in several regions. Since then, there have been reports of <u>intermittent internet shutdowns</u> in Myanmar, as well as the blocking of social media sites.

On Feb. 4 the military announced that they were ordering telecoms operators to block access to Facebook until 7 February. On Feb. 5 the military instructed telecommunications companies to block access to Twitter and Instagram. On Feb. 6

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¹ At a Dec. 2020 House Foreign Affairs Subcommittee hearing I <u>testified</u> about closing civic space and addressed internet shutdowns, Big Tech complicity in censorship, and government attacks on civil society.

the military reportedly ordered telecommunications companies to fully shut down internet and 4G services.

Such restrictions pose a real danger to civilians, especially when the situation on the ground is so tense amid a volatile coup, large protests, a humanitarian crisis, and the COVID-19 pandemic. Internet shutdowns and restrictions put the Myanmar people at greater risk of more egregious human rights violations at the hands of the military.

Before this latest wave of internet shutdowns since the Feb. 1 coup, there have also been mobile internet restrictions in conflict-affected areas of Rakhine and Chin States dating back to 2019. In June 2019 Myanmar authorities imposed <u>internet shutdowns</u> 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 <u>COVID-19 pandemic</u>.

Election-related internet restrictions in Africa: Over the past year at least six African governments blocked access to the internet or social media applications during elections. Togo <u>cut</u> internet access on election day in Feb. 2020. The internet was shut <u>down</u> for 48 hours in June 2020 following disputed elections in Mauritania. In Guinea internet or social media applications were <u>blocked</u> for days in Oct. 2020, shortly before presidential elections. Tanzania <u>restricted</u> access to the internet and social media applications before, during and after elections in Oct. 2020 for about a week. And <u>Uganda</u> imposed internet restrictions in the run-up to its presidential elections in Jan. 2021.

Recommendation: (1) The U.S. government should call on foreign governments to restore full internet access for all regions and all populations; (2) The Democracy Summit should dedicate a track to internet shutdowns and restrictions that involves telecommunications companies, humanitarian aid providers, civil society, and human rights defenders.

II. Big Tech complicity in censorship and repression

While some countries have imposed internet shutdowns, other countries are censoring online content and turning to Big Tech as a partner.

Vietnam: In a December 2020 <u>report</u> Amnesty International documented how tech giants <u>Facebook and YouTube</u> are complicit in censorship and repression on an industrial scale in Vietnam, becoming tools of the government's <u>censorship and harassment</u> by complying with over 90 percent of the its censorship demands.

Big Tech complicity in censorship is not limited to Vietnam. Rather, what is happening in Vietnam is a sign of things to come. Across the world, from <u>Thailand</u> to <u>Turkey</u>, governments are co-opting Facebook and other social media platforms to limit freedom of expression and to censor people's voices at scale.

- 1. Press Big Tech to adopt new content moderation and community standards policies that are grounded in international human rights standards, particularly the UN Guiding Principles on Business and Human Rights.
- 2. Ensure that monitoring and oversight bodies such as Facebook's new Oversight Board are empowered to make binding policy changes with respect to content moderation and transparency, not merely in respect of individual cases.
- 3. Encourage Facebook to expand the mandate of its Oversight Board to include the evaluation, grounded in international human rights law, of content moderation decisions that have been made pursuant to local law.

III. Government attacks on civil society:

In recent years a growing number of governments have begun to restrict space previously permitted for independent civil society. Government attacks on non-governmental organizations ("NGOs") have been relentless and hard-hitting and have reached Amnesty International sections around the world including in Hungary, Turkey, and India.

Hungary: <u>Hungary</u>'s government has pursued a campaign to silence civil society. In 2018 a magazine with close ties to the government published a list of individuals described as "mercenaries" paid to overthrow the government. The list included staff of Amnesty Hungary as well as other civil society activists and academics. Individuals whose names were published on the list found themselves on the receiving end of a campaign of harassment that included threats of rape and death.

Turkey: Police arrested and detained <u>Amnesty Turkey</u>'s board chair and Amnesty Turkey's director alongside other human rights activists in 2017. In 2020, they were convicted and sentenced to serve lengthy prison sentences. While the Amnesty Turkey leaders have since been released from detention pending the outcome of their appeals, others are not so fortunate. Renowned civil society leader and philanthropist <u>Osman Kavala</u> has just completed his third year in prison despite a massive international outcry demanding his release.

India: While Amnesty International has managed to survive in Hungary and Turkey, that has not been the case in India, the world's most populous democracy. In 2020 Amnesty India was forced to halt its human rights work after its bank accounts were frozen. Amnesty India had no choice but to lay off all staff and suspend all research, campaigning, and advocacy. This follows two years of relentless threats, intimidation, and harassment by the Indian government, including raids of Amnesty India's offices and multiple interrogations of staff and board members, without counsel.

The forced shuttering of Amnesty International in the world's largest democracy, with a rich history and tradition of tolerance, pluralism, and nonviolent dissent—is devastating

not only for the millions of Indians aided by Amnesty International India, but also sends a very troubling message to human rights defenders and civil society around the world.

Recommendations - The U.S. government should:

- 1. Press foreign governments to end harassment, arrest, prosecution, and imprisonment of human rights defenders and activists; drop all charges against those challenging internet restrictions; and unconditionally release all prisoners of conscience.
- 2. Call on foreign governments to investigate and prosecute those found responsible for the killing of human rights defenders, and to investigate any allegations of torture or other ill-treatment.
- 3. Institute a whole-of-government strategy review of its policy on freedom of expression, association and assembly which establishes a review board to respond as crises break out and to ongoing protests. This should culminate in a high-level Presidential speech that enshrines the U.S. role in promoting and protecting the rights to freedom of expression, association and assembly across the world.
- 4. Prominently feature civil society leaders at the Democracy Summit -- to reaffirm the human rights to freedom of expression, association, and assembly.
- 5. Issue DOS guidance on defending civic space to embassies, integrating civic space into diplomatic training and leadership briefings, designating a senior official to spearhead interagency coordination on civic space issues.
- 6. Establish a foreign assistance fund that encourages actors promoting peaceful forms of protest, including documentation of human rights violations during police response to protests.
- 7. Prioritize protecting civic space in U.S. foreign policy agendas—linking civic space to other key foreign policy goals (economic, security).

IV. Global COVID-19 response:

Amnesty International USA <u>commends</u> President Biden's executive actions to remain in the World Health Organization ("WHO"), to join the Access to COVID-19 Tools Accelerator ("ACT") and the COVID-19 Vaccine Global Access (COVAX) Facility, and to pledge \$4 billion to support COVAX. While we welcome these executive actions, there is a lot more that the Biden administration must do to ensure equitable distribution of vaccines to lower-income nations. Our policy recommendations are detailed in these letters to <u>NSC</u>, <u>USTR</u>, and <u>USAID</u>.

Recommendations - The U.S. government should:

1. Support the proposed World Trade Organization ("WTO") TRIPS intellectual property waiver for COVID-19 health products, which will be on the agenda at the upcoming Mar. 10 WTO meeting.

- 2. Rescind the baseless Trump/Pence Mar. 2020 <u>Centers for Disease Control and Prevention ("CDC") order</u>, unsupported by science, that has resulted in the expulsion of over 200,000 asylum seekers from the U.S.
- 3. Join the WHO's COVID-19 Technology Access Pool ("C-TAP").
- 4. Revoke the Trump Executive Order 13962 (Dec. 8, 2020) prioritizing shipment of the coronavirus vaccine to the U.S. population over other countries.
- 5. Support debt cancellation and Special Drawing Rights for lower-income countries.

V. Climate crisis and human rights

Amnesty International welcomes President Biden's efforts to host a Leaders' Climate Summit and convene a Major Economies Forum, and that wielding U.S. influence to enhance global climate ambition, including within the G7 and G20 and ahead of COP26, is an official priority of his administration.

Cambodia: Cambodian officials have been weaponizing the widely criticized Law on Associations and Non-Governmental Organizations to repress independent civil society and grassroots activism. Activists working to expose rampant illegal logging in the Prey Lang rainforest have faced a barrage of attacks, including arbitrary detention and physical assaults, by both state authorities and corporate actors. The Cambodian authorities' harassment and intimidation of <u>environmental human rights</u> <u>defenders</u> amounts to a wholesale assault against grassroots activism and Indigenous peoples' rights and undercuts the global efforts to address climate change.

Brazil: President Bolsonaro 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. He has slashed the funding of Brazil's environmental agency and shrunk the activities of the agency dedicated to the protection of Indigenous people. The resulting deforestation is directly connected to the estimated 75,000 fires in the Amazon in 2019.

Recommendations - As detailed in our <u>Feb. 11 letter</u> to President Biden, in order to mitigate the effects the <u>climate crisis</u>, the U.S. government must:

- 1. Press wealthy industrialized countries to adopt a commitment to achieve zero emissions by 2030 or as soon as possible after that and to submit ambitious Nationally Determined Contributions in multilateral forums including the Leaders' Climate Summit and the G7 Leaders' Summit.
- 2. Substantially increase climate finance for low-income and climate-vulnerable countries that are reeling from irreversible damages and need urgent support for adaptation and mitigation efforts, and reinstate the U.S. contribution to the Green Climate Fund.

- 3. Stop hindering the mobilization of new and additional finance to address loss and damage and ensure effective remedy is provided to all those who suffer human rights violations because of the climate crisis, both domestically and abroad.
- 4. Consult with Indigenous peoples to obtain their free, prior, and informed consent for initiatives that affect their human rights.

These steps will help to give the U.S. the credibility and authority to lead the world in what is a crucial year for climate action.

Amnesty International USA 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,

Joanne Lin

National Director, Advocacy and Government Affairs

Amnesty International US

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Appendix: Country-specific analysis and policy recommendations

I. ASIA

Myanmar: On February 1 the <u>Myanmar</u> military imposed a <u>state of emergency</u> 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. 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 COVID-19 restrictions during the campaign last year. Both charges carry potential three-year sentences. In our 2018 <u>report</u> 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.

Recommendations - The U.S. government should:

- 1. Call on Myanmar authorities to drop all <u>trumped-up charges</u> against Suu Kyi, U Win Myint, and the others arbitrarily detained since the coup and immediately release them.
- 2. Urge the Myanmar military to 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 <u>conditions</u> in Myanmar, where <u>crimes against humanity</u> 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 prolonged <u>internet shutdowns</u> 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 <u>COVID-19 pandemic</u>.

- 1. 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.
- 2. Press the Myanmar military to 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.
- 3. Urge the UN Security Council ("UNSC") to impose targeted financial sanctions against Commander-in-Chief Senior General Min Aung Hlaing and other military leaders and senior officials responsible for atrocity crimes against the Rohingya and ethnic minorities.
- 4. Support a UNSC referral of the situation in Myanmar to the International Criminal Court to bring those most responsible for atrocity crimes to justice.
- 5. Increase support for humanitarian assistance—including access to education—for refugees in Bangladesh and internally displaced persons in Myanmar and demand full and unfettered humanitarian access to at-risk populations.
- 6. Ensure that any international aid, development projects or financial assistance in Rakhine State are contingent on non-discrimination, non-segregation, and equality, and that Myanmar take <u>immediate action</u> to cease ongoing violations against the Rohingya community and prevent the destruction of evidence of those violations.

China: In recent years human rights defenders, <u>lawyers</u>, and activists have been increasingly subjected to monitoring, harassment, intimidation, detention, and imprisonment in <u>China</u>. The authorities tightened censorship further since the outbreak of COVID-19. Numerous articles and social media posts relating to the pandemic were censored and activists <u>jailed</u>.

Since 2017 there has been a growing government campaign of <u>mass detention</u>, intrusive surveillance, political indoctrination, and forced cultural assimilation against Uyghurs, Kazakhs and others in the Xinjiang Uyghur Autonomous Region ("Xinjiang"). It is estimated that up to <u>one million people have been held in detention camps</u> where they have endured a litany of human rights violations.

- 1. Robustly fund and support human rights non-governmental organizations that support human rights defenders in China, including through prison visits, legal representations, consultations with human rights defenders, provision of visas, and trial monitoring.
- 2. 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.
- 3. Aggressively push for international human rights norms vis-à-vis China in all bilateral, regional, and multilateral forums through diplomatic incentives and disincentives. U.S. officials should use these platforms to urge the Chinese authorities to immediately end human rights violations; to allow independent

- investigators access to Xinjiang; and to dismantle the system of discrimination and persecution of ethnic minorities in Xinjiang.
- 4. Urge UNHRC members to hold a Special Session to evaluate the range of violations by China's government, and to establish an impartial and independent UN mechanism to closely monitor, analyze, and report annually on that topic.

Hong Kong: On June 30, 2020, China's top legislative body passed a <u>draconian national security law</u> applicable to <u>Hong Kong</u>. Immediately after the law passed, authorities began using the law to crack down on legitimate and peaceful expression. Hong Kong authorities continue to use politically-motivated charges to target well-known <u>activists</u>, <u>opposition candidates</u>, journalists, and other critics.

Recommendations - The U.S. government should:

- 1. Urge the Chinese government and Hong Kong authorities to allow an independent investigation into unnecessary or excessive use of force by police at protests.
- 2. Support the human rights of the people of Hong Kong in its bilateral and multilateral dialogues with China both publicly and privately.
- 3. Closely monitor the treatment of individuals who are criminally prosecuted, detained, or imprisoned on the basis of the National Security Law, and urge authorities to comply with international human rights standards, including but not limited to right to fair trial and due process, and the right to remain free from torture and other ill-treatment.

North Korea: The Biden administration faces two primary concerns regarding <u>North Korea</u>. The first is the need to relieve the suffering of the nearly 27 million North Korean people brought about by the North Korean 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.

- 1. 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 UNSC meeting on human rights in North Korea, as well as urging the governments of China and Japan to be more assertive in challenging the North Korean government's human rights record.
- 2. 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.

3. 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.

India: The Indian government has created a <u>climate of fear and discrimination</u> that threatens the largest democracy in the world. Since the onset of the COVID-19 pandemic, Indian authorities have been <u>harassing journalists</u> and obstructing the work of civil society organizations. The U.S. government should call on Indian authorities to <u>stop</u> the harassment and intimidation of journalists through draconian laws that threaten the response to the COVID-19 pandemic and <u>create</u> an atmosphere of fear and reprisal

In September 2020 <u>Amnesty International India</u> 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 <u>Delhi riots</u>, 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 <u>in Jammu and Kashmir</u>, one year after it was stripped of its special status and brought under the direct control of the central government.

In recent months, the Indian government has cracked down on <u>nationwide</u> <u>demonstrations</u> 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.

- 1. Press Indian authorities to lift the freeze on Amnesty International India's bank accounts.
- 2. Urge 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.
- 3. 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.
- 4. Push the United Nations to call for an independent and impartial fact-finding mission in Kashmir.
- 5. Call on Indian authorities to 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.
- 6. 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.

Sri Lanka: On January 27 the Office of the UN High Commissioner for Human Rights ("OHCHR") issued a damning <u>report</u>, making clear the need for <u>robust action</u> on <u>Sri Lanka</u> by the international community, particularly with regards to contributing to accountability for serious <u>human rights violations</u>. 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 <u>calls made by Amnesty International</u>, 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 <u>human rights violations</u> for future prosecutions.

Recommendations - The U.S. government should:

- 1. Reengage at the multilateral level to continue its important past efforts to promote human rights in Sri Lanka.
- 2. 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 <u>46th session</u> (February 22 March 23), in accordance with the OHCHR's recommendations.
- 3. Include Sri Lanka in an inter-agency atrocity prevention board review to create a set of policy recommendations to prevent grave human rights abuses.
- 4. Reiterate to the Sri Lankan government the importance of upholding human rights, including by directing U.S. officials to attend court hearings in key cases (including the <u>Trinco Five students</u>, <u>Prageeth Eknaligoda</u>, <u>Shakthika Sathkumara</u>, and <u>Hejaaz Hizbullah</u>).
- 5. Substantially increase civil society assistance for human rights groups that are working on truth and reconciliation issues and protecting human rights defenders.

Viet Nam: In a December 2020 report Amnesty International documented the systematic repression of peaceful online expression in Viet Nam, including the widespread "geoblocking" of content deemed critical of the authorities, all while groups affiliated with the government deploy sophisticated campaigns on these platforms to harass everyday users into silence and fear. Amnesty documented how tech giants Facebook and YouTube are complicit in censorship and repression on an industrial scale, becoming tools of the Vietnamese authorities' censorship and harassment of its population by complying with a whopping 95 percent of the government's censorship demands. I testified about Big Tech's complicity in censorship in Viet Nam at a December 9, 2020 House Foreign Affairs Subcommittee hearing on *International Human Rights and the Closing Civic Space*.

Vietnamese authorities have been actively suppressing online speech amid the <u>COVID-19</u> <u>pandemic</u> and have brought serious criminal charges against multiple internet users for their government-critical comments. Viet Nam is currently jailing 170 prisoners of conscience, of whom 69 are behind bars solely for their social media activity.

- 1. Call on Vietnamese authorities to stop weaponizing online platforms and punishing people simply for exercising their right to freedom of expression.
- 2. Press Big Tech to push back against censorship demands by the Vietnamese government and further adopt new content moderation and community standards policies that are grounded in international human rights standards, particularly the UN Guiding Principles on Business and Human Rights.

Cambodia: Cambodian officials have been weaponizing the widely criticized Law on Associations and Non-Governmental Organizations ("LANGO") to repress independent civil society and grassroots activism. Activists working to expose rampant illegal logging in the Prey Lang rainforest have faced a barrage of attacks, including arbitrary detention and physical assaults, by both state authorities and corporate actors. The Cambodian authorities' harassment and intimidation of <u>environmental human rights</u> <u>defenders</u> amounts to a wholesale assault against grassroots activism and Indigenous peoples' rights and undercuts the global efforts to address climate change.

Recommendations - The U.S. government should:

- 1. Call on Cambodian authorities to repeal or substantially amend the LANGO without delay to ensure it is brought in line with international human rights law, and to guarantee a safe and enabling environment for environmental human rights defenders to conduct their work without fear of reprisals.
- 2. Instruct USAID and DOS, as the main partners of the Cambodian Ministry of Environment in its efforts to protect Prey Lang, to take a firm stance against illegal logging in the rainforest, and strongly oppose the Cambodian government's plans to construct a 300 km power transmission line through the heart of the forest.
- 3. Call on the Cambodia government to conduct a thorough and impartial investigation into all credible allegations of arbitrary detention, torture, and illegal logging by agribusiness companies operating in Prey Lang.

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 taking part in an enforced disappearance.

<u>Blasphemy laws</u> 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 <u>persecute religious minorities</u> and for violent mobs to harm them.

- 1. Press the Pakistani government to follow through on its promises by <u>ending enforced disappearances</u>, 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.
- 2. Call for the <u>comprehensive repeal</u> of the blasphemy laws and press for the release of those deprived of their liberty under the blasphemy laws.
- 3. Use all relevant UN mechanisms to urge the Pakistani authorities to repeal the laws and to put procedural safeguards in place to prevent the abuse of the blasphemy laws.
- 4. Direct the Ambassador to Pakistan to meet with religious minority communities.

Afghanistan: While the UNSC has passed multiple resolutions calling for the participation of <u>Afghan women</u> 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 <u>rights of women and girls</u>.

Despite ongoing peace talks, <u>civilians</u> 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.

- 1. 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 USAID, 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.
- 2. Demand that the Taliban accept the <u>participation of key Afghan women</u> leaders from government and civil society as a precondition for the talks moving forward.
- 3. Ensure that the U.S. negotiating team is staffed with human rights and gender specialists at the highest levels.
- 4. 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. 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.

II. MIDDLE EAST/NORTH AFRICA

Turkey: Police arrested and detained <u>Amnesty Turkey</u>'s board chair and Amnesty Turkey's director alongside other human rights activists in 2017. In 2020, they were convicted and sentenced to serve lengthy prison sentences. While the Amnesty Turkey leaders have since been released from detention pending the outcome of their appeals, others are not so fortunate. Renowned civil society leader and philanthropist <u>Osman Kavala</u> and former cochair of the Peoples' Democratic Party ("HDP") <u>Selahattin Demirtas</u> remain imprisoned despite <u>binding European Court of Human Rights ("ECHR") judgements</u> ruling for their immediate release.

Recommendations - The U.S. government should:

- 1. Call on Council of Europe ("CoE") member states to support the initiation of infringement proceedings under Article 46.4 in the case of Kavala v. Turkey and call on the Turkish government to immediately release Selahattin Demirtas at the next CoE Committee of Ministers meeting on March 9-11.
- 2. Use all diplomatic opportunities with the Turkish government to raise concern about the unfair and unlawful restrictions of the right to freedom of expression of journalists, human rights defenders, politicians, and others.
- 3. Urge the Turkish government 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.

Syria: Parties to the armed conflict in <u>Syria</u> 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 thousands. At <u>Saydnaya Military Prison</u>, the Syrian authorities organized the killing of tens of thousands of people in their custody and continue to subject prisoners to torture and other ill-treatment.

Recommendations - The U.S. government should:

- 1. Pursue justice for the millions of Syrians expelled from their homes and hundreds of thousands who have been killed by supporting international efforts to bring to justice Syrian officials guilty of war crimes.
- 2. Support resettlement options for refugees in their home country or generous host countries alongside a political solution to help end the conflict.

Libya: The conflict in <u>Libya</u> has drawn in regional powers such as Turkey, Egypt, Russia, and the United Arab Emirates ("UAE") who have committed violations amounting to war crimes.

- 1. Demand full compliance with the UN Arms Embargo against Libya and strengthen mechanisms for uncovering violations of the embargo.
- 2. 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.

Lebanon: A wave of nationwide protests erupted October 17, 2019, against a ruling class accused of steering <u>Lebanon</u> towards its worst economic crisis since the 1975–1990 armed conflict. 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.

Recommendations - The U.S. government should:

- 1. Work with civil society groups in Lebanon to deliver aid that will make it directly to the Lebanese people.
- 2. Ensure that a fully funded, UN-led investigation takes place into the Beirut port blast in August 2020 that left swaths of the Lebanese capital uninhabitable and worsened the humanitarian crisis in the country.

Egypt: Under President Trump, President Sisi of <u>Egypt</u> has turned the country into what Amnesty International calls the largest open-air prison for critics. Egypt's security forces continue to kill protesters with total impunity, employing the same brutal tactics used in Hosni Mubarak's last days in power. The Egyptian military has used U.S.-imported, banned cluster bombs in an ongoing military operation in Sinai, committing war crimes.

Recommendations - The U.S. government should:

- 1. Ban all arms sales to Egypt along with the transfer of tear gas, small arms, ammunition and other equipment used by the Egyptian military and security forces to commit human rights violations.
- Demand the Egyptian government end attacks on peaceful protestors, release all prisoners of conscience and ensure all courts follow international standards for fair trials.

Arms sales to Saudi Arabia and UAE: The discovery of <u>U.S. munitions</u> amongst the rubble of civilian markets, homes, hospitals, and hotels has been a constant throughout Yemen's devastating war. Amnesty International has repeatedly found <u>evidence</u> that U.S.-made

munitions have been used by the Saudi Arabia and UAE-led coalition forces to target civilians.

Recommendations - The U.S. government should:

- 1. Require DOS to produce a report on violations of international law by all actors in the Yemen conflict and a separate report on domestic human rights conditions within Saudi Arabia.
- 2. Immediately halt all new <u>arms sales</u> and the delivery of existing sales to Saudi Arabia and the UAE until they stop committing violations of international humanitarian and human rights law in Yemen.

Occupied Palestinian Territories: The United States has given the government of Israel the green light to continue with its unlawful settlement building and expansion policy, which has been a hallmark of Israel's five-decade long occupation.

Recommendations - The U.S. government should:

- 1. Acknowledge the settlements as illegal and actively cooperate to bring them to an end while preventing new ones from being built.
- 2. Call for the Israeli government to halt home demolitions in the Occupied Palestinian Territories.

III. AMERICAS

Northern Triangle: Displacement from <u>Guatemala, El Salvador, and Honduras</u> is a regional issue which requires regional solutions. The United States must meaningfully address the root causes of displacement, including rampant instability, corruption, violence, and climate change—many of which are legacies of U.S. intervention.

- 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.
- 2. Renew U.S. support for anticorruption mechanisms led by regional and international actors including the United Nations and the Organization of American States.
- 3. 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. Direct DOS and the Department of Homeland

Security to establish 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.

Venezuela: For over a decade, Venezuelans have suffered <u>an appalling human rights crisis</u>, leading 4.7 million Venezuelans to <u>seek protection</u> and safety outside Venezuela. While the U.S. has provided humanitarian assistance to help South America respond to Venezuelan refugees, it has failed to protect Venezuelans already in the U.S. who fear deportation.

Recommendations - The U.S. government should:

- 1. Immediately act to protect Venezuelans at risk of deportation by designating Temporary Protected Status ("TPS") for Venezuela.
- 2. Cease the imposition of broad economic sanctions on Venezuela.
- 3. 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.
- 4. 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.

Brazil: President Jair Bolsonaro, who took office 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. He has slashed the funding of Brazil's environmental agency and shrunk the activities of the agency dedicated to the protection of Indigenous people.

- 1. Ensure that the Brazilian government commits to funding and supporting FUNAI and IBAMA, curbs illegal development activities in protected areas, and aggressively reduces Amazon deforestation.
- 2. Ensure any financial assistance or collaboration—including the USAID-Government of Brazil collaboration on sustainable development in the Amazon—provides for robust and aggressive protection of the Amazon.
- 3. 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.

IV. AFRICA

Ethiopia: Ethiopia entered 2021 with two million internally displaced people ("IDPs") in need of humanitarian assistance and a potential armed insurgency in the Tigray region. Ethnic violence allegedly linked to government security forces and allied militias is increasing, and elections are scheduled to be held on June 5, 2021.

Recommendations - The U.S. government should:

- 1. Urgently engage in Ethiopia to improve security and bolster confidence in Ethiopia's institutions and their ability to act independently of the Abiy administration ahead of the June elections. DOS and USAID should conduct a review of key security challenges to the June 2021 elections and, in coordination with USUN, convene a "friends of Ethiopia" meeting to establish a robust monitoring and diplomatic response mechanism to rapidly respond to clashes and work to diffuse tensions. The mechanism should be implemented after consultation with the Ethiopian people, government, and diaspora by U.S. officials at or above the Assistant Secretary of State level.
- 2. Direct DOS, United States Mission to the United Nations ("USUN"), and USAID to prioritize establishing immediate and unrestricted humanitarian access to the Tigray region and for other IDPs.
- 3. Direct the Department of Justice ("DOJ"), DOS, and USAID to support the establishment of a platform to seek accountability for human rights violations committed since 2018 including during the conflict in Tigray.
- V. **Guantánamo Bay:** Nineteen years after the opening of the detention center at <u>Guantánamo Bay</u>, 40 detainees remain there. Most have never been charged with a crime. None has received a fair trial. Many were tortured. The Biden administration must make shutting down the prison at Guantánamo Bay a priority.

- 1. Establish an inter-agency mechanism to transfer detainees who will not be charged with crimes to countries where their human rights will be protected.
- 2. Guarantee that those who are charged with crimes are given fair judicial proceedings in civilian courts, which can be done remotely if they cannot be transferred to the United States due to current statutory restrictions.
- 3. Commit to closing this unlawful prison before it reaches its 20th anniversary.
- VI. **U.S. arms exports:** Despite the entry into force of the UN Global Arms Trade Treaty, the irresponsible and underregulated <u>trade of firearms</u> continues to

increase, fueling human rights crises around the world. The U.S. government is the world's largest exporter of arms and has the power to stop this trend.

- 1. Immediately end arms sales to the following countries due to egregious and documented human rights violations: Saudi Arabia, UAE, Egypt, Israel, Cameroon, Ethiopia, Nigeria, Mali, and the Philippines.
- 2. Restore DOS authority and human rights safeguards over firearms licensing.
- 3. Strengthen the human rights criteria required for U.S. arms exports and penalties for failing to adhere to them.
- 4. Apply the Leahy Law to arms transfers and include human rights in the terms of sale.
- 5. Require an assessment of human rights risks for all future arms sales.
- 6. Strengthen end-use monitoring to include human rights, corruption, and civilian harm considerations.
- 7. Immediately reaffirm the U.S. signature of the UN Arms Trade Treaty and commit to fulfill its obligations.
- 8. Join the 1997 Mine Ban Treaty and ban the use, production, and transfer of antipersonnel landmines and cluster munitions which are indiscriminate weapons that violate international law.