



**PRESIDENTIAL  
ELECTION 2020:  
INTERNATIONAL  
THEMATIC ISSUES**



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A large cargo ship is docked at a port, with its cranes and superstructure visible against a hazy sky. A bright yellow banner is superimposed over the upper part of the image, containing the title 'ARMS TRADE REGULATIONS' in bold, black, serif capital letters.

# ARMS TRADE REGULATIONS

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## THE ISSUE:

The Trump administration made an historic move in January by officially designating semi-automatic firearms as “dual-use” rather than “defense articles” for the purposes of export. This means they will be subject to far looser standards regarding who can sell these guns abroad, and who they can sell them to. The move also significantly reduces transparency regarding arms sales abroad, making it easier for dangerous and problematic arms deals to evade public scrutiny.

Over the years, Congress has invested its oversight authority regarding arms sales and other weapons transfers in two places: the Arms Export Control Act and the Foreign Assistance Act. The relevant pieces of these laws, generally speaking, apply to only to defense articles, defined as such by their presence on the U.S. Munitions List. By moving an item to the Commerce Control List (which demarcates so-called “dual-use” items), the whole legal framework set up to ensure that dangerous weapons like the AR-15 don’t make it into the wrong hands is no longer applicable.

This is the first and only time in what has been dubbed “Export Control Reform” that regulators have sought to remove a lethal weapon from the U.S. Munitions List. The plan is to re-classify semi-automatic and non-automatic firearms as items “no longer warranting control on the Munitions List,” and transfer them over to the Commerce List where the licensing process will be streamlined and a single license can cover multiple transactions. This effort was originally intended to make it easier to export innocuous items like nuts and bolts for airplanes - it seems reasonable to have looser regulations on those than on a fighter jet, for example. The logic breaks down when we consider semi-automatic assault rifles, however, which can be easily modified to operate as fully-automatic weapons.

The U.S. military may not consider these guns as giving a decisive military advantage - but to those who are threatened by criminals, militant groups, and oppressive governments, the danger posed by these items is as relevant as ever. Guns are easy to resell on the black market and have a very long shelf-life.

Making it easier to sell guns to violators of human rights, criminal gangs, and shadowy third-party arms dealers may indeed pad the bank accounts of some arms-industry executives. But it will come at a terrible human cost. Those who live under oppressive regimes, in conflict zones, or at the mercy of criminal gangs may indeed find themselves at the wrong end of an American-manufactured gun barrel without ever needing to live under our irresponsible and dangerous domestic gun control laws - the U.S. now exports that policy.

## TALKING POINTS:



- Moving USML Categories I through III to the Commerce Control List will result in their no longer being considered “defense articles” in US law. A huge number of legal protections against these items being exported to human rights violators and black-market arms traffickers, as well as important transparency provisions, will no longer apply to semiautomatic firearms.
- The distinction between fully-automatic and semi-automatic firearms is meaningless: a semi-automatic can be modified to operate as fully automatic very easily.
- Recent changes to the US policy on arms sales is purely to boost exports and sales for gun manufacturers, in effect trading human lives for profits to the gun industry.

## RECOMMENDATIONS:

- Reverse this rule change that has designated semi-automatic firearms as “dual-use” rather than “defense articles” for the purposes of export, re-establishing categories semi-automatic firearms as defense articles on the U.S. Munitions List.

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# AUTONOMOUS WEAPONS SYSTEMS

## THE ISSUE:

Over the past decade, there have been extensive advances in artificial intelligence (AI) and other technologies. AI is being incorporated in nearly all aspects of our lives, in sectors as diverse as healthcare, finance, travel, and employment. Another sphere where AI innovation is occurring at a rapid pace is in the military and law enforcement spheres, making possible the development and deployment of fully autonomous weapons systems which, once activated, can select, attack, kill and wound human targets without meaningful human control. These weapons systems are often referred to as Lethal Autonomous Weapons Systems (LAWS) and, more comprehensively, 'Autonomous Weapons Systems' (AWS), which encompass both lethal and less-lethal systems.

The rapid development of these weapons systems could not only change the entire nature of warfare, it could also dramatically alter the conduct of law enforcement operations and pose extremely serious human rights risks.

## TALKING POINTS:

- Countries around the world, including the US, are heavily investing in and developing weapons with increasing autonomy—this raises serious legal, ethical, accountability and security concerns.
- There should be a prohibition on so-called “autonomous weapons systems” in order to ensure meaningful human control over weapons systems.
- An autonomous weapons system without human oversight cannot distinguish between combatants and civilians, which is a breach of international human rights law.
- In law enforcement operations, the use of lethal and less-lethal autonomous weapons systems without meaningful human control will result in unlawful killings and injuries.
- Autonomous weapons systems threaten various fundamental human rights, most notably, the right to life.
- Autonomous weapons systems are also vulnerable to design failures, errors, hacking, spoofing and manipulation, making them unpredictable.
- Autonomous weapons systems are also vulnerable to being used by unscrupulous actors, including non-state actors.

## RECOMMENDATIONS:

- Publicly support the commencement of negotiations for an international treaty which ensures that meaningful human control is retained over the use of force by prohibiting the development, production, transfer and use of AWS.

## ADDITIONAL INFORMATION:

- Amnesty International. (2015). Autonomous Weapons Systems: Five Key Human Rights Issues for Consideration. <https://www.amnesty.org/en/documents/act30/1401/2015/en/>
- Center for New American Security. (2016). Autonomous Weapons and Operational Risk. <https://www.cnas.org/publications/reports/autonomous-weapons-and-operational-risk>
- Human Rights Watch. (2018). Heed the Call: A Moral and Legal Imperative to Ban Killer Robots. <https://www.hrw.org/report/2018/08/21/heed-call/moral-and-legal-imperative-ban-killer-robots>

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# CLIMATE CRISIS

## THE ISSUE:

Millions of people are already suffering from the catastrophic effects of extreme disasters exacerbated by the climate crisis. While we largely understand the climate crisis through the impacts it will have on our natural world, it is the devastation that it is causing and will continue to cause for humanity that makes it an urgent human rights issue. Climate change will compound and magnify existing inequalities. And its effects will continue to grow and worsen over time, creating ruin for current and future generations. The failure of governments to act on the climate crisis in the face of overwhelming scientific evidence may well be the biggest intergenerational human rights violation in history.

One of the biggest drivers of the climate crisis by far is our burning of fossil fuels – coal, gas and oil – which has increased the concentration of greenhouse gases, such as carbon dioxide, in our atmosphere. This, coupled with other activities like clearing land for agriculture, is causing the average temperature of our planet to increase. In fact, scientists are as certain of the link between greenhouse gases and global warming as they are of the link between smoking and lung cancer.

Human rights are intimately linked with the climate crisis because of its devastating effect on not just the environment but our own wellbeing. In addition to threatening our very existence, the climate crisis is having harmful impacts on

our rights to life, health, food, water, housing and livelihoods. The climate crisis will continue to harm all of us unless governments take action. However, its effects are likely to be much more pronounced for certain groups – for example, those communities dependent on agricultural or coastal livelihoods – as well as those who are generally already marginalized, disadvantaged and subject to discrimination. This includes people who are being displaced and forced to flee their homes due to extreme weather events linked to climate change.

States have the obligation to mitigate the harmful effects of the climate crisis by taking the most ambitious measures possible to prevent or reduce greenhouse emissions within the shortest possible time-frame. States must also take all necessary steps to help everyone within their jurisdiction to adapt to the foreseeable and unavoidable effects of the climate crisis. Furthermore, states must not resort to measures

## THE HUMAN COST:

Marinel Sumook Ubaldo was 16 when she knew she had to find a way to protect herself and her community in the Philippines from the disastrous effects of climate change. On November 13, 2013, she survived Typhoon Yolanda – one of the deadliest typhoons on record. It destroyed her village and over 6,000 people died in the Philippines alone and millions lost their homes. The Philippine government has not done enough to support survivors and has left them to live in unhealthy conditions where it is hard to earn a livelihood. But Marinel remains dedicated to ensuring governments around the world confront the climate crisis and support survivors like her and her community.

that violate human rights. For example, conservation areas or renewable energy projects must not be created on the lands of Indigenous peoples without consulting them and getting their consent.

The United States has been one of the biggest drivers of the climate crisis and yet the current U.S. administration has not only failed to address the crisis, it has denied that there is a problem and pulled out of the Paris climate agreement. The US must change course immediately.

## RECOMMENDATIONS:

Put in place federal policy to ensure that the United States cuts its greenhouse gas emissions in half by 2030 and phases out fossil fuels well before 2050, through a just transition to green energy that respects the human rights of all people.

## TIME URGENCY:

The urgent need to address the climate crisis has become even clearer with the release of a major report in 2018 by the world's leading scientific body for the assessment of climate change, detailing that in order to avoid catastrophic global warming, we must not reach 1.5°C above pre-industrial levels. To avoid reaching 1.5°C, greenhouse gas emissions must be halved from their 2010 levels by 2030.

## ADDITIONAL RESOURCES:

- Amnesty International: Climate Change and Human Rights <https://www.amnesty.org/en/what-we-do/climate-change/>
- Amnesty International: The Case of Marinel Sumook <https://write.amnestyusa.org/cases/fighting-to-save-her-community/>

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# GLOBAL GAG RULE



© Carolyn Van Houten/ The Washington Post via Getty Images)

## THE ISSUE:

The U.S. Global Gag Rule (also known as the Mexico City policy) threatens the rights of millions around the world by cutting off U.S. foreign assistance to organizations, clinics, and hospitals because of their policies or practices on abortion. While no U.S. funding ever goes to abortion or abortion services because of current U.S. law, the Global Gag rule means that organizations that receive U.S. international aid for other reasons can't so much as educate their communities on safe abortion, no matter what the laws of that country are, or they will lose all U.S. funding.

The Global Gag Rule was first adopted in 1984 by President Reagan but has since been removed and reinstated several times. President Trump not only reinstated the Global Gag but expanded its reach, applying it to all U.S. foreign assistance, a major expansion with huge implications for the lives of millions of people whose access to health, including HIV and AIDS prevention, maternity care, or basic healthcare, depends on U.S. foreign aid.

Under the Global Gag Rule, foreign NGOs are forced to choose between two options: (1) accept U.S. funds and be prohibited from providing abortion counseling, referrals, or services, as well as advocacy around abortion, outside of the three exceptions; or (2) refuse U.S. funds and attempt to secure alternate sources of funding in order to continue providing comprehensive health services to clients and advocating for law reforms to reduce unsafe abortion.

The consequences of Global Gag are severe:

- Limited funding for international health programs, such as HIV prevention, maternal and child health, malaria, family planning, and Zika prevention;
- Women and girls lose access to contraception;
- Increase—not decrease—in abortion rates;
- Health clinics close;
- Women and girls are prevented from accessing safe abortion consistent with laws in their countries; and
- Rural communities have decreased access to healthcare.

The Global Gag rule is deadly and violates the basic rights of millions of people globally to health, information, free speech, and even life. The expanded reach of this policy will have devastating consequences on millions. We must permanently end the Global Gag rule and ensure all people—especially women and girls—have access to the healthcare they need.

## TALKING POINTS:

The Global Gag Rule hampers effective U.S. aid and violates the basic rights of millions of people globally to health, information, free speech, and even life. U.S. aid should do the best good, not endanger women's lives. Trump's Global Gag

has put the lives of millions at risk; it's time to end this backwards policy.

## RECOMMENDATIONS:

- Immediately and fully repeal the Global Gag Rule.

## ADDITIONAL RESOURCES:

- Amnesty International, “Global Gag Rule,” [https://www.amnestyusa.org/wp-content/uploads/2017/08/GLOBAL-GAG\\_v2.pdf](https://www.amnestyusa.org/wp-content/uploads/2017/08/GLOBAL-GAG_v2.pdf)
- International Women’s Health Coalition, “Crisis in Care: Year Two Impact of Trump’s Global Gag Rule,” <https://iwhc.org/resources/crisis-care-year-two-impact-trumps-global-gag-rule/>

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# GLOBAL PROTESTS

## THE ISSUE:

The past year has seen a seemingly massive surge in protests globally. All around the world we have witnessed a huge wave of people taking to the streets to exercise their right to protest and demand change from those in power. These protests are diverse, multi-faceted, and re-orienting the political, economic and social orders that sustain them – requiring U.S. policy to be equally as innovative and focused on the principles that sustain them.

Peaceful protesting is not a crime, it is a human right. The way governments have by and large chosen to respond to these protests has been disproportionate, unwarranted and a violation of human rights standards.

### **Corruption**

Allegations of government corruption have helped to spark massive waves of protests across Chile, Egypt, Lebanon and Nigeria. In late September thousands of people took part in demonstrations across Egypt. The protests were triggered by a series of viral videos claiming high-level corruption in the military. In Lebanon, one of the overwhelming drivers of the calls for the government's resignation is allegations of corruption and failure to provide basic economic needs. Similar concerns have been the focus of protests in Nigeria.

### **Cost of Living**

Where corruption is a concern so too is the cost of living. In Chile, demonstrations were kicked off by students after they announced a hike in transport fares. Since then the protests have snowballed to cover the vast number of government policies that have placed a burden on the economic rights of ordinary people across Chile. People's concerns about inequality are underscored by the fact that Chile has one of the worst levels of income inequality among the world's wealthiest economies.

People's legitimate concerns over the increasing cost of living have been made worse by the fact that many governments are also imposing harsh economic austerity measures, such as in Egypt and Ecuador.

### **Political Freedom**

This month saw massive demonstrations occurring in Barcelona and the rest of Catalonia after Spain's Supreme Court sentenced 12 Catalan political leaders and activists. In India protests have erupted following the government's unilateral decision to revoke Article 370 of the Constitution, amidst a complete communication blackout, curfew on movement and mass detentions of political leaders and activists in Kashmir.

Hong Kong has been home to arguably one of the most sustained protests linked to political freedoms this year. The protests started in April 2019 after the government proposed a bill that would have allowed extraditions to mainland China. People have taken to the streets in record-breaking numbers. While the government eventually dropped plans to introduce the draft law, the protests have evolved into a much wider call for change.



## TALKING POINTS:

- Throughout our history, the right to freedom of assembly is woven through our nation's fabric, whether through the women's suffrage movement, the civil rights movement, or the labor movement. And while the U.S. is far from perfect, we can and must inspire others throughout the world.
- Whether you are fighting against police brutality in Hong Kong or protesting economic inequality in Chile, you have a right to have your voices heard, and a right to protest and demand a better world.
- The U.S. will no longer sit on the sidelines – we will support those that yearn for freedom and lean on governments to respect human rights. The world and everyone in it will be better for it.

## RECOMMENDATIONS:

- The U.S. should host a global forum at the State Department or the United Nations which includes civil society leaders and foreign governments to reaffirm the human rights to freedom of assembly and freedom of association.
- The U.S. should establish a foreign assistance fund that encourages actors that promote peaceful forms of protest and imposes costs for violations of the right to peaceful association and assembly. This package would include funding for documentation of human rights violations during the response to protests.
- The incoming Administration should institute a whole-of-government strategy review of its policy on freedom of 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 freedom of association and assembly.

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A photograph showing a group of people from behind, wearing bright orange jumpsuits and black hoods that cover their faces. They are standing in a line on a paved area. In the background, the White House is visible under a clear blue sky. Bare trees and a black metal fence are also in the scene. A yellow rectangular box is superimposed over the top part of the image, containing the word 'GUANTÁNAMO' in black capital letters.

# GUANTÁNAMO

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## THE ISSUE:

The U.S. Government opened the detention center at Guantánamo Bay in January 2002 to house people outside the reach of the law after the attacks of September 11, 2001. Since then, 780 men have been detained at Guantánamo. Nearly eighteen years after its opening, 40 detainees remain imprisoned there. Most have never been charged with a crime. The few charged have not received fair trials.

The Guantánamo prison, and the military commissions it hosts, violate human rights, serve no practical purpose, and continue to exact enormous financial and reputational cost to the United States. Suspects accused of committing or attempting violence should be detained in humane conditions that comply with human rights law and tried according to international fair trial standards in civilian courts. There is no legitimate reason to continue to maintain this offshore detention facility, which costs more than \$540 million per year to maintain for 40 prisoners.

Guantánamo remains a symbol of the torture and other abuses the U.S. inflicted on detainees in the wake of the 9/11 attacks. The Guantanamo prison has been open 18 years. That is far too long. The next president should stand up for the rule of law by promising to close it within their first year in office, and should follow through on that promise. This sorry chapter of American history should be closed.


## THE HUMAN COST:

Toffiq al-Bihani, a 47-year-old Yemeni national, has been held at Guantánamo Bay since early 2003. He has never been charged with a crime. Although all relevant US national security agencies determined in 2010 that al-Bihani does not pose a security risk and can be safely transferred out of Guantánamo, he remains imprisoned there, nearly a decade later. Toffiq al-Bihani has family in Saudi Arabia, where he was born and raised, and they are eager for him to return home. Al-Bihani is one of five detainees at Guantanamo who were cleared to leave the prison by the Obama administration, yet remain stuck there still without charge or trial.

## TALKING POINTS:

Guantánamo is used as a recruiting tool by armed extremist groups. Its continued existence as a site of indefinite detention makes us less safe.

## RECOMMENDATIONS:

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- Immediately transfer Toffiq al-Bihani and all other detainees cleared for release to third countries where they will be safe.
  - Close the Guantánamo Bay Detention Center. Provide fair trials in U.S. federal courts for all remaining detainees.

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A large crowd of people is gathered in front of the Eiffel Tower in Paris. They are holding a long banner that features portraits of various human rights defenders. The banner is decorated with red flowers. The Eiffel Tower is visible in the background, and the sky is overcast.

# HUMAN RIGHTS DEFENDERS

## THE ISSUE:

Human Rights Defenders (HRDs) around the world are routinely the target of judicial harassment, smear campaigns, intimidation, death threats, arbitrary detention, sexual violence, torture, enforced disappearances, and even assassination by governments, armed groups, and corporations. Since the adoption of the UN Declaration on Human Rights Defenders in 1998, over 3,500 human rights defenders have been killed worldwide. In 2019 alone, 304 human rights defenders were assassinated for their work.

Human rights defenders are people who, individually or in association with others, act to defend the rights enshrined in the Universal Declaration of Human Rights without advocating hatred, discrimination, or violence. HRDs come from all walks of life; they can be anyone, for example community leaders, lawyers, survivors of abuses and their families, women's or LGBTI rights activists, trade unionists, elected officials, Indigenous leaders, journalists, teachers or students, environmental activists, and more.

HRDs play a key role in defending the principles of freedom, justice, and dignity, and their work contributes directly to the realization of human rights, strengthening the rule of law, supporting democracy, and fostering well-being in countries around the world and here in the United States as well.

HRDs who are imprisoned solely for their peaceful human rights work are also considered Prisoners of Conscience. A Prisoner of Conscience is any person who is imprisoned or otherwise physically restricted (like house arrest), solely because of who they are or their political, religious or other conscientiously held beliefs, and who has not used violence or advocated violence or hatred.

Amnesty International calls for all Prisoners of Conscience to be immediately and unconditionally released. Amnesty further calls on governments to immediately investigate and promptly prosecute those found responsible for killing HRDs, including the intellectual authors behind such crimes. Amnesty also calls for the implementation of concrete measures to protect HRDs including the repeal of any legislation that criminalizes or restricts their work.

## THE HUMAN COST:

On October 24, 2018, Julian Carrillo, an environmental human rights defender and leader of the Raramuri Indigenous people, was killed by unidentified armed men in Chihuahua, Mexico. Julian had for years publicly denounced illegal logging and mining happening on his community's land.

The killing of Julian was a predictable tragedy that could have been avoided. His house had been burned down, and he had received death threats from unidentified armed groups in four different occasions since 2015. Five other people in his family, including his son, were also killed. All these attacks and death threats had been reported to the Mexican



authorities for years. Despite having been granted protection measures by the Mexican government in 2014, these measures were not enough to stop the wave of attacks against him and ultimately protect his life.

Unfortunately, the story of Julian is common in Mexico. Global Witness has reported an increase in the killings of environmental human rights defenders (EHRDs) in Mexico since 2016. In the first eight months of 2019, 12 have already been killed.

## RECOMMENDATIONS:

- In consultation with civil society in the United States and in countries that host U.S. diplomatic missions, the State Department should develop comprehensive and specific guidelines for diplomatic missions to protect human rights defenders. The guidelines should be supported with increased funding for State Department and USAID programs, such as the Human Rights Defenders' Fund and Lifeline: The Embattled NGOs Assistance Fund.
- The President should require that the State Department and USAID hold regular consultations with civil society organizations in country and in Washington, to evaluate HRD Programs and to implement said organizations' recommendations. These consultations should not be limited to USAID grantees and should include a full range of civil society groups, outside the capitals and include those addressing numerous different human rights issues. The State Department and USAID should then provide Congress with a report about HRDs that includes this civil society assessment of the impact of U.S. funded programs in support of HRDs.
- The President should ensure that the State Department and US embassies worldwide regularly, publicly, and explicitly recognize the importance and legitimacy of HRDs and their work, acknowledging their contribution to the advancement of human rights.

## ADDITIONAL RESOURCES:

- Ending the Targeted Digital Surveillance of Those Who Defend Our Rights: A Summary of the Impact of the Digital Surveillance Industry on Human Rights Defenders <https://www.amnesty.org/download/Documents/ACT3013852019ENGLISH.PDF>
- Challenging Power, Fighting Discrimination: A Call to Action to Recognize and Protect Women Human Rights Defenders <https://www.amnesty.org/download/Documents/ACT3011392019ENGLISH.PDF>
- Laws Designed to Silence: The Global Crackdown on Civil Society Organizations <https://www.amnesty.org/download/Documents/ACT3096472019ENGLISH.PDF>

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# INSTITUTIONS & PERSONNEL

## THE ISSUE:

How to better integrate and have human rights play a central role in U.S. foreign policy has always been a vexing issue met with controversy, however over the years it has increasingly been institutionalized throughout the U.S. government.

The U.S. Department of State currently has a Bureau of Democracy, Human Rights, and Labor which houses the largest amount of human rights personnel within the U.S. government. This position was not always its own Bureau, but that started to change in 1975, when the Executive Branch created the first Coordinator for Human Rights and Humanitarian Affairs. In 1977, then-President Jimmy Carter appointed the first Assistant Secretary for Human Rights and Humanitarian Affairs and established the Bureau of Human Rights and Humanitarian Affairs. In 1994, the Bureau was then reorganized and renamed as the Bureau of Democracy, Human Rights, and Labor (DRL).

The prioritization of human rights within the National Security Council staff is also important because they organize senior-level interagency meetings, prepare agenda, define issues ready for action and are often viewed as key interlocutors to the President. In 1993, then-President Clinton appointed under the National Security Council staff a director for human rights under the Office of Global Issues and Multilateral Affairs. Under President Bush the human rights position was housed under the office of Democracy, Human Rights, and International Operations, and under President Obama under the office of Multilateral Affairs and Human Rights. Under President Trump, the issue was de-prioritized, and the office was renamed as covering international organizations and alliances.

In the last several decades, the role that other agencies play in foreign policy increased dramatically, however, human rights personnel and funding has not kept up to match. The Department of Defense for example has increased its involvement in operations other than war, such as stability operations and security cooperation. In 1995, the U.S. Southern Command established a Human Rights Office to promote observance of human rights in the Western Hemisphere and to advise the commander on the issue. The Treasury Department oversees the Global Magnitsky program and other legal authorities that use financial tools to put pressure on human rights violators and corrupt officials. The Department of Justice, the intelligence community and a litany of smaller foreign assistance agencies all play an increased role in shaping U.S. foreign policy.

## TALKING POINTS:

- Most Presidents that have come before me have relegated human rights issues to an afterthought, especially when they converge with security and economic interests. However, the link between human rights and national security is clear – and our foreign policy should reflect that.
- Building a foreign policy that is in accordance with international law and promotes human rights abroad will require a national security apparatus that can implement and shape it. That is why I am announcing personnel and institutional reforms that will ensure human rights is at the core of our decision-making.

## RECOMMENDATIONS:

- The next U.S. Administration should establish and expand on human rights personnel, funding, and expertise within the various national security institutions. For example:
  - ◇ Establish a Senior Directorate role that oversees human rights policy for the National Security Council staff as a special assistant to the President, with six staff supporting it.
  - ◇ Establish a human rights initiative to enforce compliance with international human rights obligations, at each of the other geographical combatant command with similar mandate as the one in the U.S. Southern Command.
  - ◇ Establish a Human Rights Office at the Director of National Intelligence, whose mission is to enforce compliance with international human rights obligations.
  - ◇ Increase the capacity of human rights personnel at the Treasury Department.
  - ◇ U.S. Embassies located in proximity to high priority human rights hotspots and crises should have a senior-level human rights officer who reports directly to DRL and the regional bureaus.
  - ◇ The Director General of the Foreign Service should require that Foreign Service Officers have at least one assignment where human rights are part of their portfolio.
  - ◇ Identify and encourage a liaison within every other agency a designated human rights officer whose job is to ensure compliance with international human rights obligation.
- The President should direct the Executive Branch to identify a human rights strategy for every region, with DRL taking the lead. It should also provide necessary human rights expertise, staff, and funding for human rights initiatives under DRL.

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# LANDMINES

## THE ISSUE:

On January 31st, [the Trump Administration announced the Department of Defense's new landmine policy](#), canceling the prohibition on the U.S. employing anti-personnel landmines outside of the Korean Peninsula. This policy change will have global implications and increase the risk that civilians be injured or killed.

Landmines are inherently indiscriminate weapons that maim and kill long after conflicts end. Over the past twenty years, the world has rejected antipersonnel landmines through the Mine Ban Treaty – to which 164 countries are states parties, including every NATO member other than the U.S.

While not a signatory, the U.S. has functionally adhered to several provisions of the Mine Ban Treaty – except those that would prohibit the U.S. from ordering the use of landmines on the Korean peninsula.

The United States has not used antipersonnel landmines since 1991, excluding the [use of a single munition](#) in 2002; it has not exported them since 1992 and has not produced them since 1997. In the last five years, only the government forces of Syria, Myanmar, and North Korea, as well as non-state actors in conflict areas, [have used landmines](#).

Of the more than 50 countries that once produced landmines, [41 have ceased production](#). Under this new landmine policy, the U.S. will join a small handful of mine-producing countries.

This is not company the U.S. should keep.

Decades after combatants have retreated or laid down arms, landmines continue to threaten civilian lives and undermine the development of post-conflict communities. Farmers cannot farm, children cannot attend school, businesses cannot thrive, and whole communities are displaced. Mild flooding or rain can shift previously mapped mines to new locations, reintroducing danger to unknowing civilians.

Landmines violate international humanitarian law and undermine peace agreements and ceasefires. They continue to kill and maim civilians every day, with children especially vulnerable. In recent years, civilian casualties constituted [71-87% of landmine and other explosive remnants of war casualties](#) – with children constituting 42-54% of civilian casualties where data on age is available.

Efforts to enhance the “safety” of landmines are largely ineffectual. So-called non-persistent or “self-destruct” mines are equally indiscriminate – they are triggered by the victim and cannot distinguish between a combatant or a civilian. Shortening the lifespan of the landmine does not make the weapon less indiscriminate while active. Self-destruct mines often malfunction and remain lethal long-term. Landmines can be detonated by the strike of a farmer’s hoe or repurposed into improvised explosive devices. The way in which landmines are delivered has changed over time. Rather than being planted and mapped by hand, U.S. mines would be dropped from aircraft or deployed through artillery – indiscriminately



scattering them over wide unmarked terrain. This could cause civilian harm, including to humanitarian aid workers and peacekeepers who have no way of knowing if they are in a mined area or where mines might be placed.

Under the provisions of the treaty, large swaths of territories have been cleared and put back to productive uses. While there are still too many casualties annually, there has been a dramatic decline since the treaty came into force with the U.S. abiding by large parts. To roll back the progress the global community has made would not only be an affront to landmine survivors around the world but also a tragedy for the countless lives that will suffer in the future.

## TALKING POINTS:

- Landmines are capable of inflicting unspeakable destruction and harm on their victims – projecting metal fragments that create deep wounds, destroying limbs, and causing burns, traumatic brain injuries, blindness and deafness, and fatally wounding through decapitation, blood loss, or other horrific means.
- This new landmine policy starkly sets the U.S. apart from its allies and has drawn [international condemnation](#), including from U.S. allies in the [European Union](#). It's time for the U.S. to make good on its international obligations and ban the sale, production, and deployment of this horrific weapon.

## RECOMMENDATIONS:

The White House and Department of Defense should

- Within the first 100 days, reverse this change in U.S. landmines policy and restore the previous prohibitions on the use of all types of landmines.
- Sign the 1997 Mine Ban Treaty and urge the Senate to approve a resolution of ratification.

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# PRISONER OF CONSCIENCE & COVID-19

## THE ISSUE:

Amnesty International considers a Prisoner of Conscience (POC) to be any person imprisoned or otherwise physically restricted (like house arrest), solely because of his/her political, religious or other conscientiously held beliefs, their ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other status, and who has not used violence or advocated violence or hatred. Amnesty International calls for the immediate and unconditional release of all prisoners of conscience.

Thousands of prisoners of conscience languish in prisons around the world, sometimes for years on end, in horrendous conditions. Many are subjected to torture, and other forms of ill-treatment. A lot of these prisons are severely overcrowded, unhygienic, and lack access to basic medical services. In some cases, prisoners of conscience are also denied access to a lawyer or their family as well.

In prisons across globe, there have been confirmed cases of COVID-19. This raises grave concerns that prisoners of conscience are at risk of contracting the virus. Prisoners are at particular risk because they are unable to take the same social distancing and hygiene measures as those outside of prison to protect themselves. It is more important than ever that states take urgent measures to protect all those who are behind bars, including by releasing all prisoners of conscience who are being held simply for peacefully exercising their rights.

In addition to freeing prisoners of conscience, governments should take steps to curb the spread of the pandemic, including by decongesting prisons. Government authorities should also review cases of people in pre-trial detention as well as children, and consider the early, temporary, or conditional release of people at particular risk, such as older people, and those with underlying medical conditions.

## THE HUMAN COST:

Since May 2018, thirteen women human rights defenders have been arbitrarily detained in Saudi Arabia. At least 10 of them were sexually abused or otherwise tortured and subjected to other forms of ill-treatment during the first three months of their detention. The activists were detained incommunicado during that period, with no access to their family or lawyers.

On March 13, 2019, eleven of the activists were brought up to trial before the Criminal Court in Riyadh and charged with contacting the foreign media, international organizations like Amnesty International, and some of the women were also charged with promoting women's rights and calling for the end of the male guardianship system. Diplomats and journalists have been consistently banned from attending the court sessions.

Due to international pressure, on March 28, 2019, three of these activists, Iman al-Najfan, Aziza al-Yousef, and Ruqayyah al-Mhareb, were temporarily released. On May 2, 2019, five more activists, Hatoon Al-Fassi, Amal al-Harbi, Dr Abir al-Namankani, Maysaa al-Mane'a, and Shadan al-Anezi, were also temporarily released. Maya'a al-Zahrani, Nouf Abdulaziz, Loujain al-Hathloul, Nassima al-Sada, and Samar Badawi continue to remain arbitrarily detained.

Governments should provide a standard of healthcare for people that remain in prison that meets each person's individual needs, similar to what is available in the community, and that ensures the maximum possible protection against the spread of COVID-19.

## RECOMMENDATIONS:

- The White House should move to:
  - ◇ Call on foreign governments to immediately and unconditionally release prisoners of conscience.
  - ◇ Ensure that the State Department and US Embassies worldwide call on foreign governments to immediately and unconditionally release all prisoners of conscience; to immediately cease and prevent any future use of torture and other ill-treatment of POCs; to guarantee POCs access to legal counsel, medical attention, and family members; and to improve the conditions of their detention.
  - ◇ Push foreign governments to allow State Department officials and US Embassy staff to attend the trials of prisoners of conscience and to visit them while they are in prison.
  - ◇ Require that the State Department and US Embassies call on foreign governments to fully, impartially, and promptly investigate any allegations of torture or other ill-treatment of prisoners of conscience, and that those found responsible are held accountable.

## ADDITIONAL RESOURCES:

- “Amnesty International calls for the release of all prisoners of conscience worldwide” (May 2020), about how the COVID-19 pandemic presents a heightened risk for imprisoned prisoners of conscience ([available here](#))
- “Human rights defenders, we need them more than ever!” (April 2020), about how human rights defenders play a vital role in the struggle to overcome the COVID-19 pandemic ([available here](#))

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# REFUGEES

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## THE ISSUE:

The international community faces a displacement crisis of historic proportions that requires bold leadership, innovative solutions, and all countries to do their fair share. Currently, there are over 70 million people forcibly displaced because of war, violence, persecution, or the climate crisis – with the number only growing worse every year. Nearly 26 million of those displaced are refugees, having fled their country of origin and unable or unwilling to return voluntarily.

Unable to return home, most refugees stay in their host country where they try to build a new life. For a small minority facing specific protection risks, staying in their initial host country is not an option, making resettlement necessary. The U.N. Refugee Agency estimates that 1.44 million refugees need access to resettlement in 2020. Despite this, only a tiny fraction is afforded this chance.

Resettlement is a lifeline for refugees and a key component of responsibility-sharing that allows states to support each

other by agreeing to resettle refugees from host countries. Since the 1980 Refugee Act established the refugee program, the U.S. has historically resettled the largest number of refugees annually. From 1980 until 2017, U.S. administrations have, on average, set the ceiling for refugee resettlement at 95,000. The admissions ceiling for Fiscal Year 2020 is 18,000, the lowest goal ever set by any administration, and accompanied by drastic changes to the types of refugees prioritized.

**Abandoning Responsibility:** A fundamental principle of refugee protection is responsibility-sharing and international cooperation. Unfortunately, the U.S. government is abandoning its duty to share in its responsibility to protect refugees. Successive bans and policy changes have taken their toll, with many refugees who expected to be resettled to the U.S. stuck in a never-ending limbo of security vetting.

Instead of upholding its responsibilities, the U.S. is abdicating its duty for refugee protection, drastically cutting the number of refugees it will accept for resettlement. The U.S. Government has also sought

## THE HUMAN COST:

Malik is an Iraqi refugee stranded with his family in Beirut, Lebanon, after the U.S. government failed to keep its promise to resettle him, his wife Sana and their two sons.\* After years of harassment and discrimination, fearing for their lives because they are Christian, they fled Iraq in 2013. Malik and his family thought their dream had come true when they were accepted for resettlement to the U.S. in 2016, however the current administration's first Muslim ban halted their resettlement process from moving forward. Since that time, their case has been stuck in limbo — in “security checks” – indefinitely. Malik should be able to enjoy his human rights as a refugee, and should not live in limbo, without hope.

\*Pseudonyms used to protect their privacy and security

to cut programs that offer life-saving and life-preserving humanitarian aid to displaced populations the world over. Responsibility-sharing of all states is critical to reduce the impact of large-scale refugee populations on host countries, and each state should contribute to the maximum of its capacity. The U.S. has not only reduced its commitment to offering protection to refugees in need of resettlement, it has all but abandoned global leadership in ensuring refugee's access to durable, lasting protection opportunities. While other governments have expressed increased interest in creating pathways for refugee protection, including community sponsorship programs for refugees, none of these programs could ever replace the capacity the U.S. refugee program once offered.

## TALKING POINTS:

- The U.S. must be a robust participant in refugee protection and lead the way in investing in innovative solutions that protect the human rights of refugees.
- When a country invests a small amount in refugee protection, the dividends pay off for generations.

## RECOMMENDATIONS:

- The U.S. should ease pressure on countries currently hosting the greatest number of refugees by participating in equitable and predictable pathways to protection for refugees, including by expanding access to traditional resettlement, and by facilitating the successful integration of refugees in their host countries or helping to facilitate the conditions for voluntary return to refugees' countries of origin.
- In addition to expanding resettlement, the U.S. should invest in other admission pathways, including humanitarian programs, family reunification, and co-sponsorship programs.
- For refugees who remain in displacement, the U.S. should increase its financial support of international humanitarian programs that enhance refugees' self-reliance through educational opportunities, job and livelihood programs, focus on women's and children's unique needs, energy support, and other independence measures.

## ADDITIONAL RESOURCES:

- 'The Mountain is in Front of Us and the Sea is Behind Us': The Impact of US Policies on Refugees in Lebanon and Jordan. [https://www.amnestyusa.org/wp-content/uploads/2019/09/MDE0205382019ENGLISH\\_09232019.pdf](https://www.amnestyusa.org/wp-content/uploads/2019/09/MDE0205382019ENGLISH_09232019.pdf) (2019)

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# REFUGEES & COVID-19

## THE ISSUE:

Ensuring public health and protecting refugees are not mutually exclusive. Millions of people, forced to flee their country or internally displaced, face the same challenges they did before COVID-19 and will be disproportionately impacted by its effects. Refugees have sought to escape persecution, violence, and torture, and live with restrictions on their rights to health, education, freedom of movement, and the right to seek asylum. They have also lived with the effects of rising economic and political instability.

As a result of COVID-19, states are further undermining fundamental human rights protections enshrined in domestic and international law. While 167 countries have closed their borders in the preceding months, at least 57 states including the U.S. have made no exception for asylum-seekers. All states must ensure refugees and vulnerable populations receive protection: human rights must be at the center of response and recovery.

### **Eroding International Obligations**

While states implement measures such as health screening or quarantining of people under specific conditions, they must not bar anyone from seeking asylum or return anyone to a place they could face danger. The principle of not returning anyone to a territory where they would be at risk of persecution or serious human rights violations is the cornerstone of international refugee protection and is fundamental to the absolute prohibition of torture and cruel, inhuman or degrading treatment or punishment. The COVID-19 pandemic cannot be used to justify further erosion of states' international obligations to protect people fleeing for safety, or as an excuse to discriminate against them.

### **Increased Risks and Disproportionate Impact**

As COVID-19 continues to spread, older people, people with chronic diseases, children, pregnant women, new mothers, and people with disabilities are particularly at risk, especially when in dangerously overcrowded conditions. While some refugees live in overcrowded camps, the majority of refugees and displaced populations live in urban settings with multiple generations sharing the same living space.

Refugees often have limited access to water, sanitation, and health facilities, all critical to fighting the spread of the disease. Many of the world's most urgent humanitarian situations are underfunded, meaning refugees often barely have the most fundamental needs of adequate shelter, food, and water met. Further, they are often cut off from adequate health facilities and treatments, including respirators, in host countries, thus left with little means of protecting themselves or seeking treatment.

Women, girls, and children will all likely experience distinct challenges and risks as a result of this pandemic. Confinement, loss of income, and isolation can lead to increased risks of sexual exploitation and violence. Like past infectious disease outbreaks, women and girls may face increased household responsibilities, such as having to care for sick family members and handle increased childcare needs. Children may have the most limited access to essential care including difficulty accessing treatment and testing, and their education, already limited, could be permanently affected.



The closure of borders, asylum mechanisms, along with the suspension of refugee resettlement globally has decreased access to durable protection opportunities. Adding to further concern is the fact that temporary measures to respond to the virus could become the new normal.

## RECOMMENDATIONS:

- International solidarity is needed in the best of times. Now, it is an absolute must. All states must not allow restrictions on exercise of rights to become the new normal. The White House should:
  - ◇ Increase financial support to international organizations working on the front lines to address refugees' needs, including ensuring that refugee camps and host countries have medical personnel and supplies, along with clean running water.
  - ◇ Work with the international community to ensure that all displaced persons have access to timely and accurate information along with access to healthcare in the host state's public health systems, without discrimination, and access to testing, treatment and preventive measures for COVID-19.
  - ◇ Restore access to asylum and appeal other countries to not restrict the rights of refugees. Governments should address public health concerns involving asylum-seekers and displaced populations through alternative measures including using innovative, rights-respecting solutions.
  - ◇ Resume refugee admissions as soon as safely possible and ensure that refugees waiting to travel can do so as expeditiously as possible once safe to do so.

## ADDITIONAL RESOURCES:

- "Solidarity on trial in fortress Europe" (March 2020), about how civil society organizations and human rights defenders helping refugees and migrants have been subjected to criminal proceedings, restrictions, intimidation, and harassment across Europe. ([available here](#))
- "COVID-19 response puts older Rohingya refugees in danger" (April 2020), about how older Rohingya refugees in Bangladesh are being left behind in the humanitarian response to COVID-19. ([available here](#))
- "Governments must halt dangerous detention of migrants and asylum-seekers" (April 2020), about how authorities across the Americas are detaining migrants and asylum seekers in a dangerous and discriminatory manner ([available here](#))

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# A RETURN TO MULTILATERALISM

## THE ISSUE:

For decades, Republican and Democratic presidents have turned to the United Nations to resolve issues of war and peace, tackle human rights abuses around the world, and facilitate assistance to communities reeling from natural and human-made calamities. In doing so, the U.S. helped cobble together functioning coalitions that, however imperfectly, have managed to tackle some of the world's biggest challenges. The previous years have marked a departure from this multilateral approach.

The UN Human Rights Council (HRC) and the General Assembly set international human rights standards. The HRC holds member states accountable through periodic reviews of their human rights records. The Council's [Universal Periodic Review](#) mechanism provides a forum wherein each Member State's human rights performance is examined every four and a half years. Independent human rights experts – known as [Special Procedures](#) – collect first-hand accounts from officials and survivors during their country visits and intervene on individual cases and patterns of allegations of human rights violations. Among other efforts, the UN Office of the High Commissioner for Human Rights ([OHCHR](#)) provides technical expertise and capacity-building to governments around the world on protecting human rights. UN peacekeepers deploy to areas of conflict around the world and play a key role in protecting civilians, monitoring and reporting on violations and preventing additional waves of violence.

Recent actions by the U.S. have indicated a growing antagonism to multilateral engagement on human rights. US officials have repeatedly put forward retrograde and harmful language on [LGBTI rights and sexual and reproductive human rights \(SRHR\)](#), not least of all by undermining progress at the Commission on the Status of Women and the General Assembly. In June 2018, the U.S. formally [withdrew from the UN Human Rights Council](#). In November 2019, the U.S. formally moved to withdraw from the [Paris Climate Agreement](#), an international compact to strengthen the world's response to climate change. The White House has waged a public campaign against the International Criminal Court (ICC), attempting to thwart the court's investigation into war crimes in Afghanistan by [slapping visa restrictions](#) on the staff and [threatening their families](#).

It need not be this way. U.S. diplomacy has previously played a key role in condemning human rights violations around the world and

## THE HUMAN COST:

Climate change will impact [all people](#) in all corners of the world. Without action to combat the threat, it is expected to account for a quarter million deaths due to disease between 2030 and 2050. It will drastically increase the number of people suffering from hunger and displaced by flooding. According to [a poll](#) of over 10,000 young people ages 18-25 by Amnesty International, climate change was cited most frequently as the most important issue facing the world. Galvanized by the gravity of the threat, [189 state parties have ratified](#) the Paris Agreement, an ambitious deal to curb global greenhouse gas emissions. In November 2019, the White House formally moved to [exit the Paris Agreement](#). The U.S. remains the world's second largest contributor to carbon emissions.



extending the mandates of special rapporteurs to countries whose governments have disastrous rights records, such as Belarus and Eritrea. The U.S. must build on these achievements and reverse recent policies that have undermined multilateral progress on human rights.

## TALKING POINTS:

- From climate change to the COVID-19 pandemic, the world is facing problems that cannot be solved by governments acting alone. It will be the policy of the White House to reengage in multilateralism – at the UN and beyond – to find lasting solutions.

## RECOMMENDATIONS:

- The White House should:
  - ◇ Cease the introduction of hostile language on gender equality, LGBTI rights, and SRHR in multilateral bodies, including the UN General Assembly and the Commission on the Status of Women (CSW).
  - ◇ Immediately rejoin the Paris Climate Agreement and commit the U.S. to living up to all of the agreement's terms. Withdraw all restrictions targeting ICC staff and reaffirm the US signature of the Rome Statute of the International Criminal Court.
  - ◇ Sign, push for Senate ratification of, and develop a plan for full compliance with outstanding UN human rights treaties. To date, the U.S. has signed and ratified fewer international human rights treaties than many countries including China, Russia, Saudi Arabia, and Iran.
  - ◇ Nominate Americans for a seat on relevant UN human rights treaty bodies. U.S. diplomatic representatives are currently eligible for a seat on the three treaty bodies that oversee compliance with the Convention Against Torture (UNCAT), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the International Covenant on Civil and Political Rights (ICCPR).

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# SURVEILLANCE

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## THE ISSUE:

Governments worldwide are using new technologies to suppress dissent and silence human rights defenders (HRDs). Repressive governments are purchasing cutting-edge digital surveillance tools from private companies on the open market, giving them an unprecedented ability to monitor and track HRDs at home and abroad.

Targeted digital surveillance is the practice of monitoring or spying on specific persons and/or organizations through digital technology. Targeted digital surveillance may involve compromising devices by installing malware or spyware (i.e. malicious software designed to be secretly installed on a victim's computer or phone to steal information and / or monitor communications) or compromising digital communications through other tactics, including phishing campaigns (in which attackers impersonate legitimate services in order to steal usernames and passwords).

Governments contract the services of the private digital surveillance industry. Both the governments and the companies selling it to them claim that the technology is only used for lawful purposes, such as watching and tracking terrorists and criminals. However, mounting evidence of their misuse tells a different story. Civil society organizations, including Amnesty International, have uncovered targeted campaigns against those who defend human rights with technology that is marketed by many of these surveillance companies.

The targeting of human rights defenders because of their work using digital surveillance technology is unlawful under principles laid out in international human rights law. Unlawful surveillance violates the right to privacy and impinges on the rights to freedom of expression and opinion, of association and peaceful assembly.

While little is known about the true extent of the international surveillance industry, certain companies have come to the surface due to their involvement with unlawful surveillance. NSO Group is one of these companies.

## THE HUMAN COST:

Amnesty is supporting a legal action to take the Israeli Ministry of Defence (MoD) to court, to demand that it revokes the export license of NSO Group, an Israeli company whose spyware products have been used in chilling attacks on human rights defenders around the world.

## TALKING POINTS

- Governments worldwide are increasingly using new technologies to suppress dissent and silence human rights defenders.
- The United States should become a global leader for human rights, including by setting an example for the rest of the world to follow.

## RECOMMENDATIONS

- The President elect should order the Department of State (responsible for regulating the sale of spyware to foreign governments) to institute an immediate moratorium on the sale and transfer of targeted surveillance tools until rigorous human rights safeguards are put in place to regulate such practices and guarantee that governments and non-state actors use the tools in legitimate ways. This includes both the import or targeted surveillance tools for domestic use, and also their export for use in other countries.
- Work with Congress to reform surveillance by the US government in line with human rights standards.

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# SURVEILLANCE & COVID-19

## THE ISSUE:

In the terrifying, uncertain days following 9/11, Congress authorized measures empowering the most sweeping surveillance the country had ever seen. These measures, the public was assured, were temporary and extraordinary, justified by an emergency that had engulfed the nation.

Nineteen years later, most of those measures are still firmly in place.

Earlier this month, the Department of Health and Human Services (HHS) awarded a contract for a massive new coronavirus-tracking surveillance platform to Palantir – the secretive data mining firm best known for its work with intelligence agencies and law enforcement. The Orwellian-sounding “Protect Now” platform will aggregate data from at least 187 different sources, drawing from the federal government, state and local governments, hospitals and the private sector.

This development should worry all of us. Our existing privacy laws are woefully inadequate to protect the sensitive and personal information that Palantir will analyze. Without adequate privacy protections in place, we run the risk of massive, ongoing government surveillance of all Americans in the name of public health. Without time limitations, that surveillance could become the norm, and the data collected could be used for purposes far beyond the protection of our public health.

First, consider the sheer volume of data that could end up in such a platform. Experts suggest that anywhere from [750,000 tests per week](#) to [millions of tests per day](#) may be necessary before the country can be reopened. We don’t yet know what information the Palantir platform is tracking, and whether this includes personal testing data – including health data – of any kind. Nor do we know what safeguards, if any, HHS has put place to protect our privacy. Neither HHS nor Palantir has divulged what data goes into the system, how it’s used, or with whom it can be shared. These are critical questions the public must have answered.

Second, Palantir’s involvement in the tracking and collection data is cause for grave concern: its platforms have previously facilitated grave human rights abuses. The Department of Homeland Security [used Palantir technology](#) to arrest over 400 parents, guardians, and other potential caretakers of unaccompanied children in just a month and a half, in a move to deter children from seeking safety by targeting their family members. Another Palantir technology powered the [largest immigration raid in a decade](#), in Mississippi, which led to the arrest of nearly 700 undocumented workers in a poultry plant and [tore parents from their children](#).

Third, there is every reason to suspect that sensitive data collected by Health and Human Services in this context could be coopted by law enforcement. In 2018, the Trump administration inked an [information-sharing agreement](#) between Immigration and Customs Enforcement (ICE) and an HHS sub-agency whose mandate is the protection and care of unaccompanied children. The information-sharing agreement permitted ICE to access sensitive information about potential sponsors HHS collected in the family reunification process.

Given this worrisome precedent and the entrenchment of Palantir surveillance technology in federal law enforcement efforts, it is easy to imagine how information collected by this vast new database can potentially be used for ends far beyond its purported objectives.

Widespread testing is, of course, critical: it is essential to the rights to life, health, and even the rights to livelihood and education. Yet while a coordinated, data-driven response to the coronavirus pandemic is critical, neither the government nor private companies like Palantir have carte blanche for unlawful, unnecessary or disproportionate surveillance or data collection, nor should that data be used to achieve ends that do not further public health. Any surveillance related to the pandemic must be justified by legitimate public health needs and limited to only that information necessary to respond to the pandemic. Further, such data collection must be completely transparent and should only last as long as necessary to respond to the pandemic.

## TALKING POINTS:

- The Department of Health and Human Services (HHS)'s decision to award a contract for a massive new coronavirus-tracking surveillance platform to Palantir should worry all of us. Our existing privacy laws are woefully inadequate to protect the sensitive and personal information that Palantir will analyze.
- Without adequate privacy protections in place, we run the risk of massive, ongoing government surveillance of all Americans in the name of public health. Without time limitations, that surveillance could become the norm, and the data collected could be used for purposes far beyond the protection of our public health.
- While a coordinated, data-driven response to the coronavirus pandemic is critical, neither the government nor private companies like Palantir have carte blanche for unlawful, unnecessary or disproportionate surveillance or data collection, nor should that data be used to achieve ends that do not further public health.

## RECOMMENDATIONS:

- To address these challenges, the White House should:
  - ◊ Be transparent and proactively disclose what information is collected through the Protect Now platform, how this information is used, and who has access to this information
  - ◊ Guarantee that data collected as part of the public health response associated with COVID-19 will only be used for public health purposes, and will not be shared with law enforcement, and in particular ICE
  - ◊ Protect the privacy rights of all Americans by collecting anonymized, aggregated data whenever possible. There should be a legitimate public health justification for any collection of personal health information through the Protect Now platform, and such information should be held only as long as absolutely necessary from a public health perspective.

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# UNITED NATIONS FUNDING

## THE ISSUE:

The UN plays a critical role in the global effort to promote and protect human rights. In the face of a critical funding shortfall, its ability to continue doing so is at risk. In May 2019, 399 NGOs penned an open letter to all Permanent Missions to the UN in Geneva and New York expressing grave concern that the multilateral body's human rights efforts are dangerously underfunded. These resource constraints have fundamentally impacted how the UN does its work: human rights treaty body sessions have been canceled and Special Procedure mandate holders have curtailed their missions.

The U.S. government can play a key role in addressing this funding gap. The U.S. is the UN's largest funder in absolute terms, contributing more than one fifth of the organization's budget. Yet recent presidential budget requests have repeatedly sought to slash funding to the UN, including funding to critical human rights functions. The President's Fiscal Year (FY) 2021 budget proposes 29% cuts to contributions to the UN peacekeeping activities from the congressionally enacted budget for FY2020. Were this proposal to become law, it would have a tremendous negative impact on peacekeeping efforts in some of the world's most critical conflicts, including in Mali, Central African Republic, South Sudan and elsewhere. The budget further proposes eliminating the International Organizations and Programs (IO&P) account, zeroing out the U.S.'s contributions to agencies such as the Office of the High Commissioner for Human Rights (OHCHR), UN Women, the United Nations Children's Fund, and many others.

For years, U.S. contributions to the United Nations have made the difference between life and death to millions. U.S. financial support helped erect an international human rights infrastructure that, however imperfectly, shed light on abusers previously ensconced by their own power and impunity. The U.S. government must resume its traditional role as a sponsor of international human rights, a role that has long enjoyed bipartisan support in the White House and in Congress.

## TALKING POINTS:

- It is the policy of the U.S. government to treat its assessments to the United Nations not as a charitable contribution but as an investment in a better future for all. Through this investment we can prevent human rights challenges from becoming human rights crises and humanitarian needs from becoming humanitarian disasters.

## THE HUMAN COST:

Unlawful killings and inter-ethnic violence continue to plague multiple provinces of the Democratic Republic of the Congo (DRC). In an effort to protect civilian life, the U.N. dispatched over [13,000 troops](#) and multiple aircraft in the form of the United Nations Stabilization Mission in the DRC (MONUSCO). Over the past five years, the cost of the mission has consistently fallen, but MONUSCO continues to show results. [MONUSCO peacekeeping patrols](#) have rescued civilians under fire, provided valuable information about activities by Congolese militias, categorized and mapped outbreaks of violence, protected health workers who are countering Ebola from attack, and organized tribal leaders to sign on to peace campaigns. The Trump Administration's has proposed a cut of \$127 million to its contribution to MONUSCO.



## RECOMMENDATIONS:

- In creating the President's FY2022 budget, the White House and the Office of Management and Budget (OMB) should move to:
  - ◇ **Restore the Contributions to International Organizations (CIO) request to \$1.527 billion,** a sum reflective of the U.S. assessment under the UN Regular Budget, adopted by consensus in the General Assembly with U.S. support in December 2019. The CIO account funds the U.S. share of the UN regular budget and dozens of other international organizations and specialized agencies.
  - ◇ **Restore the Contributions for International Peacekeeping Activities (CIPA) request to at least \$2.616 billion,** a sum sufficient for the U.S. to make good on its fully assessed rate as well as an additional \$956.2 million in arrears. The CIPA account funds UN peacekeeping missions and international war crimes tribunals.
  - ◇ **Restore Peacekeeping Operations Account (PKO) to \$525.3 million:** The PKO account funds U.S. contributions to the UN Support Office in Somalia (UNSOS). PKO also includes funding for the State Department's peacekeeper training initiative.
  - ◇ **End withholding of human rights funds:** Fully end the executive policy of withholding funds from the OHCHR. In FY18 and FY19, the White House withheld a sum of over \$54 million from the UN Regular Budget in order to defund the OHCHR and the UN Human Rights Council. This policy should be reversed and the withheld sum repaid.
  - ◇ **Urge Congress to lift arbitrary cap on contributions:** Urge Congress to lift arbitrary cap on U.S. contributions to peacekeeping operations. Since the mid-1990s, U.S. law has capped U.S. contributions to UN peacekeeping operations at 25%; this prevents the U.S. from paying in full and results in arrears. While Congress has waived this cap in annual appropriations bills, we have not done so in years. The White House should push for a legislative reversal.
  - ◇ **Restore funding to UNRWA:** Reverse the Administration's policy of defunding the UN Relief and Works Agency for Palestine Refugees, an entity that provides education, medical care, emergency food aid, microfinance assistance, and other critical services to vulnerable Palestinians. The Administration should commit to funding UNRWA at a level of no less than \$360 million annually, through the Migration and Refugee Assistance (MRA) account.

### FOR MORE INFORMATION, PLEASE CONTACT:

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A photograph of a war-torn city street. In the foreground, a woman in a black hijab is walking with two young children. The street is covered in rubble and debris. In the background, there are damaged buildings and a large pile of rubble. A yellow banner with the text "U.S. KILLINGS ABROAD" is overlaid on the image.

# U.S. KILLINGS ABROAD

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## THE ISSUE:

The U.S. Government claims it's keeping Americans safe by using drones, airstrikes and special forces to kill "militants" or "terrorists" around the world. But such actions have also killed thousands of civilians, usually without acknowledgement or explanation, or any effort to compensate survivors or their families for their devastating losses.

The U.S. must do a better job of protecting civilians from its use of lethal force and must conduct meaningful investigations of claims of civilian deaths and injuries. It should also provide reparations and assistance for survivors.

## THE HUMAN COST:

This problem is visible in virtually every theater where the U.S. is conducting military operations. In Syria, Amnesty International's investigations documented more than 1,600 deaths resulting from the U.S.-led Coalition's four-month battle to oust the armed group calling itself the Islamic State from the city of Raqqa in 2017. The U.S. Government has only acknowledged about 10 percent of those deaths and has made no effort to compensate survivors. In Afghanistan, the highest number of civilian deaths were caused by airstrikes conducted by pro-government and international forces. In December 2019, a USA-operated drone strike killed five people, including a mother who had just given birth. In October, the U.S. military launched an air strike against alleged methamphetamine drug labs in Farah province. According to a United Nations report, the strike claimed the lives of 39 civilians. In Somalia, Amnesty investigations documented 14 civilians killed and eight injured from just five U.S. air strikes out of more than 120 carried out between 2017 and 2019. The U.S. military had claimed there were no civilian casualties. Although it eventually conceded two civilian deaths, it continues to insist, without providing evidence, that the remaining 800 killed were all "terrorists."

In November 2017, the International Criminal Court's Chief Prosecutor moved to initiate an investigation into alleged war crimes and crimes against humanity in relation to the armed conflict in Afghanistan. Following sustained U.S. government pressure that included visa revocations and threats of sanctions against ICC personnel by the U.S. Department of State, the ICC refused to authorize an investigation into crimes under international law in Afghanistan. The ICC reversed that decision and agreed to proceed with the investigation in March, prompting harsh criticism and threats against the court, its staff, and even staff members' families from US Secretary of State Mike Pompeo.

## TALKING POINTS:

- The U.S. needs to do more to protect civilians from the harmful impacts of war. That includes more credibly investigating when civilians are killed or harmed and cooperating with international criminal investigations.



## RECOMMENDATIONS:

- The White House must commit the U.S. Department of Defense to thoroughly reviewing the conduct of U.S.-led and US-supported air strikes and other lethal operations to ensure that every effort is made to fully respect international humanitarian law and international human rights law to protect the lives of all civilians. This includes thoroughly and credibly investigating all claims of civilian casualties from the use of lethal force, and publicly reporting the findings.
- The White House must publicly declare 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 White House must end all punitive measures against ICC personnel and invite the office of the Chief Prosecutor to travel to the United States to meet with high level officials.

## ADDITIONAL RESOURCES:

- Amnesty site on U.S.-led Coalition assault on Raqqa, Syria and devastating effects on civilians: “War in Raqqa: Rhetoric versus Reality”: <https://raqqa.amnesty.org/>
- Amnesty report, “The Hidden U.S. War in Somalia,” March 2019: <https://www.amnestyusa.org/reports/the-hidden-us-war-in-somalia/>
- Amnesty update: “U.S. Military Shows Appalling Disregard for Civilians Killed in Somalia Air Strike,” September 2019: <https://www.amnesty.org/en/latest/news/2019/09/us-military-shows-appalling-disregard-for-civilians-killed-in-somalia-air-strike/>

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