

**Testimony of Deputy Assistant Secretary Scott Busby  
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**Senate Foreign Relations Committee  
Multilateral International Development, Multilateral Institutions, and International  
Economic, Energy, and Environmental Policy Subcommittee**

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Chairman Young, Ranking Member Merkley, and distinguished Members of the Subcommittee on Multilateral International Development and Multilateral Institutions, thank you for this opportunity to testify on how the U.S. is promoting human rights in multilateral fora and organizations. I commend the committee for its attention to these issues. The Bureau of Democracy, Human Rights and Labor at the State Department is committed to working closely with the committee to address pressing human rights problems around the globe through multilateral organizations.

On the occasion of the seventieth anniversary of the Universal Declaration on Human Rights, Professor Mary Ann Glendon wrote:

Ultimately, promoting human rights depends on deep support across cultural and ideological divides. This is what Eleanor Roosevelt envisioned, when she declared that documents expressing ideals “carry no weight unless the people know them, unless the people understand them, unless the people demand that they be lived.”<sup>1</sup>

These words provide insight on what any successful promotion of human rights and democracy, particularly in a multilateral setting must do – build support across divides. The Government of the United States works through a variety of multilateral and multi-stakeholder venues and mechanisms to educate, persuade, and fight for human rights. Our task in these institutions is to establish and sustain platforms where governments can seek to reach consensus on international human rights law, where human rights defenders and civil society voices can be heard, and where the international community can call to account those governments and individuals that violate or abuse human rights. That said, all of these mechanisms have challenges ranging from simple disagreement among UN member-states to actions by malicious governments to thwart attention to human rights.

At the United Nations, the U.S. interacts with myriad UN bodies, programs, special mandate holders, and agencies that address human rights and democracy issues. From work on counterterrorism efforts to development, the U.S. insists that human rights, good governance, and respect for the rule of law are integral to achieving the peace, prosperity, and security to which these entities and the U.S. are committed. During UNGA High Level Week, for instance, the President hosted the Global Call to Protect Religious Freedom with the Secretary General of

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<sup>1</sup> <https://www.the-american-interest.com/2018/12/19/the-universal-declaration-turns-70/>

the UN. Over 130 delegations from UN Member States, observers, and UN agencies attended, as well as religious leaders, business leaders, and civil society.

At the UN Third Committee, the body charged with taking up human rights issues within the General Assembly, the U.S. supports a variety of resolutions on troubling country situations and important thematic issues. The Third Committee is concluding its session now and we have actively advocated for resolutions on the human rights situations in Iran, North Korea, Burma, Syria, and Russian-occupied Crimea, as well as the U.S.-sponsored resolution on elections and democratization. Last year, we led efforts to get the Third Committee to pass important resolutions on Freedom of Expression and Freedom of Association and Peaceful Assembly.

We also seek to highlight human rights by organizing and co-sponsoring events and marshalling joint statements in UN forums on countries or issues of concern. For example, during this year's UN General Assembly high-level week, the U.S. along with several other countries sponsored an event on the horrible abuses occurring in the Xinjiang region of China. Hearing from Uighurs who have suffered or whose families have experienced abuses, we learned more about the repressive measures the Chinese Communist government has undertaken. We brought the international community together to hear about mass detentions in internment camps; pervasive, high-tech surveillance; draconian controls on expressions of cultural and religious identity; and coercion of individuals to return from abroad to an often perilous fate in China, and we challenged the international community to do more. Subsequent to the event, we joined 22 other countries to deliver a strong joint statement of concern at the Third Committee about the abuses taking place in Xinjiang. The U.S. hosted a similar event on Xinjiang on the margins of the March UN Human Rights Council session and has hosted similar events on Nicaragua in conjunction with its Universal Periodic Review; on Venezuela, also on the margins of the March UN Human Rights Council; and, together with the European Union, on female detainees in Syria on the margins of the July UN Human Rights Council session.

At the Security Council, we have sought to elevate attention to the link between human rights and international peace and security by, among other things, sponsoring discussions on the human rights situation in countries like North Korea and supporting the inclusion of human rights and justice-focused mandates, and strengthening of civilian institutions in peacekeeping missions, where appropriate. For example, in Haiti over the last year, we successfully pushed for the reconfiguration of the peacekeeping mission to focus on justice, police, and the rule of law and added a robust human rights monitoring mandate, including recognition that more must be done to counter pervasive gender-based violence. As the justice mission in Haiti progressed, the UN Security Council transitioned from a justice-focused peacekeeping operation to a special political mission. The UN special political mission in Haiti now joins other UN civilian missions charged with strengthening political stability and good governance while monitoring and reporting on human rights abuses, including in Afghanistan, Guinea-Bissau, Iraq, Libya, and Somalia. In the Central African Republic, we have supported the peacekeeping mission's mandate to assist the CAR specialized domestic court to hold accountable those responsible for atrocities. Last month, we noted the critical role the UN-AU Mission in Darfur plays in promoting accountability for human rights abuses.

At the United States' urging, the UN Security Council in August held the first standalone session on the Assad regime's ongoing practice of arbitrarily detaining, torturing, and extrajudicially killing hundreds of thousands of Syrian civilians in order to silence calls for reform and change. The session provided an unprecedented platform for raising the concerns of Syrian civil society, as well as former detainees, and bolstered international consensus on the importance of tangible progress towards the release of those arbitrarily detained in Syria, greater access for families to information on their detained loved ones, and improved prison conditions as a key component of efforts towards a political resolution to the Syria conflict in line with UNSCR 2254.

We also support the UN Secretary-General's efforts to end impunity among UN peacekeeping forces, including implementing the UN's zero-tolerance policy on sexual exploitation and abuse. As the leading bilateral partner for peacekeeping capacity-building assistance, the U.S. demands the best of our partners and of ourselves as we support effective development and delivery of peacekeeping training that meets or exceeds UN standards. We regularly reiterate the importance of pre-deployment and in-mission training of all peacekeeping personnel on preventing sexual exploitation and abuse and gender-based violence, including in context-specific scenario-based training and early-warning preparedness.

We have also supported the UN Secretariat's efforts to ensure that peacekeepers are not drawn from security forces that have been responsible for human rights abuses. For instance, the UN recently suspended future Sri Lankan Army deployment to peacekeeping operations in response to Lieutenant General Shavendra Silva being appointed as Sri Lanka's army chief, a person who is credibly alleged to be responsible for gross violations of human rights. We are also steadfast advocates for increasing the meaningful participation of women in peacekeeping operations, which results in "higher reporting of sexual and gender-based violence, as well as lower incidents of sexual exploitation and abuse."<sup>2</sup> The State Department's Global Peace Operations Initiative (GPOI) increases women's participation in peacekeeping training and peacekeeping deployments. Since 2007, more than 9,300 female peacekeepers have participated in GPOI training events. Moreover, since 2010, GPOI partners have increased the number of deployed women military peacekeepers by 105 percent, while non-GPOI countries have only increased their numbers by 21 percent.

Women peacekeepers are able to more effectively engage with women at the local level, and therefore, can gather more valuable information on threats to the civilian population, including conflict-related sexual violence, than their male counterparts. Similarly, consistent with the recently released U.S. Women, Peace, and Security Strategy, we are actively promoting the meaningful participation of women at all levels of dispute resolution, including in decision-making and negotiating bodies and mediating teams. We know that meaningfully including women in decision making and peace processes, highly contributes to whether that peace process will be successful and sustainable.

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<sup>2</sup> <https://www.un.org/press/en/2019/sc13773.doc.htm>

Furthermore, throughout the UN system, the United States works to ensure that the voices of human rights defenders are heard and that they may speak without fear of reprisals. In this respect, one of our focuses is on the Economic and Social Council's NGO accreditation committee, which is populated by a number of States that prefer to silence human rights defenders and non-governmental organizations. In this respect, we recognize the unique threats that women human rights defenders face and have mobilized attention and support to this issue. We are also strong supporters of the Secretary-General's efforts to collect and call out reprisals taken against members of civil society for their participation in UN-related meetings or processes. And we have fought to counteract efforts by other countries to prevent human rights defenders from speaking at the UN.

We also raise concerns about UN bodies that do not live up to the human rights mandates of the United Nations, and act on those concerns when necessary. For example, we withdrew as a member of the Human Rights Council out of concern about the criteria and process for electing its members, which has resulted in some of the world's worst human rights abusing governments serving on the Council. Just last month, for instance, UN member states inexplicably elected Venezuela to join the HRC over Costa Rica – an outrageous outcome for a body founded to advance human rights. Similarly, we object to the Human Rights Council's biased, unfair, and unacceptable singling out of Israel, which remains the only country that has a Council agenda item specifically devoted to it. While we chose to leave the Council for these reasons, we will continue our efforts to try to reform the Council to address these shortcomings and realize its potential.

While we do not engage on Human Rights Council resolutions, the U.S. does participate in Universal Periodic Review – a process in which every member-State of the UN submits a self-evaluation of its domestic human rights practices and engages in an interactive dialogue with other governments their recommendations for improvement. As every UN member-State participates in the UPR, we use the process to raise our concerns and make human rights recommendations to every country in the world. We continue to believe that the UPR process sets benchmarks that the country under review agrees to uphold, allowing the international community to hold every Member State accountable for its commitments. We have also supported certain country and thematic mandates and mechanisms created by the HRC that genuinely advance human rights, including, for instance, the special rapporteurs on Iran, North Korea, Cambodia, and Eritrea ; the Commissions of Inquiry on North Korea, Burundi,, and Syria; the Commission on Human Rights in South Sudan; the Fact Finding Missions on Venezuela and Myanmar; the thematic rapporteurs on freedom of expression and freedom of peaceful assembly and association; and the independent expert on sexual orientation and gender identity, among others.

We also regularly engage with the High Commissioner for Human Rights and her office (OHCHR) and support their activities in a number of countries and on a range of issues. OHCHR has field presences throughout the world that provide technical assistance, monitor human rights, serve as the human rights component of peacekeeping operations and respond to immediate crises. The U.S. is the second largest donor to OHCHR so far in 2019.

We further support work on human rights, good governance and democracy issues in a variety of other UN independent agencies, offices, including UN Women, UNICEF, the UN Development Program, the International Labor Organization, the International Telecommunications Union, the UN Democracy Fund, the UN Office of Drugs and Crime, and the World Bank. The United States remains UNICEF's largest donor both in terms of core funding and overall resources, helping the UN's flagship agency promote and protect children's welfare and well-being.

At the ILO, which serves as a key U.S. partner for achieving international labor-related objectives, such as combating exploitive child labor and human trafficking, promoting worker rights, and improving working conditions we have focused on the problem of forced labor in Myanmar and have supported the Government of Qatar's attempts to reform its kafala system, which can facilitate forced labor. The tripartite nature of the ILO – where governments, workers and business all have an active role – encourages a balanced and representative discussion on international labor standards.

The U.S. continues to actively engage with the UN and other multilateral institutions to enhance coordination on atrocity prevention, mitigation, and response efforts, while also advancing the institutionalization of this agenda within the UN system. Additionally, we are a member of the Group of Friends for the Responsibility to Protect (R2P) where we continue to reaffirm the United States' commitment to atrocity prevention and strengthen U.S. ties to partner nations and civil society actors. Further, we regularly participate in exchanges with likeminded countries to develop shared recommendations and coordinated action to mitigate the risk of mass atrocities.

We also support mechanisms that lay the ground for accountability for atrocities through our diplomatic and/or financial support to a number of UN investigative mechanisms, including the UN International Impartial and Independent Mechanism (IIIM) for Syria, the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh (UNITAD), and the UN Independent Investigative Mechanism for Myanmar (IIMM).

In addition to our work at the UN, the State Department does a great deal of human rights and democracy promotion work in regional organizations and other multilateral and multi-stakeholder initiatives. For instance, for more than four decades, the United States has been the foremost champion within the 57-member Organization for Security and Cooperation in Europe (OSCE) of fundamental freedoms and of human rights defenders targeted for repression by their governments. The United States uses weekly meetings of the OSCE's Permanent Council to speak out about ongoing human rights concerns – from abuses against Crimean Tatars and others opposed to Russia's occupation of Ukraine's Crimea, to Russia's persecution of Jehovah's Witnesses and members of other religious minority groups, the undermining of the rule of law in Turkey, the crackdown on dissent in Azerbaijan, the plight of political prisoners in the post-Soviet states of Central Asia, and the rise in anti-Semitism and other forms of intolerance in the OSCE region. We also are a leading participant in the OSCE's annual Human Dimension Implementation Meeting (HDIM) in Warsaw, which constitutes the largest human rights

gathering in Europe and Eurasia, drawing hundreds of frontline civil society activists and representatives of human rights advocacy organizations in addition to governments.

We also support the work of the OSCE's independent institutions, such as its High Commissioner on National Minorities, its Representative on Freedom of the Media, and its Office for Democratic Institutions and Human Rights (ODIHR). ODIHR's methodologies are considered the world's gold standard for independent elections observation. We also support OSCE field missions in Ukraine, the Balkans, and Central Asia that work with host governments and civil society to advance human rights, the rule of law, good governance, and rights-respecting approaches to security. The OSCE's Special Monitoring Mission provides invaluable reporting on the mounting human cost of Russia's continuing aggression against Ukraine. We use OSCE diplomatic tools to spotlight other serious abuses. For example, in December 2018, the United States and fifteen other countries invoked the OSCE's Moscow Mechanism in response to reports of serious abuses committed against LGBTI individuals, human rights monitors, and others in Russia's Republic of Chechnya. The resulting fact-finding Mission drew unprecedented international attention to the alarming human rights conditions in Chechnya, which the Kremlin allows to continue with impunity.

In addition, the U.S. also engages with and supports the work of the Council of Europe (COE), which promotes democracy and the rule of law in its 47 member states, including all EU members. The U.S. is an observer to the COE and a full member of some COE subsidiary bodies, including the European Commission for Democracy through Law (Venice Commission) and the Group of Countries Against Corruption (GRECO).

Closer to home, the Department works through the Organization of American States and the Inter-American human rights system to promote and defend, throughout the entire hemisphere, the democratic principles enshrined in the Inter-American Democratic Charter. We actively participate in Permanent Council meetings on matters of shared concern, as well as other bodies including sessions of the Inter-American Commission on Human Rights, the Inter American Women's Commission (CIM), and the regional anti-corruption peer review mechanism (MESICIC) supporting the Inter American Convention Against Corruption.

For instance, at the June OAS General Assembly in Medellin, we took decisive action to strengthen the OAS's role in forging a hemisphere distinguished by democracy, peace, respect for human rights, and cooperation. In particular, we adopted new texts paving the way for coordinated action to hold the former Maduro regime accountable for its ongoing violations of democratic order. We also established a clear process to review the state of democracy in Nicaragua, through a new high-level fact finding commission of the OAS. And we sponsored the first ever OAS text on religious freedom, allowing us to partner with countries around the hemisphere to strengthen best practices and dialogue in support of liberty and religion or belief.

As an observer at the African Union (AU), we have worked with the AU and its organs to build their capacity to promote human rights, strengthen democratic governance, and support the rule of law and access to justice. For instance, the United States is working with the AU to stand up the Hybrid Court for South Sudan to hold perpetrators of violations of international law and applicable South Sudanese law accountable.

We have long believed that getting like-minded governments and other key stakeholders such as business and civil society together to work on specific human rights problems can reap benefits and have strongly supported the establishment of such processes in recent years. We have been active participants in the Organization for Economic Cooperation and Development (OECD) as it develops guidance for companies on respecting human rights. The OECD is a venue to share best practices and help develop guidance alongside governments, companies, NGOS, and labor and provides an important venue to discuss corporate implementation of international best practices around human rights. In the wake of the human rights tragedies in the Niger delta in the 1990s, the U.S. led the founding of the Voluntary Principles on Security and Human Rights – an initiative involving governments, businesses, and civil society organizations that seeks to promote human rights in the security operations of extractive companies. We have also played a leading role in developing and sustaining the International Code of Conduct for Security Providers and its related association, which seeks to encourage all private security providers to respect human rights; the Freedom Online Coalition – a group of like-minded governments committed to advancing human rights online; the Centre for Sport and Human Rights, which is committed to addressing human rights concerns throughout the lifecycle of mega-sporting events; the Equal Rights Coalition, a group of likeminded governments that addresses human rights and dignity of LGBTI individuals, the Open Government Partnership -- a multi-stakeholder initiative in which governments and civil society work together to promote accountable governance and empower citizens, and the Community of Democracies – the primary international grouping of governments working to advance democratic values and principles globally.

Promoting human rights and democracy in international fora is a lengthy, iterative, and often slow process that moves in fits and starts. It is a long-term endeavor. It was only in 1948 that the Universal Declaration on Human Rights was approved. The High Commissioner's position was created in 1993. Since the end of the Cold War, we have made progress, but there is also significant pushback as well as backsliding. The People's Republic of China seeks to weaken respect for human rights and deflect and water-down human rights criticism and action in international fora with flowery resolutions that use seemingly benign phrases like "mutually shared beneficial cooperation" or "win-win" outcomes to advance its policy priorities. Russia pushes resolutions that try to elevate indeterminate "traditional values" over the rights enshrined in the Universal Declaration. Cuba, Venezuela, Iran, Russia, China and others fight to ensure that NGOs that are critical of governments will have no voice at the UN. These efforts seek to avoid or thwart accountability for human rights violations and abuses at the UN and elsewhere. On the contrary, we believe that the UN and other international fora are crucial arenas in which to advance human rights internationally and we will continue to fight for American values and for the unalienable rights and fundamental freedoms in the Universal Declaration of Human Rights.