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To protect individuals who face reprisals for defending human rights and democracy by enhancing the capacity of the United States Government to prevent, mitigate, and respond in such cases.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2023

Mr. MENENDEZ (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mr. COONS, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To protect individuals who face reprisals for defending human rights and democracy by enhancing the capacity of the United States Government to prevent, mitigate, and respond in such cases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Global Voices of Free-
5 dom Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Seventy-five years ago, the United Nations
2 General Assembly, with leadership from the United
3 States, adopted the Universal Declaration of Human
4 Rights, done at Paris December 10, 1948 (referred
5 to in this section as the “Declaration”), and since
6 the adoption of the Declaration, human rights de-
7 fenders have mobilized communities around the vi-
8 sion of a world “free and equal in dignity and
9 rights” described in the Declaration.

10 (2) Twenty-five years ago, the United Nations
11 unanimously adopted the United Nations Declara-
12 tion on Human Rights Defenders, which calls upon
13 all States to respect the role of individual citizens
14 and civil society organizations in defending human
15 rights and democratic principles.

16 (3) Human rights defenders advocate for
17 human rights and democratic principles, fight cor-
18 ruption, support good governance, seek to end impu-
19 nity, support victims of human rights violations, and
20 speak truth to power, creating safeguards against
21 autocratic regimes and backsliding democracies.

22 (4) Increasingly, human rights defenders
23 around the world face threats and violence in retalia-
24 tion for exercising their civil and political rights, and
25 reprisals against such defenders have grown in num-

1 ber, scale, and sophistication, with online and digital
2 threats evolving rapidly.

3 (5) According to the United Nations High Com-
4 missioner for Human Rights, every year hundreds of
5 human rights defenders are murdered and thousands
6 more are subjected to torture, enforced disappear-
7 ance, sexual violence, hate crimes, unlawful or arbi-
8 trary detention, judicial harassment, unlawful or ar-
9 bitrary digital surveillance, and forced exile.

10 (6) Today, autocratic regimes are engaging in
11 increasingly brutal crackdowns on human rights de-
12 fenders by co-opting states or collaborating with
13 transnational criminal organizations, paramilitary
14 groups, and other actors to silence critical voices.

15 (7) Such tactics are not limited to autocratic
16 regimes and are now used in every region of the
17 world, accelerating a global decline in respect for
18 human rights and democratic principles.

19 (8) Few attacks against human rights defend-
20 ers are investigated or prosecuted, and rampant im-
21 puny has only spurred further violence, creating a
22 chilling effect on the work of others seeking to pro-
23 mote human rights and democratic principles.

24 (9) Human rights defenders who speak up on
25 behalf of communities that have historically faced

1 discrimination face the highest levels of violence,
2 such as those advocating for Indigenous commu-
3 nities, environmental and climate change justice, and
4 respect for LGBTQ+, women's, and religious rights.

5 (10) Attacks on human rights defenders are not
6 limited to individuals residing in-country, and many
7 foreign governments engage in transnational repres-
8 sion, reaching across borders to target human rights
9 defenders outside of their country of origin.

10 (11) Although the United States has long
11 played a critical role in supporting human rights de-
12 fenders, the United States must increase support at
13 United States embassies, consulates, and foreign
14 missions in order to meet the needs of the growing
15 number of human rights defenders at risk.

16 (12) Diplomats of the United States often lack
17 sufficient training or guidance on how to best re-
18 spond to reprisals against human rights defenders,
19 while human rights defenders often lack clear guid-
20 ance on how to safely contact United States officials
21 abroad and what support human rights defenders
22 can request when threatened, imprisoned, in exile, or
23 in hiding.

24 (13) Given the dramatic increase in attacks on
25 human rights defenders globally, the current ap-

1 proach by the United States Government to address
2 such attacks is insufficient to adequately respond to
3 the threats human rights defenders face, weakening
4 the ability of the United States to advance human
5 rights and democratic principles at a time when
6 authoritarianism is on the rise.

7 **SEC. 3. DEFINITIONS.**

8 In this Act—

9 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
10 **TEES.**—The term “appropriate congressional com-
11 mittees” means the Committee on Foreign Relations
12 of the Senate and the Committee on Foreign Affairs
13 of the House of Representatives.

14 (2) **HUMAN RIGHTS DEFENDER.**—

15 (A) **IN GENERAL.**—The term “human
16 rights defender” means an individual, working
17 alone or in a group, who uses nonviolent means
18 to promote or protect human rights and funda-
19 mental freedoms, in a manner consistent with
20 the principles described in the United Nations
21 Declaration on Human Rights Defenders.

22 (B) **INCLUSIONS.**—The term “human
23 rights defender” may include members of civil
24 society organizations, journalists, activists, law-

1 yers, community leaders, whistleblowers, and
2 others.

3 (3) REPRISAL.—The term “reprisal” means an
4 act or omission that—

5 (A) violates, intends to violate, or encour-
6 ages a violation of the rights of a human rights
7 defender; or

8 (B) otherwise prevents a human rights de-
9 fender from carrying out his or her work.

10 (4) STRATEGY.—The term “Strategy” means
11 the Global Voices of Freedom Strategy submitted in
12 accordance with section 5.

13 (5) UNITED NATIONS DECLARATION ON HUMAN
14 RIGHTS DEFENDERS.—The term “United Nations
15 Declaration on Human Rights Defenders” means
16 the Declaration on the Right and Responsibility of
17 Individuals, Groups and Organs of Society to Pro-
18 mote and Protect Universally Recognized Human
19 Rights and Fundamental Freedoms (United Nations
20 General Assembly Resolution 53/144 (1998)), adopt-
21 ed by the United Nations General Assembly on De-
22 cember 9, 1998.

23 **SEC. 4. STATEMENT OF POLICY.**

24 It shall be the policy of the United States—

1 (1) to reaffirm the commitment of the United
2 States to the United Nations Declaration on Human
3 Rights Defenders and to human rights defenders,
4 who, often at great risk to themselves, work to pro-
5 tect and advance human rights and democratic prin-
6 ciples;

7 (2) to integrate support for human rights de-
8 fenders and their protection from reprisals as part
9 of bilateral and multilateral diplomatic, economic,
10 humanitarian, development, law enforcement, secu-
11 rity assistance, and anti-corruption activities of the
12 United States; and

13 (3) to view support for human rights defenders
14 and their protection from reprisals as critical foreign
15 policy interests of the United States.

16 **SEC. 5. DEVELOPMENT OF A GOVERNMENT-WIDE STRAT-**
17 **EGY FOR HUMAN RIGHTS DEFENDERS.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the President, in con-
20 sultation with the heads of relevant Federal agencies, shall
21 develop and submit to the appropriate congressional com-
22 mittees a comprehensive interagency strategy to support
23 and protect human rights defenders abroad to be known
24 as the Global Voices of Freedom Strategy.

1 (b) ELEMENTS OF THE STRATEGY.—The Strategy
2 shall include detailed information on the following ele-
3 ments:

4 (1) How the United States intends to imple-
5 ment the policy objectives under section 4, includ-
6 ing—

7 (A) specific and measurable goals;

8 (B) metrics to measure progress against
9 such goals; and

10 (C) a timeline for implementation.

11 (2) An assessment of tools and resources avail-
12 able at United States embassies and missions to
13 support human rights defenders, including—

14 (A) measures to monitor and respond to
15 reprisals against human rights defenders; and

16 (B) information on implementation of the
17 training required by subparagraph (E) of sec-
18 tion 708(a)(1) of the Foreign Service Act of
19 1980 (22 U.S.C. 4028(a)(1)), as added by sec-
20 tion 8.

21 (3) Bolstering the ability of United States em-
22 bassies and missions to prioritize the protection of
23 human rights defenders, including—

24 (A) ensuring the policy objectives under
25 section 4 are addressed in each country-specific

1 Integrated Country Strategy of the Department
2 of State;

3 (B) developing guidance for United States
4 embassies and missions on assessing when and
5 how to respond to reprisals against human
6 rights defenders;

7 (C) identifying a designated point of con-
8 tact at each United States embassy or mission
9 who—

10 (i) reports directly to the chief of mis-
11 sion; and

12 (ii) shall be responsible for—

13 (I) conducting regular consulta-
14 tions with human rights defenders, in-
15 cluding individuals based outside of
16 major urban areas; and

17 (II) tracking patterns of reprisals
18 and managing responses to reprisals,
19 including by assessing the impact of
20 such responses;

21 (D) integrating consideration of reprisals
22 against human rights defenders into engage-
23 ments by United States embassies and missions
24 with the private sector;

1 (E) providing a secure means, where fea-
2 sible, by which human rights defenders can con-
3 tact each United States embassy or mission, re-
4 spectively publicized on the website of each
5 United States embassy or mission;

6 (F) including requests for additional re-
7 sources to engage with and support human
8 rights defenders in annual Mission Resource
9 Requests; and

10 (G) acknowledging and rewarding efforts
11 by United States diplomatic personnel to pro-
12 tect human rights defenders as part of annual
13 performance reviews.

14 (4) Seeking to reduce impunity for reprisals
15 against human rights defenders by strengthening ac-
16 countability for perpetrators, including—

17 (A) using diplomatic pressure to encourage
18 foreign governments to investigate and pros-
19 ecute persons who order, plan, and carry out re-
20 prisals;

21 (B) using diplomatic pressure to respond
22 to patterns of non-lethal reprisals that have an
23 adverse impact on civic space, including the
24 criminalization of nonviolent advocacy, smear
25 campaigns, and illegal surveillance; and

1 (C) increasing support for multilateral ini-
2 tiatives that seek to curb the misuse of dual-use
3 technologies by foreign governments to monitor,
4 harass, or threaten human rights defenders and
5 their families.

6 (c) IMPLEMENTATION.—In implementing the Strat-
7 egy, the President shall—

8 (1) establish within the National Security
9 Council an interagency working group that shall be
10 responsible for coordinating implementation of the
11 Strategy;

12 (2) require each relevant Federal agency to pro-
13 vide a specific implementation plan for the Strategy;
14 and

15 (3) consult with human rights defenders and
16 civil society organizations on the design and imple-
17 mentation of the Strategy.

18 (d) FORM AND AVAILABILITY.—

19 (1) FORM.—The Strategy shall be submitted in
20 unclassified form, but may include a classified
21 annex, if necessary.

22 (2) BRIEFING.—Not later than 30 days prior to
23 publication of the Strategy in accordance with para-
24 graph (3), the Under Secretary for Civilian Security,

1 Democracy, and Human Rights shall brief the ap-
2 propriate congressional committees on the Strategy.

3 (3) PUBLIC AVAILABILITY.—The unclassified
4 portion of the Strategy shall be made available to
5 the public, including through publication in the Fed-
6 eral Register.

7 **SEC. 6. PROTECTING HUMAN RIGHTS DEFENDERS AT THE**
8 **UNITED NATIONS AND OTHER MULTILAT-**
9 **ERAL BODIES.**

10 The Secretary of State and the United States Perma-
11 nent Representative to the United Nations shall use the
12 voice, vote, and influence of the United States at the
13 United Nations and other multilateral bodies—

14 (1) to promote full participation and oppose ef-
15 forts that prevent the full participation of human
16 rights defenders and block the accreditation of bona
17 fide human rights organizations at the United Na-
18 tions and other multilateral bodies;

19 (2) to ensure that the United Nations bolsters
20 the protection and safe participation of human
21 rights defenders who are subject to transnational re-
22 pression, state harassment, and reprisals;

23 (3) to increase monitoring and reporting to
24 identify and track reprisals against human rights de-
25 fenders, including human rights defenders who en-

1 gage with the United Nations and other multilateral
2 bodies;

3 (4) to urge member states to engage with the
4 mandate for the Special Rapporteur on the situation
5 of human rights defenders (referred to in this sec-
6 tion as the “Special Rapporteur”), to cooperate with
7 the Special Rapporteur, and to take steps to imple-
8 ment the recommendations of the Special
9 Rapporteur; and

10 (5) to support the use of targeted sanctions,
11 censure of member states, and all diplomatic tools
12 available to hold responsible persons that engage in
13 reprisals against human rights defenders.

14 **SEC. 7. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS**
15 **PRACTICES.**

16 Section 116(f)(1) of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2151n(f)(1)) is amended—

18 (1) by redesignating subparagraph (C) as sub-
19 paragraph (E); and

20 (2) by inserting after subparagraph (B) the fol-
21 lowing:

22 “(C) A description of the treatment of human
23 rights defenders (as defined in section 3 of the Glob-
24 al Voices of Freedom Act of 2023), in each foreign
25 country including patterns of reprisals (as defined in

1 such section) against human rights defenders resid-
2 ing in-country, including information on the under-
3 lying types of activities targeted and the types of
4 tactics being used.

5 “(D) When feasible, details on the total number
6 of investigations opened into reprisals against
7 human rights defenders, including, for such repris-
8 als, the number of prosecutions, the details of the in-
9 dividuals sentenced, and the percentage of individ-
10 uals acquitted.”.

11 **SEC. 8. TRAINING.**

12 Section 708(a)(1) of the Foreign Service Act of 1980
13 (22 U.S.C. 4028(a)(1)) is amended—

14 (1) in subparagraph (C), by striking “and” at
15 the end;

16 (2) in subparagraph (D), by striking the period
17 at the end and inserting a semicolon; and

18 (3) by adding at the end the following new sub-
19 paragraph:

20 “(E) for Foreign Service Officers and
21 Presidential appointees, including chiefs of mis-
22 sion, in missions abroad who work on political,
23 economic, public diplomacy, security, or devel-
24 opment issues, a dedicated module of instruc-

1 tion on support for human rights defenders;
2 and”.

3 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated \$5,000,000
5 for each of fiscal years 2024 through 2028 to carry out—

6 (1) the Strategy and reporting requirements de-
7 scribed in sections 5 and 7; and

8 (2) the training required by section 8.

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