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Introduction

Chairman Sherman, Ranking Member Yoho, and distinguished Members of the Committee, thank you for affording me this opportunity to testify on the human rights climate in South Asia. I commend the committee for its attention to this important region and deeply appreciate your invitation to testify. I hope to develop a strong partnership with the committee so that we may jointly address pressing human rights problems and advance human rights around the globe. To that end, I would like to begin with a brief overview of recent human rights developments in South Asia and our responses to them.

As a whole, South Asia has experienced backsliding on democracy and human rights in recent months and years, including increased restrictions on fundamental freedoms. For instance, the Government of India has detained local political leaders and imposed communication blackouts in parts of Jammu and Kashmir. Pakistan has pressured and censored media platforms, including in the lead-up to the 2018 election. And voter intimidation and suppression marred Bangladesh's elections in 2018 such that they were neither free nor fair.

Nevertheless, the State Department continues to promote respect for human rights and the upholding of democratic values in the region, with some notable successes.

In Sri Lanka, for instance, our programming helped civil society engage constructively with officials as activists advocated for their government to uphold its multilateral commitments to human rights, including those on reconciliation and transitional justice. The government has since established an Office of Missing Persons dedicated to determining the status of all missing persons in Sri Lanka.

The Department also has supported human rights defenders under threat in the region. While I cannot discuss specific cases due to their sensitive nature in this setting, I would be happy to discuss them with you privately.

With that brief overview, I'd like to transition to more detailed remarks focused on, but not limited to, those areas of interest cited in your press release of September 30.

India

As the State Department point person on democracy issues, I must point out that India's 2019 elections were the largest single democratic exercise in human history and serve as an inspiration to democracies and individuals around the world. I applaud the Indian people for turning out to

vote in historic numbers and the Government of India for its exceptional execution of a free and fair election on such a massive scale. Still, we are compelled to underscore human rights issues of increasing concern precisely because, if left unchecked, they could undermine India's democratic success.

Our most recent *Country Reports on Human Rights Practices* notes that while individuals in India routinely criticize the government publicly and privately, some sedition and criminal defamation laws have been used to prosecute citizens who criticize government officials or oppose state policies. In certain cases, local authorities arrested individuals under laws against hate speech for expressions of political views. Freedom House, in its most recent report, asserts that freedom of expression is eroding in the country and notes the government's silence regarding direct attacks on free speech. That report states that in some cases, authorities have used defamation and hate speech laws, as well as contempt-of-court charges, to curb critical voices in the media. We are also concerned and actively monitor incidents of violence against members of religious minority groups and lower castes, including whether or not the government responds appropriately.

Nine of India's 29 states have laws restricting religious conversions, which some human rights groups believe can foster hostility against religious minority communities. Authorities often fail to prosecute perpetrators of "cow vigilante" attacks, which include killings, mob violence, and intimidation, particularly against Muslims. Senior U.S. officials have encouraged the government of India to uphold its domestic and international human rights obligations and commitments, in keeping with India's democratic values, pluralistic society, and history of tolerance.

1. Jammu and Kashmir

We are concerned by the detention of local political leaders and activists, as well as the internet black out in Jammu and Kashmir. According to several reports, the government has detained up to thousands of individuals since August, including more than 100 mainstream politicians, although many have since been released. The government did not officially confirm these large-scale detentions except those of prominent politicians, including former Chief Ministers Farooq Abdullah, Omar Abdullah, and Mehbooba Mufti.

Since the August 5 revocation of Articles 370 and 35A of the Indian Constitution, we have urged the Indian government to balance its security priorities with respect for human rights. In August, Prime Minister Modi announced a plan to return the region to normal order, which is something we would welcome. Thus far, however, the picture remains mixed. We understand that curfews have been lifted in most areas, land lines restored, and a majority of detainees released. Still, internet and mobile phone service remain blocked in some districts. Reports indicate this has led to a shortage of medicines, delays in receiving healthcare, and stalled businesses. With communications blocked, local activists and journalists are not able to provide updates on the current environment in the Valley. At least 300 people remain jailed under the Public Safety Act, which allows for detention without charge for up to two years in matters of affecting national security, including politicians, lawyers, and activists.

2. Assam National Registrar of Citizens

We are also concerned about the Government of India's final draft of the updated National Register of Citizens (NRC), which puts 1.9 million people at risk of statelessness in Assam. The appeals process may disadvantage poor and illiterate populations who lack documentation. It is also unclear how the appeals process will be able to proceed in the allotted timeframe. We are closely following this situation and urge the Government of India to take these issues into consideration.

Pakistan

We welcome Pakistani Prime Minister Khan's stated desire to combat corruption and poor governance. However, we note that, one year into his administration, human rights abuses persist in Pakistan including restrictions on civil society, overly strict regulations on international NGOs (INGOs), severe harassment of journalists, blasphemy laws that curtail fundamental freedoms, and overt discrimination against members of minority groups. Nevertheless, we commend Pakistan for its progress on protecting the rights of persons with disabilities.

The Government of Pakistan, including its security forces, continue to threaten and harass journalists who criticize the government. Unknown actors continue to carry out violence against journalists who report on sensitive issues such as civil-military tensions or abuses by security forces. NGOs, such as the Committee to Protect Journalists, report that security forces limit reporting on sensitive topics by barring access and encouraging self-censorship. Security forces have allegedly abducted journalists and imposed blackouts on news outlets. American-funded news outlets are not immune. In January 2018, the Ministry of Interior shut down the Islamabad office of Radio Mashaal, Radio Free Europe/Radio Liberty's bureau in Islamabad. The Ministry based its decision on an intelligence report claiming Radio Mashaal programs were "against the interests of Pakistan and in line with a hostile intelligence agency's agenda." Similarly, authorities blocked Urdu- and Pashtu-language websites for Voice of America in December 2018.

The Secretary of State designated Pakistan a Country of Particular Concern for particularly severe violations of religious freedom in November 2018. Religious freedom violations in Pakistan include the enforcement of blasphemy laws. According to Pakistan's penal code, the punishment for blasphemy ranges from life in prison to the death sentence. Blasphemy laws restrict individual fundamental freedoms concerning matters of religion and religious doctrine, which is why we oppose them worldwide. We remain deeply troubled with the dozens of Pakistanis who remain on death row or are serving life imprisonment for blasphemy charges, and we remain concerned about the mob violence that so often follows blasphemy allegations. That said, we welcomed the January decision of Pakistan's Supreme Court to uphold its October 2018 acquittal of Asia Bibi, which enabled her release from detention in May 2019, particularly in the face of opposition from hardline groups that threatened Supreme Court judges following their ruling. We are troubled, as well, by restrictions on the Ahmadiyya Muslim community, who face legal restrictions, such as the requirement to explicitly state they are non-Muslim in applications for their national identity cards. We have urged the Government of Pakistan to repeal these restrictions on the Ahmadiyya Muslim community. Ambassador at Large for

International Religious Freedom Sam Brownback visited Pakistan in February where he discussed Pakistan's religious freedom challenges in depth with senior government officials and provided recommendations on working towards having Pakistan's Country of Particular Concern designation removed.

We remain deeply concerned by reports from human rights organizations that security forces arrest Pashtun rights activists, as well as Sindhi and Baloch nationalists, without cause or warrant. Some Sindhi and Baloch nationalist groups claim that authorities detain their members based on political affiliation or belief. Nationalist parties in Sindh further allege that law enforcement and security agencies kidnap and kill Sindhi political activists. We regularly express our concerns to the Government of Pakistan about these issues and publicly document them in our annual Human Rights Report.

Sectarian militants continue to target members of the Hazara Shia minority in Quetta, Baluchistan. As a result, they are largely confined to two Hazara-populated enclaves, which significantly restricts their ability to move freely, find employment, and pursue higher education.

Limitations on international NGOs are another concern. The Government of Pakistan implemented a new registration process for INGOs in October 2015. After a lengthy appeals process, in October 2018, the Ministry of Interior issued final rejection notices to 18 INGOs, denying their registrations and ordering them to close operations within 60 days. These critical conduits of foreign talent to advance human rights and humanitarian causes in Pakistan are now dwindling. The Government of Pakistan has also restricted domestic NGOs from utilizing foreign funding. Those NGOs have described an environment of intimidation and obstacles to coordination. Our Embassy in Islamabad has delivered numerous demarches and letters to the Government of Pakistan calling on it to lift these restrictions.

As reflected in our most recent country report for Pakistan, consensual same-sex sexual conduct is a criminal offense for which the penalty is a fine, two years' to life imprisonment, or both. There is also violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. That said, we praise Pakistan's progress on protecting the rights of persons with disabilities. The Sindh Empowerment of Persons with Disabilities Act of 2018 expanded the scope of disability to include people with mental and neurological disabilities and expanded reforms to uphold human rights for persons with disabilities. We note, however, that persons with disabilities seeking to qualify for employment quotas or voting accommodations are still required to obtain a disability identification card, a multistep and cumbersome process.

U.S. programs funded by the Bureau of Democracy, Human Rights, and Labor provide support to government institutions and civil society organizations to strengthen human rights, including religious freedom in Pakistan. DRL currently supports an approximately \$16 million portfolio in areas such as the protection and enhancement of rights of members of minority groups, rule of law, access to justice, and religious freedom.

Sri Lanka

The United States and Sri Lanka share common goals as fellow democracies working to promote and protect human rights and fundamental freedoms. Like the United States, Sri Lanka is home to many diverse communities that reflect many different age groups, ethnicities, cultures, races, religions, and orientations. It is imperative that we appreciate these differences as strengths, not as an opportunity for division, and that our partnership upholds human rights and civil liberties for all communities.

The United States is committed to helping Sri Lanka achieve reconciliation for all ethnic and religious communities in the wake of its 30-year civil war that ended in 2009. We welcomed Sri Lanka's renewed commitment this year in Geneva to accountability, justice, and reconciliation and will continue to press for sustained and measurable implementation, which is critical to realizing the Sri Lankan people's desire for long-term peace and stability.

We are encouraged by the Government of Sri Lanka's progress on the operationalization of an Office of Missing Persons, the establishment of an Office of Reparations, and the release of a majority of military-occupied land in the north and east back to its original owners. We continue to urge the government to maintain that momentum.

Unfortunately, progress on constitutional reform, repealing and replacing the Prevention of Terrorism Act (PTA), and establishing a truth and reconciliation commission has stalled, while no effort has been made to establish a credible judicial mechanism to address accountability for atrocities.

We have also expressed concern with officials at the highest levels about violence against members of religious minorities, such as members of the Christian and Muslim communities, particularly in the aftermath of the April 21 attacks. Our engagement with Sri Lanka has emphasized the wisdom of upholding human rights when countering terrorism as the government's imposition of a nearly four month State of Emergency raised concerns about government abuse of civil liberties and fears from minority communities of a return to civil war-era detentions and abuses. We have urged government officials to take steps to prevent violence, publicly condemn acts of harassment and violence against members of religious minority communities, and to hold those responsible for such attacks accountable.

A strong civil society and independent media serve to protect all citizens, and provide them a voice through access to information, advocacy, and oversight of the government. However, the spread of disinformation on social media has fueled ethnic and religious tensions on this island nation. Strengthening the independence and the integrity of Sri Lanka's media sector is key to supporting the Government of Sri Lanka's efforts to solidify the country's recent advances in media freedom and democratic governance, both critical to the protection of human rights.

Human rights and rule of law concerns are also at the forefront of our partnerships with security forces. We thoroughly vet all security sector personnel who receive U.S. foreign assistance resources, including training, in accordance with U.S. law. Human rights training will continue to be an important component of our bilateral military engagement.

Nevertheless, we are deeply concerned by the appointment of Lieutenant General Shavendra Silva as Army Commander and the negative message the appointment sends for Sri Lanka's purported commitment to post-war accountability. The allegations of gross human rights violations against him, documented by the United Nations and other organizations, are serious and credible. This appointment undermines Sri Lanka's international reputation and its commitments to promote justice and accountability, especially at a time when the need for reconciliation and social unity remains paramount. We have made it clear to the Sri Lankan President and other senior officials that Silva's promotion to Army Commander will significantly curtail bilateral cooperation with the Sri Lankan Army under U.S. law, while accountability for Silva and other perpetrators could lead to easing restrictions and greater military engagement.

Continued progress in Sri Lanka's human rights record is vital to Sri Lanka's long-term peace, prosperity, and stability. As Sri Lanka is heading towards presidential elections next month, we hope to see the next government increase its focus on human rights, improve fledgling reconciliation institutions, and implement all the mechanisms for transitional justice.

Bangladesh

In the 2018 *Country Reports on Human Rights Practices*, we noted that the most recent elections in Bangladesh were neither free nor fair and were marred by irregularities such as voter intimidation and suppression, ballot-box stuffing, periodic internet shutdowns, violence against opposition candidates, and restrictions on election observers. We retain acute concerns about security forces suppressing, intimidating and detaining civil society, members of the media, and political opposition. The political opposition still struggles to operate, and many leaders face what appear to be spurious legal charges. Civil society is threatened with prohibitive draft regulations and is publicly criticized, including humanitarian workers responding to the Rohingya crisis. Journalists continue to self-censor for fear of the Digital Security Act and to be detained for criticism of the government. Members of the LGBTI community fear attacks and security force abuses, and members of religious minority groups and persons with disabilities continue to be marginalized. Security force abuses and reports of arbitrary and unlawful killings in counter narcotics and counterterrorism raids, as well as enforced disappearances, continue. Bangladesh has made some progress on worker safety, but minimal advances on labor rights. Despite these significant human rights concerns, Bangladesh's commitment to hosting over 700,000 refugees since August 2017 is commendable, and Prime Minister Hasina has repeatedly reaffirmed Bangladesh's commitment to voluntary repatriation to Burma. In the Rohingya refugee camps, we continue to urge Bangladesh to safeguard freedom of association, facilitate enhanced education, restore mobile phone access, and improve opportunities for refugees.

Nepal

Nepal has made great strides, but many challenges remain to be addressed as Nepal seeks to achieve middle-income status. We welcome the Government's commitments to reform the business environment to attract investment and create jobs as well as to fight corruption. We urge Nepal to honor the Gentleman's Agreement with India and provide safe passage for Tibetan refugees and to respect the rights of refugees within its borders against refoulement.

Nepal's constitution prohibits persons from converting other persons from one religion to another. Doing so is punishable by law. Senior U.S. officials have expressed concerns with the government over restrictions on freedom of religion.

Conclusion

South Asia is critical to President Trump's Indo-Pacific Strategy built on three pillars: security, economics, and governance. The Bureau of Democracy, Human Rights, and Labor contributes directly to promoting good governance while bolstering security and economic productivity through advocacy for human rights. Restrictions on civil society, violent attacks on independent journalists, severe security force abuses, and persecution of minority populations, all erode democracy, lead to instability and deter investment. The Administration remains committed to partnering with South Asian nations to counter these abuses. Mr. Chairman and Committee Members, I look forward to working with you to enhance the space for human rights in South Asia.