

SELECTED LEGISLATION IN THE 111th CONGRESS □

PROPOSED:

Egypt:

H.Res.200: Calling on the Egyptian Government to respect human rights and freedoms of religion and expression in Egypt

This resolution recognizes that respect for human rights is a fundamental value and that the bilateral relationship between the United States and Egypt should be a platform for promoting the rule of law and fundamental freedoms. The measure calls on the Egyptian government to: (1) respect human rights, minority rights, and freedoms of religion and expression and (2) release Abdel Karim Suleiman and all political activists; welcomes the government of Egypt's decision to pardon Ayman Nour for medical reasons; urges the President and the Secretary of State to put human rights and religious freedom developments in Egypt very high on the U.S. government's agenda during meetings with Egyptian officials.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr200ih.txt.pdf

Pakistan

H.Res.764: Expressing the sense of the House of Representatives on the importance of inter-religious dialogue and the protection of religious freedom and related human rights for persons of all faiths and nationalities in the Islamic Republic of Pakistan

This resolution expresses the sense of the House of Representatives that the United States should: (1) ensure that promotion of inter-religious dialogue and protection of religious freedom and human rights are key components of the U.S. engagement strategy with the Islamic Republic of Pakistan; and (2) support efforts by the government of Pakistan to protect the religious freedom of all Pakistanis and prioritize the prevention of religiously motivated and sectarian violence; and (3) urge the government of Pakistan to review legislation that restricts the right to practice and propagate religion or that constitutes discrimination on the basis of religion or belief in order to bring Pakistani law into conformity with international human rights standards.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr764ih.txt.pdf

Vietnam:

H.Res.20: Calling on the State Department to list the Socialist Republic of Vietnam as a “Country of Particular Concern” with respect to religious freedom

Consistent with USCIRF’s recommendations, this resolution encourages the Department of State to place Vietnam on the list of “Countries of Particular Concern” for particularly severe violations of religious freedom. It also condemns the ongoing and egregious violations of religious freedom in Vietnam, including the detention of religious leaders and the long-term imprisonment of individuals engaged in peaceful advocacy and calls on Vietnam to lift restrictions on religious freedom and implement necessary legal and political reforms to protect religious freedom.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr20ih.txt.pdf

S.1159: Vietnam Human Rights Act of 2009

The Vietnam Human Rights Act of 2009 - prohibits the federal government from providing the government of Vietnam with nonhumanitarian development, trade, economic, and security assistance during any fiscal year that exceeds the amount of such assistance provided during FY2009, unless such increases are matched or exceeded by additional funding for programs focusing on human rights and democracy promotion.

This measure authorizes the President to waive such requirements if increased U.S. non-humanitarian assistance would promote the purposes of this Act or it is otherwise in the U.S. national interest. It also prohibits the President from providing certain duty-free treatment for Vietnam until the President certifies to Congress that the government of Vietnam protects freedom of association and does not engage in violations of workers' rights.

It authorizes the President to provide U.S. assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations to promote human rights in Vietnam.

Finally the bill expresses the following sense of Congress regarding diplomacy with the government of Vietnam. Declares it is U.S. policy: (1) to take such measures as are necessary to overcome the jamming of Radio Free Asia by the government of Vietnam; and (2) that educational and cultural exchange programs with Vietnam should promote progress toward freedom and democracy. Declares it is U.S. policy to offer refugee resettlement to Vietnam nationals (including members of the Montagnard ethnic minority groups) who were eligible for the Humanitarian Resettlement program, the Orderly Departure program, the Resettlement Opportunities for Vietnamese Returnees program, the Amerasian Homecoming Act of 1988, or any other U.S. refugee program, but who were deemed ineligible for reasons of administrative

error or certain circumstances beyond their control.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:s1159is.txt.pdf

H.R.1969: Vietnam Human Rights Act of 2009

This bill is a companion to S. 1159. The Vietnam Human Rights Act of 2009 prohibits U.S. nonhumanitarian assistance to the government of Vietnam in excess of FY2009 amounts unless: (1) the President certifies to Congress that the government of Vietnam has made substantial progress respecting political, media, and religious freedoms, minority rights, access to U.S. refugee programs, and actions to end trafficking in persons; and (2) the federal government provides assistance, in addition to democracy building assistance under this Act, supporting human rights training, civil society building, and exchange programs between the Vietnamese National Assembly and the United States Congress at levels commensurate with or exceeding any increases in nonhumanitarian assistance to Vietnam.

It authorizes the President to waive such requirements if increased U.S. nonhumanitarian assistance would promote the purposes of this Act or is otherwise in the U.S. national interest.

It prohibits the provision of duty-free treatment for eligible articles from Vietnam until the President certifies to Congress that the government of Vietnam protects freedom of association and does not engage in serious labor rights violations.

It also authorizes the President to provide U.S. assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations to promote human rights in Vietnam.

It declares it is U.S. policy: (1) to take measures to overcome the jamming of Radio Free Asia by the government of Vietnam; and (2) that educational and cultural exchange programs with Vietnam should promote progress toward freedom and democracy.

Lastly, it declares it is U.S. policy to offer refugee resettlement to Vietnam nationals (including members of the Montagnard ethnic minority groups) who were eligible for the Humanitarian Resettlement program, the Orderly Departure program, the Resettlement Opportunities for Vietnamese Returnees program, the Amerasian Homecoming Act of 1988, or any other U.S. refugee program, but who were deemed ineligible for reasons of administrative error or who failed to apply because of circumstances beyond their control.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1969ih.txt.pdf

H.Res.1572: Condemning and deploring the violence, threats, fines, and harassment faced by the villagers of Con Dau, Da Nang, for seeking to protect their land, the historic cemetery, and other parish properties, and to receive an equitable resolution of their property dispute, and for other purposes

This resolution condemns: (1) the violence and harassment faced by the villagers of Con Dau, Da Nang, Vietnam, for seeking to protect their land, the historic cemetery, and other parish properties; and (2) the arrests of parishioners and calls for the release of Nguyen Huu Liem, Phan Thi Nhan, Nguyen Thi The, Doan Cang, Le Thanh Lam, Tran Thanh Viet, Nguyen Thi Lieu, and Nguyen Huu Minh. This measure urges the government of Vietnam to consider the implications of its actions in Con Dau, as well as of other serious human rights violations, issues of police impunity, and corruption for the broader U.S.-Vietnam relationship.

Further, the resolution expresses the sense of the House of Representatives that: (1) the President should call on the United Nations Human Rights Council to appoint a Special Rapporteur on Human Rights in Vietnam to investigate human rights violations in that country; (2) the U.S. Embassy in Vietnam should visit those detained, including, Nguyen Huu Liem, Phan Thi Nhan, Nguyen Thi The, Doan Cang, Le Thanh Lam, Tran Thanh Viet, Nguyen Thi Lieu, and Nguyen Huu Minh, as well as the family of Nguyen Nam, and other parishioners, and report its findings to Congress; (3) the Department of State should examine instances of property disputes in Vietnam which involve religious communities; and (4) the United States Commission on International Religious Freedom should visit the Con Dau parishioners and report to Congress on the violence and harassment faced by the Catholic villagers.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr1572ih.txt.pdf

Asylum Seekers

Sections of S.3113: The Refugee Protection Act of 2010

This bill amends the Immigration and Nationality Act to, among other provisions, eliminate the one-year time limit for filing an asylum claim and revises; the definition of refugee and the criteria for granting asylum; authorizes the Attorney General to appoint counsel to represent an alien in a removal proceeding; prohibits an alien from being removed during the 30-day petition for review period unless the alien indicates in writing that he or she wishes to be removed before the expiration of such period; makes discretionary certain currently required detention provisions regarding arriving aliens who request asylum. It also directs the Secretary of Homeland Security (DHS) to: (1) establish secure alternatives to detention program; (2) establish specified conditions of detention; (3) file notice of immigration charges with the court and the individual within 48 hours of detention; and (4) establish procedures to ensure the accuracy of statements taken by DHS employees exercising expedited removal authority. It exempts aliens under the age of 18 from certain restrictions on applying for asylum. It permits applicants for refugee admission to simultaneously pursue other forms of admission; authorizes the spouse or child of a refugee or asylee to bring his or her accompanying or following-to-join child into the United States as a refugee or asylee. It authorizes the Secretary of State to designate certain groups as eligible for expedited refugee adjudication. It also authorizes the

United States Commission on International Religious Freedom to conduct a study to determine whether certain immigration officers are properly handling asylum and removal/detention authority with regard to aliens apprehended after entering the United States...

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:s3113is.txt.pdf

Sections of S.1594: Secure and Safe Detention and Asylum Act

The Secure and Safe Detention and Asylum Act sets forth provisions regarding procedures and standards applicable to aliens detained in Department of Homeland Security (DHS) custody and the conditions of such custody which shall address: (1) new detention standards; (2) fair and humane treatment; (3) solitary confinement limitations; (4) investigation of grievances; (5) access to telephones and legal assistance; (6) detainee transfers; (7) translation capabilities; (8) medical care; (9) vulnerable populations; (10) standards for non-criminal detainees; (11) personnel training; and (12) reporting of detainee deaths.

It establishes in DHS: (1) an Office of Detention Oversight; and (2) a detention alternatives program under which detainees may be released under enhanced supervision. The bill provides for: (1) legal orientation for immigration and asylum detainees; (2) construction or use of less restrictive detention facilities, including facilities for families with children; and (3) quality assurance procedures regarding expedited removal interviews. It authorizes the United States Commission on International Religious Freedom to study the effect of expedited removal provisions, practices, and procedures on asylum claims.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:s1594is.txt.pdf

ENACTED:

Iran

S.Res.71:A resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights

This resolution, which passed on December 1, 2009, condemns the government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights. It calls on the government of Iran to release seven Baha'i leaders and all other prisoners held solely on account of their religion, including: Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, and Ms. Haleh Roohi. It also calls on the President and Secretary of State, in cooperation with the international community, to condemn the government of Iran's continued violation of human rights and demand the release of these prisoners.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:sr71ats.txt.pdf

H.Res.175:Condemning the Government of Iran for its state-sponsored persecution of its Baha'i

This resolution is a House companion to S.Res.71. It condemns the government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights. It also calls on the government of Iran to release the seven leaders and all other prisoners held on account of their religion, including: Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, and Ms. Haleh Roohi.

Finally, it calls on the President and Secretary of State, in cooperation with responsible nations, to condemn Iran's continued violation of human rights and demand the release of prisoners held on account of their religion, including the above-named individuals.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr175eh.txt.pdf

Sections of Public Law No: 111-195, H.R.2194: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010

PL 111-195 was signed into law on July 1, 2010. The law includes the finding that Iran continues to engage in serious, systematic and ongoing violations of human rights, including suppression of freedom of expression and religious freedom and contains "Sense of Congress" provisions about imposing additional sanctions on Iran due to violations of human rights and religious freedom. Section 105 imposes sanctions on persons responsible for or complicit in certain human rights abuses that includes abuses against the religious freedom of individuals. It requires the President to submit to Congress a list of Iranian government officials or persons acting on their behalf responsible for human rights abuses, bars their entry into the U.S. and freezes their assets.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_public_laws&docid=f:publ195.111.pdf

Iraq

H.Res.944: Expressing the sense of the House of Representatives on the protection of members of vulnerable religious and ethnic minority communities in Iraq

This resolution, which passed the House on February 24, 2010, expresses the sense of the House that: (1) the United States remains deeply concerned about the plight of members of vulnerable religious and ethnic minority communities of Iraq; (2) the Secretary of State should develop and report to Congress on a comprehensive strategy to encourage the protection of the rights of such members; and (3) the U.S. government should urge the Iraqi government to enhance security at places of worship in Iraq, particularly where members of religious minority communities are known to be at risk. It urges the U.S. government to continue to work with the government of Iraq to integrate religious and ethnic minorities into the Iraqi government and the Iraqi Security Forces, with the goal of ensuring that members of such communities: (1) suffer no discrimination in recruitment, employment, or advancement; and (2) are initially assigned in reasonable numbers to their locations of origin.

This resolution, which is the companion to S. Res 322, also urges the government of Iraq, with U.S. government assistance, to: (1) ensure that the upcoming national elections in Iraq are safe, fair, and free of intimidation and violence; and (2) permit and facilitate election monitoring by experts from local and international nongovernmental organizations, the international community, and the United Nations.

Further it urges the U.S. government: (1) to encourage the Iraqi government to work with religious and ethnic minority communities to develop and implement effective measures to protect their rights and reverse their marginalization; (2) in providing assistance to Iraq, to continue to take into account the needs of religious and ethnic minority communities and expand efforts to work with local organizations that serve those communities; (3) to continue to fund capacity building programs for the Iraqi Ministry of Human Rights, the independent national Human Rights Commission, and the newly-created independent minorities committee; and (4) to strongly encourage the Iraqi government to direct the Iraqi Ministry of Human Rights to investigate, report on, and make recommendations to address abuses against, and the marginalization of, members of religious and ethnic minority communities in Iraq.

Finally, the resolution urges the Iraqi government, with the assistance of the U.S. government and international organizations, to help ensure that displaced Iraqis considering returning to Iraq have the information needed to make informed decisions.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr944eh.txt.pdf

S.Res.322: A resolution expressing the sense of the Senate on religious minorities in Iraq

This resolution, which passed the Senate on August 5, 2010, is a companion to H.Res.944 and expresses the sense of the Senate that: (1) the United States remains deeply concerned about the plight of vulnerable religious and ethnic minorities of Iraq; (2) the U.S. government and the United Nations Assistance Mission for Iraq (UNAMI) should urge the government of Iraq to enhance security at places of worship in Iraq; (3) the U.S. government should work with the government of Iraq to ensure that members of minorities suffer no employment discrimination in the Iraqi police and security forces; (4) the government of Iraq and the Kurdistan regional government should work towards a peaceful resolution of territorial disputes; (5) the U.S. government and UNAMI should urge the government of Iraq to implement provisions of the Constitution of Iraq that protect rights to freedom of thought and religion; (6) the government of Iraq should act to reverse the marginalization of religious minorities; (7) the U.S. government should fund capacity-building programs for the Iraqi Ministry of Human Rights and the independent national Human Rights Commission and should continue to help reconstitute the minorities committee; (8) the government of Iraq should direct the Iraqi Ministry of Human Rights to issue a public report on abuses against, and the marginalization of, minorities; and (9) the U.S. government should encourage the government of Iraq and the Kurdistan regional government to protect minorities, particularly those in the Nineveh Plain.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:sr322ats.txt.pdf

Sudan

H.Res.1588: Expressing the sense of the House of Representatives on the importance of the full implementation of the Comprehensive Peace Agreement to help ensure peace and stability in Sudan during and after mandated referenda

Consistent with USCIRF recommendations, this resolution expresses the sense of the House of Representatives that the U.S. government should: (1) work with Sudanese parties and regional and international partners to build consensus on the steps needed to implement the Comprehensive Peace Agreement (CPA), including the upcoming referenda, and promote stability throughout Sudan; (2) work with international and Sudanese partners to ensure the right of return of Sudanese refugees and displaced persons, including Darfuris and southerners; (3) work with international partners to ensure a stable north-south border and a permanent peace in Sudan; and (4) assist the government of Southern Sudan to develop its economic, rule of law, social service and educational infrastructures, improve democratic accountability and human rights, and strengthen reconciliation efforts

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:hr1588ih.txt.pdf