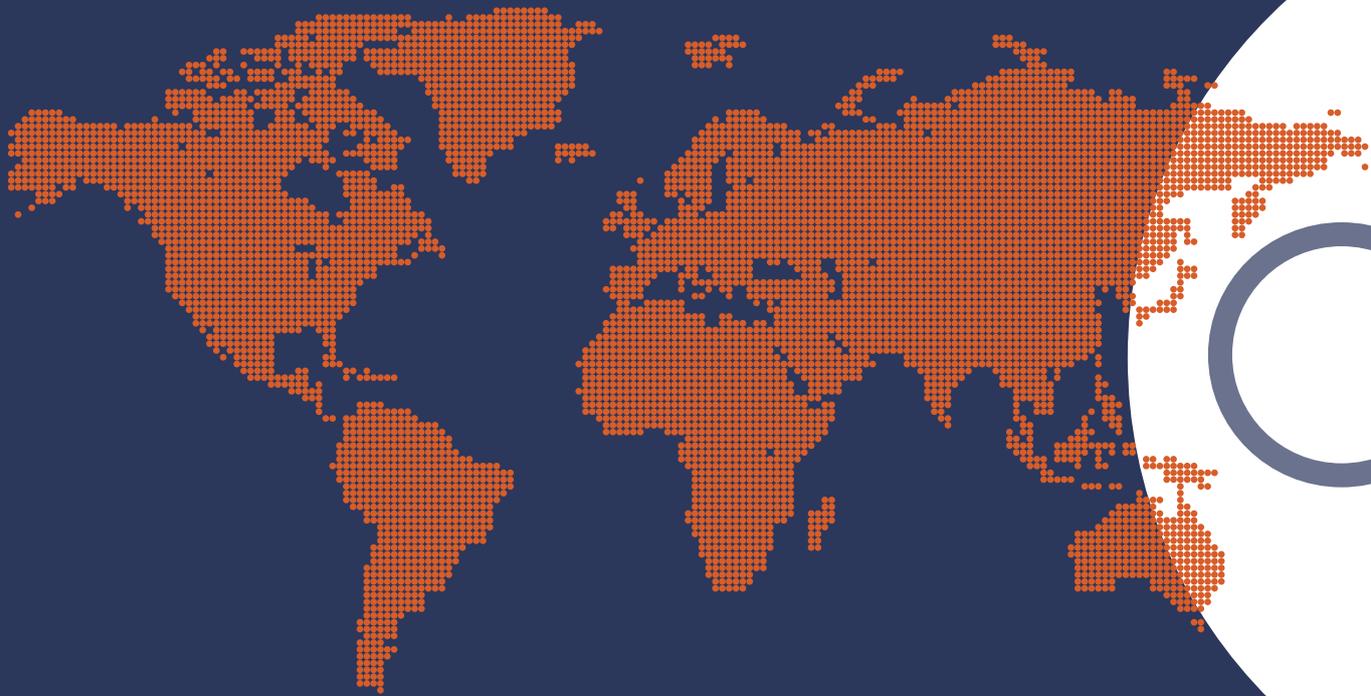


COMPARATIVE ANALYSIS

U.S. Department of State's Country Reports
on Human Rights Practices (2016–2019)

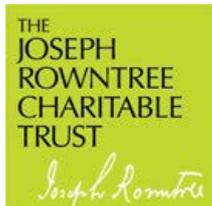


SUMMARY

OCTOBER 2020

ACKNOWLEDGEMENTS

This report was researched and written by Liz Williams and Stephanie Huber, with invaluable input provided by Lizzy Galliver, Ariel Plotkin and Mike Kaye. Design by Iris Teichmann.



We are extremely grateful to the Joseph Rowntree Charitable Trust for their support of this project.

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ASYLUM RESEARCH CENTRE

Asylum Research Centre (ARC) was set up in 2010 and together with its charitable arm, ARC Foundation, works to improve the quality of the asylum process by ensuring that decision-makers have access to high quality Country of Origin Information (COI). ARC is an internationally recognised source of expertise on the production and use of COI and the promotion of COI research standards and methodologies. Its work includes:

- Providing a case-specific research service for asylum and human rights applicants, including in a number of factual-precedent setting Country Guidance (CG) cases;
- Producing country of origin information reports for UNHCR since 2012;
- Undertaking reviews of country reports for the UK Independent Chief Inspector of Borders and Immigration;
- Reviewing the content of UK Home Office Country Policy and Information Notes for the past ten years;
- Reviewing country reports published by the European Asylum Support Office (EASO) for the past six years;
- Producing a series of five reports with our project partner Asylos, to fill gaps in information by combining desk-based research and interviews with a wide range of interlocutors;
- Developing and delivering COI training;
- ARC is an active member of EASO's Consultative Forum providing technical expertise related to COI. ARC also provides a bi-monthly **COI Update** for subscribers and moderates the international **COI Forum**.
- Further information about ARC's activities are available in its **2019 Annual Report** and on its **website**.

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Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

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INTRODUCTION



PURPOSE OF THIS RESEARCH

The U.S. Department of State's Congressionally mandated *Country Reports on Human Rights Practices* have been issued annually since 1976 and cover "internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights and other international agreements".¹

The reports are now issued on nearly 200 countries and are relied upon to inform foreign aid, foreign policy and diplomatic engagements. In addition, they are used as a tool for human rights defenders and governments to highlight human rights abuses and to hold regimes to account.²

The *Country Reports on Human Rights Practices* are also widely used in the asylum determination process, not just in the U.S. but throughout the world. The information contained in these reports is relied upon and frequently cited by asylum policy makers, state refugee decision-makers, the UN Refugee Agency (UNHCR), the European Asylum Support Office (EASO), as well as people claiming asylum and their legal representatives. The U.S. Department of State's *Country Reports on Human Rights Practices* are produced annually and published in the spring following the year under review.

In March 2018, the 2017 edition was published, the first year covering events occurring during President Trump's administration. It became immediately clear that there were structural amendments to the 2017 reports, compared to the 2016 edition, which covered events in the last year of President Obama's administration. The 2017 reports had in general become shorter and certain sections were removed or renamed, significantly altering the content of the reports.

Most notably the 2016 subsection on *Reproductive rights* was renamed *Coercion in Population Control* in the 2017 report. In February 2018, it was reported that according to five former and current State Department officials, staff had been ordered to "pare back" the section entitled "discrimination, societal abuses and trafficking in person", including the subsection on reproductive rights.³

State Department spokeswoman Heather Nauert responded that the department was not "downgrading coverage of LGBT or women's issues".⁴

¹ See for example:

U.S. Department of State, [2016 Country Reports on Human Rights Practices](#), 3 March 2017, Preface

U.S. Department of State, [2017 Country Reports on Human Rights Practices](#), 20 April 2018, Preface

U.S. Department of State, [2018 Country Reports on Human Rights Practices](#), 13 March 2019, Preface

U.S. Department of State, [2019 Country Reports on Human Rights Practices](#), 11 March 2020, Preface

² Council on Foreign Relations, [Human Rights Reporting and U.S. Foreign Policy](#), 25 March 2009; Foreign Policy, [The Trump Administration Is Erasing Reproductive Rights at Home and Abroad](#), 23 October 2018

³ Politico, [State Department report will trim language on women's rights, discrimination](#), 21 February 2018

⁴ Politico, [State Department report will trim language on women's rights, discrimination](#), 21 February 2018

INTRODUCTION



PURPOSE OF THIS RESEARCH (continued)

However, in a November 2018 report which analysed the reporting of “Women” and “LGBTI” in the 2015 and 2016 reports (the last two years of the Obama administration), compared to those produced covering events in 2017 (under the Trump administration), Oxfam found that:

- Reporting on women’s rights and issues outside the United States is down 32 percent under President Trump.
- Reporting on LGBTI rights and issues abroad is down 21 percent under President Trump.
- Countries of origin of asylum seekers to the United States have seen their reporting on women’s rights and issues decline even more.
- Estimates show that countries with greater gender inequality have seen their reporting decline more.
- The section of the reports that formally addresses reproductive rights has been cut and renamed “Coercion in Population Control” under President Trump; critical data on maternal mortality and access to contraception have been eliminated.⁵

Human rights organisations have made similar observations. For example Amnesty International USA noted that the 2017 reports “omitted crucial details about human rights abuses, particularly abuses by non-state actors” and scaled back “much reporting on women’s rights, LGBTI rights, and other rights to non-discrimination”.⁶

It was further observed that in 2018 the mission statement of the U.S. Department of State had shifted away from shaping peace and democracy around the world to more narrowly advancing ‘the interests of the American people’⁷, which continues to be the mission statement to date (see Table 1).⁸

In light of these developments and the importance of the U.S. Department of State reports to the asylum determination process, ARC decided to undertake a detailed review of selected country reports to assess the way human rights issues were being recorded or omitted by the U.S. Department of State under the current administration.

Table 1

2016 Mission	2018 Mission	2020 Mission
The Department’s mission is to shape and sustain a peaceful, prosperous, just, and democratic world and foster conditions for stability and progress for the benefit of the American people and people everywhere.	The U.S. Department of State advances the interests of the American people, their safety and economic prosperity, by leading America’s foreign policy through diplomacy, advocacy, and assistance.	The U.S. Department of State leads America’s foreign policy through diplomacy, advocacy, and assistance by advancing the interests of the American people, their safety and economic prosperity.

⁵ Oxfam, [Sins of Omission: Women’s and LGBTI rights reporting under the Trump administration](#), 1 November 2018

⁶ Amnesty International, [A Critique of the US Department of State 2017 Country Reports on Human Rights Practices](#), 8 May 2018

⁷ Washington Post, [The rewritten mission statements of Trump’s federal agencies](#), annotated, 16 March 2018

⁸ A ‘[Vision of the Department](#)’ has been introduced that states “On behalf of the American people we promote and demonstrate democratic values and advance a free, peaceful, and prosperous world”.

INTRODUCTION



HOW THE RESEARCH WAS CONDUCTED

This research involved a line by line comparative analysis of the full content of five U.S. Department of State *Country Reports on Human Rights Practices* covering events in 2016, the last year of President Obama's administration, and subsequent annual editions produced by President Trump's administration, i.e. covering events in 2017, 2018 and 2019.

Our analysis focuses on **changes** in the way that human rights issues have been documented across the respective reports. This report does not attempt to identify **all gaps** in how the U.S. Department of State reports document human rights abuses or all inconsistencies between the U.S. Department of State reports and other sources.

The five countries were selected on the basis of being on average the top five nationalities of asylum applicants in the UK in the five-year period 2014-2018.⁹

These were (in descending order): Iran, Pakistan, Eritrea, Iraq and Sudan.¹⁰

Each country report was reviewed with reference to:

- **Structure of the report:** Whether sections were omitted, renamed, condensed, or new sections proposed;
- **Language used:** Whether any changes in terminology or semantics were observed when describing human rights issues, including changes in specificity, description of general patterns or number of incidents documented;
- **Improvements:** What improvements in human rights situations were observed compared to the previous report;
- **Omissions:** Which human rights issues were omitted compared to the previous report.

Where significant changes in the content were observed from one year to the next, these were investigated to establish whether this was reflective of the situation as documented by illustrative publicly available English-language sources (including government, inter-governmental, NGO, academic, think tanks or media). Where changes were not reflective of the situation on the ground as reported by other sources, these have been noted in the report.

⁹ The years for which statistics were available at the outset of the project

¹⁰ Home Office, [How many people do we grant asylum or protection to?](#) 28 November 2019, Asylum and resettlement summary tables, Asy_01c

INTRODUCTION



HOW THE RESEARCH WAS CONDUCTED (continued)

Deteriorations in human rights situations were not further investigated and have not been addressed in this report nor have we investigated whether additional human rights issues should have been included.

The information provided in the U.S. Department of State *Country Reports* on Human Rights Practices is rarely attributed to particular sources and no further details on the sources consulted for each country are provided. ARC's analysis was undertaken according to established research principles ¹¹ and in order to promote transparency a direct hyperlink for each additional source used has been provided. ¹²

The full country chapters and full Introduction and Methodology can be found on our [website](#):

- [Introduction and Methodology](#)
- [Eritrea](#)
- [Iran](#)
- [Iraq](#)
- [Pakistan](#)
- [Sudan](#)



¹¹ ARC conducts research in accordance with the standards and principles laid down by the [European Union Common EU Guidelines for Processing Country of Origin Information](#), the Austrian Red Cross/Austrian Centre for Country of Origin Information and Asylum Documentation (ACCORD) [Researching COI Training Manual-2013 Edition](#), and the International Association for Refugee Law Judges [Judicial Criteria for Assessing Country of Origin Information](#).

¹² Over the last 10 years, ARC has developed a thematic sources database which is used to inform the selection and validation of the sources used in our research. See ARC, [Thematic COI Sources Toolkit](#), updated September 2020.

KEY FINDINGS



This comparative analysis of the U.S. Department of State's *Country Reports on Human Rights Practices* chapters on Eritrea, Iran, Iraq, Pakistan and Sudan compared the full content of the 2016 edition, the last year of President Obama's administration, to subsequent annual editions produced by the current administration, i.e. covering events in 2017, 2018, 2019.

The most significant changes in terms of structure, language, improvements and omissions were observed comparing the 2016 edition with the 2017 report, and most of these changes were repeated in the subsequent reports. The majority of observations related to the omission of issues that continued to be documented by other publicly available sources at the time of publication of the annual reports.

OMISSIONS RELATING TO THE TREATMENT OF WOMEN

For all countries under review, the majority of issues omitted from U.S. Department of State reports under the current administration related to those addressed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, in particular the subsections under *Women*.

Strikingly, the subsection on *Reproductive Rights* included in the 2016 report was replaced with a new one entitled *Coercion in Population Control* in the 2017 and subsequent editions, dramatically changing the range of issues addressed in the respective reports. This omitted information related to access to reproductive rights, access to contraception, prenatal care, skilled health-care attendance during childbirth, essential obstetric care, and postpartum care. Other notable omissions with regards to Women included:¹³

ERITREA:

- Incidence of domestic violence and lack of reporting as well as cases being rarely brought to trial;
- Continued practice of FGM in rural areas;
- The reasons for lack of state intervention in domestic violence cases
- Lack of information on the prevalence of rape and its underreporting; and
- Widespread sexual violence against women in military training camps that amounted to torture (only omitted from the 2019 edition).

IRAN:

- Legal restrictions on women's economic, social, political, academic, and cultural rights;
- Continued limits placed on women's ability to seek divorce; and
- Social and legal constraints limiting women's professional opportunities.

IRAQ:

- Information on the continued violence inflicted on women by ISIS (only omitted from the 2018 and 2019 editions);
- Information on the underreporting of sexual and gender-based violence due to social stigma, societal retribution, cultural norms, distrust in the legal system, and lack of punishment of perpetrator;
- Economic pressures faced by IDPs resulting in an increase in early marriages; and
- Continued practice of *fasliya*, where family members, including women, are traded to settle disputes (only omitted from the 2019 edition).

¹³ All examples of omissions in the *Key Findings* refer to information removed from the 2017, 2018 and 2019 reports, unless otherwise stated

KEY FINDINGS



PAKISTAN:

- Challenges in changing the cultural assumptions of male police and in training female police;
- Women's lack of awareness of legal protections and inability to access legal representation;
- Situation of divorced women; and
- NGOs reporting that police were at times implicated in rape cases (only omitted from the 2018 and 2019 editions).

SUDAN:

- Omission of UNAMID figures on female victims of conflict-related sexual violence; and
- Difficulties for women to initiate legal divorce proceedings.

OMISSIONS RELATING TO THE TREATMENT OF CHILDREN, LGBTI PERSONS AND PERSONS LIVING WITH DISABILITIES

Other omissions related to human rights issues experienced by children, LGBTI persons and persons living with a disability, despite other sources continuing to document their existence. These included:

ERITREA:

- Absence of hate crime laws or other criminal justice mechanisms to investigate bias-motivated crimes against LGBTI persons.

IRAN:

- Information on societal violence and discrimination directed against LGBTI persons.

IRAQ:

- Continued violence and abuse inflicted on children by ISIS, including the use and recruitment of children;
- Reasons that prevented IDP children from attending schools;
- Traditional practices and economic hardships that invited early marriages of girls;
- Violence and fear experienced by LGBTI organisations and activists, the societal discrimination affecting LGBTI persons (only omitted from the 2018 and 2019 editions), as well as the violence and abuse they face by state and non-state actors (only omitted from the 2019 edition);
- Societal discrimination faced by persons with disabilities (only omitted from the 2018 and 2019 editions); and
- Continued practice of fasliya, where family members, including children, are traded to settle disputes (only omitted from the 2019 edition).

PAKISTAN:

- Girls' low school attendance rates and the most significant barrier to girls' education being lack of access and cultural beliefs;
- Children forced to beg experiencing sexual and physical abuse; and
- That families cared for most individuals with physical and mental disabilities.

SUDAN:

- Information on the reasons for primary school children dropping out;
- Situation and treatment of street children (relevant information from alternative sources not found for 2019);
- Extent of child marriage; and
- Fear faced by LGBTI persons for their safety.

KEY FINDINGS



OMISSIONS RELATING TO THE INTEGRITY OF THE PERSON

Many issues pertaining to those addressed in section 1. *Respect for the Integrity of the Person* were also omitted from reports produced under the current administration, despite other sources continuing to document their existence. Notable examples included:

ERITREA:

- Mass arrests of persons suspected of evading national service;
- That persons detained for political reasons or on security grounds were not informed of the charges against them and not tried;
- Military involvement in smuggling persons out of the country; and
- Extrajudicial killings of persons attempting to cross the border (only omitted in 2019).

IRAN:

- Impunity for past unlawful killings;
- Extent to which the Iranian government sought to prevent or investigate disappearances (only omitted from the 2017 and 2018 editions);
- Arrest of family members demanding justice for those who died in custody;
- Use of prolonged solitary confinement and sexual humiliation as reported methods of torture; corruption remained a problem within the police forces; and
- Executions continued without due process (only omitted from the 2018 and 2019 editions).

IRAQ:

- Occurrence of torture in prisons operated in the Kurdistan Region of Iraq; and
- Continued violence and abuse inflicted on civilians by ISIS (only omitted from the 2018 and 2019 editions).

PAKISTAN:

- The 2014 end of the moratorium on capital punishment and concerns with observance of due process and the execution of individuals who were under the age 18 when they allegedly committed the crime; and
- Provincial governments and political parties in Sindh, Balochistan and Khyber Pakhtunkhwa remained targets of attack by militant and other nonstate actors (only omitted in 2018 and 2019).

SUDAN:

- Attacks on humanitarian and UNAMID convoys and compounds; and
- Detention of actual or assumed supporters of anti-government forces such as the Sudan People's Liberation Movement-North (SPLM-N) (only omitted from the 2018 and 2019 editions).

KEY FINDINGS



INADEQUATELY SUBSTANTIATED REPORTS OF IMPROVEMENTS IN THE HUMAN RIGHTS SITUATION

On occasion, reports prepared under the current administration included a number of improvements that were observed not to be consistent with the situation on the ground as reported by other publicly available sources. These included [emphasis added]:

ERITREA:

- The 2019 report stated: “Contrary to prior years, there were no reports that the government or its agents committed arbitrary or unlawful killings in 2019”. This was despite other 2019 sources continuing to document arbitrary killings on the border.

IRAN:

- Whilst the 2016 report noted that the government restricted freedom of internal movement, foreign travel, emigration and repatriation, the subsequent editions stated that these restrictions concerned ‘particularly migrants and women’.

IRAQ:

- It was suggested in 2018 and 2019 that “little information was available” on ISIS’s recruitment and use of children compared to 2016 and 2017 where it was reported that “In previous years ISIS was known to recruit and use children”. However, sources located in the public domain continued to document this practice for both years.
- Whilst the 2016 report stated that “25 percent of women in the central and southern parts of the country had been subjected to FGM/C”, the 2017 report omitted such information. The 2018 and 2019 added instead that “FGM/C was not common outside the” Kurdistan Region of Iraq.

Replacing the cited prevalence statistics from 25 per cent “not common” may be read to imply an improvement of the situation for 2018 and 2019, which was not supported by other available sources.

PAKISTAN:

- The reports for 2017-2019 noted that: “Women also faced discrimination in employment”. However, the 2016 edition stated that: “Women faced **significant** discrimination in employment and frequently were paid less than men for similar work.

SUDAN:

- The 2018 and 2019 reports introduced the statement “There were no reports of humanitarian workers being targeted for kidnapping and ransom” despite sources continuing to document the kidnapping of humanitarian workers in both years.
- The 2019 report suggested that many abuses only occurred in the Bashir-era, despite other sources continuing to document these occurring after Bashir’s ouster. For example the 2019 report asserted that only under Bashir did Sudan’s security forces continued to commit arbitrary or unlawful killings; peaceful protesters continued to be detained; disappearances continued to occur; the government continued not to conduct proper investigations of alleged mistreatment; and that post-Bashir traditional legal practices discriminating against women ceased to exist.
- The 2019 Sudan report also alleged that a number of improvements occurred under the Civilian-Led Transitional Government such as releasing all political prisoners; the ceasing of arbitrary arrest or detentions; and the respect of press and media freedoms to name a few. This was not consistent with the situation as reported by other publicly available sources.

KEY FINDINGS



LANGUAGE CHANGES THAT COULD BE READ TO INDICATE AN IMPROVEMENT IN THE HUMAN RIGHTS SITUATION

Many subtle changes in language were observed in the 2017 and subsequent reports that could be read to imply an improvement in the situation. This included the introduction of distancing language, source attributions, and softening the language used in previously statements. These included: [bold indicates added text]:

ERITREA:

- “Detention conditions **reportedly** remained harsh, leading to serious health damage and in some instances death”

IRAN:

- “Prison conditions were **potentially** life threatening” in 2017 and 2018 [The 2016 report stated: “Prison conditions were **often harsh and** life threatening”]
- The 2018 report stated that “Media and human rights groups also documented numerous suspicious deaths while in custody”, the 2019 edition removed the word ‘numerous’, thereby possibly implying an improvement in the situation.

IRAQ:

- Whilst the 2016 report referred to ‘**torture**’ as being one of the reasons why conditions in prison and detention facilities were described as “harsh and life threatening”, this was subsequently changed to “**physical abuse**” [although torture was documented elsewhere in the report].

PAKISTAN:

- “Security forces **allegedly** abducted journalists”.
- “NGOs reported that **rape** was a severely underreported crime” (in the 2018 and 2019 reports).
- The 2018 report also downplayed the nature of abuse resulting in death or serious injury from “torture” to “**police excesses**” [although torture was documented elsewhere in the report].
- The 2019 report amended this further: “**Media and civil society organizations** reported cases of individuals dying in police custody **allegedly** due to torture in Punjab Province.

SUDAN:

- Violence experienced by political opponents in 2016 was described as “torture”, whilst in the subsequent editions this was reduced to “**suffered physical abuse**” [although torture was documented elsewhere in the report].
- “Security forces **reportedly** continued to torture, beat, and harass suspected political opponents, rebel supporters, and others” (in the 2017 and 2018 reports).

KEY FINDINGS



LANGUAGE CHANGES THAT COULD BE READ TO INDICATE AN IMPROVEMENT IN THE HUMAN RIGHTS SITUATION (continued)

In addition it was observed in the reports produced under the current administration that on occasion less general patterns were described, ‘assessments’ removed, fewer statistical data, less illustrative incidents were detailed and less specificity was provided on particular issues. For example:

IRAQ:

- Whilst the 2018 report described the general pattern that detainees were tortured to death, the 2019 edition did not, but instead included specific examples documenting two cases where torture lead to death in custody.

PAKISTAN:

- Less specificity was also observed with regards to numbers/statistics, for example with regards to the percentage of Dawoodi Bohra Muslims practising FGM and the numbers of government-funded Shaheed Benazir Bhutto Centers for Women (in the 2017, 2018 and 2019 reports) and the size of the Rohingya population (in the 2019 report).

SUDAN:

- In the 2019 report, the assessment introduced by the U.S. Department of State in the 2018 edition that “corrective treatment” of LGBTI persons “may constitute torture or other cruel, inhuman, or degrading treatment under international law” was no longer included.
- The 2018 and 2019 reports further no longer described that peaceful protesters were held “incommunicado” but instead included isolated examples documenting the prolonged detention in “unknown NISS facilities” and “without access to family visits or legal counsel”.

REMOVAL OF CONTENT

In 2017 and in subsequent years the subsections on *Public Access to Information* was removed from all five reports. For four of the reports, the subsection on *Amnesty* was removed from the 2017 edition (with the exception of Sudan where the *Amnesty* subsection was removed in 2018 and 2019). This section continued to be omitted in 2018 and 2019 for all countries apart from for Iraq where the *Amnesty* subsection was re-inserted. It was also observed that the subsection *Role of the Police and Security Apparatus* was left out of the 2019 reports, thereby removing key information from most of the reports. Other section headings were also removed from particular country reports.

Several changes were also observed in the *Executive Summary* sections of the respective reports. This included recategorisation of the severity of certain human rights abuses. For example, all of the country chapters had multiple tiers of abuses in the 2016 reports (some countries also had multiple categories in 2017) but one list in the 2018 and 2019 editions.

Again, most omissions were observed when comparing the 2017 *Executive Summary* to the 2016 edition. The majority of these omissions were found to be internally inconsistent with the respective sections of the U.S. State Department report, underscoring the importance for users of the reports not to rely exclusively on the *Executive Summary*. The omissions from the respective reports’ *Executive Summary* were a mixture between those abuses perpetrated by state and societal actors.

KEY FINDINGS



CONCLUSIONS

ARC's comparative research has highlighted several changes to the U.S. Department of State's country assessments since 2016, many of which are quite nuanced and could easily be overlooked. However, when taken together these changes can have the effect of suggesting improvements in the human rights situation which are not consistent with the situation on the ground as documented by other illustrative sources. This may result in certain types of asylum claims being dismissed if the U.S. Department of State reports are relied upon in isolation in refugee decision making. ARC is also concerned that these changes may have an impact beyond refugee status determination by denying the existence of rights or abuses and failing to hold perpetrators to account.



ERITREA: KEY OBSERVATIONS



A: STRUCTURE OF THE REPORT

LENGTH

The 2016 Eritrea report was 26 pages long. This was reduced slightly to 25 pages in the 2017 and 2018 editions and to 23 pages in 2019. The section most notably reduced in 2017 which continued in subsequent editions was 6. *Women* in particular the subsection on *Reproductive Rights* (See D. *Omissions* below).

SECTION HEADINGS

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. The most significant changes were:

- Replacing the whole subsection on *Reproductive Rights* in the 2016 report with a new subsection on *Coercion in Population Control* in the 2017 and subsequent editions, dramatically changing the range of issues addressed in the respective reports (see section on *Omissions* below for further details).
- Omitting the following subsections and related content from the 2017 report on:
 - ▶ *Property restitution*: Thereby omitting information on demolitions and evictions
 - ▶ *Public Access to Information*: Thereby omitting information on the government not releasing statistics or information and withholding clearance for information collected by NGOs on the effectiveness of government agencies and programmes
- All of the above subsections continued to be omitted from the 2018 edition and all but one from the 2019 report (*Property Restitution* was reinserted).

- Omitting the subsection on *Child Soldiers* from the 2019 report. While most of the content previously contained within this section was moved into 7.c. *Prohibition of Child Labor and Minimum Age for Employment*, the following points included in the 2018 edition were omitted from the 2019 report, “living conditions are spartan and health care very basic [at Sawa] and “those who refused to attend and participate in military training were often unable to get a job” (see sections C. *Improvements* and D. *Omissions* below for further details).

In one section a heading title was condensed, potentially altering its perceived meaning. The 2016 edition contained the section 2.d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*. In the 2017, 2018 and 2019 reports this was revised to *Freedom of Movement*. Given that this section continued to document issues including access to legal protections and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed.



ERITREA: KEY OBSERVATIONS



B: LANGUAGE USED

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report. Two incidences of source attribution were introduced which were repeated in the 2018 edition [bold indicates added text]:

- **International nongovernmental organizations (NGOs)** reported that the government committed arbitrary killings with impunity and subjected detainees to harsh and life-threatening prison conditions.
- **According to NGO and UN reports**, security forces tortured and beat army deserters, national service evaders, persons attempting to flee the country without travel documents, and members of certain religious groups.

This may be read to imply reduced veracity of the issues in that only isolated sources reported on their occurrence, when in fact a range of sources had highlighted these issues.

The 2017 report also introduced language which could be read to undermine the veracity of the issue. For example:

- Detention conditions **reportedly** remained harsh, leading to serious health damage and in some instances death

In the 2018 edition, repeated in 2019, further distancing language was introduced to this issue:

- Detention conditions reportedly remained harsh, leading to serious health damage and in some instances death, **but the lack of independent access made accurate reporting problematic.**

Lack of access was also introduced to this excerpt from the UN Commission of Inquiry report in the 2018 edition (but reference to this report was removed from the 2019 edition entirely):

- *In 2015 the COI, which had been denied access to the country, reported sexual violence against women and girls was widespread in military training camps, that the sexual violence by military personnel in camps and the army amounted to torture, and the forced domestic service of women and girls in training camps amounted to sexual slavery.*

It was also observed that both the 2017 and 2018 editions removed several, but not all excerpts from the UN Commission of Inquiry report.

Furthermore, it was observed that the issue of discrimination against women; the scope of legal prohibitions regarding discrimination against persons living with disabilities; and the incidence of child marriage were all addressed in less detail in the 2017, 2018 and 2019 reports compared to the 2016 report. In addition, the subsection on *Sexual harassment* was condensed in 2019, compared to the 2016, 2017 and 2018 editions (see *D. Omissions* below for further details).

NOTABLE LANGUAGE CHANGES IN THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE REPORT

The 2016 *Executive Summary* identified what it defined as the “three most important human rights abuses” followed by a list of “other abuses”. In comparison, the 2017 report instead provided one list of what it termed “the most significant human rights issues”. The 2018 edition continued to provide one list of issues, termed “human rights issues” and in 2019 the categorisation was slightly amended again to “significant human rights issues.”



C: IMPROVEMENTS

Two reported improvements in the situation in 2017 were observed when comparing the situation to 2016 which were not found to be commensurate with the situation as reported by other publicly available sources.

The first was in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*. The 2016 edition included a subsection on *Child Soldiers* which detailed that:

- *Those who refused to attend and participate in military training either hid, fled the country, or were arrested*

This was amended in the 2017 and 2018 editions to indicate less severe implications:

- *Those who refused to attend and participate in military training were often unable to get a job*

This amendment is also inconsistent with information included elsewhere in section 7. *Worker Rights* of the report, which could easily be overlooked.

The other improvement noted in the 2017 report was located in section 1. *Respect for the Integrity of the Person*. Whilst the 2016 edition cited the UN Commission of Inquiry on the practice of extrajudicial executions and arbitrary killings, the 2017 edition added:

- *The UN Special Rapporteur on the situation of human rights in Eritrea presented her fourth report at the Human Rights Council on June 14. The report did not refer to arbitrary killings; however, a 2015 UN Commission of Inquiry (COI) report, which covered from 1991 through 2015, found that authorities had widely committed extrajudicial executions and arbitrary killings since independence.*

By noting that the UN Special Rapporteur on the situation of human rights in Eritrea had not referred to arbitrary killings it could be read to understand an improvement in the situation in that the absence of documentation might imply the absence of the practice. However, this point was not representative of the July 2017 Report of the Special Rapporteur on the situation of human rights in Eritrea which noted “None of the interlocutors reported any progress having been made on the overall human rights situation, let alone regarding the key areas identified by the Commission of inquiry in its recommendations addressed to the Government of Eritrea, for example in respect of the national/military service, disappearances, extrajudicial executions, rape and sexual violence. As a result, the Special Rapporteur can only conclude that the situation of human rights in Eritrea has not significantly improved”.

The 2018 edition updated this paragraph to reflect 2018 UN reporting, but the 2019 edition then removed any mention of the UN documenting arbitrary killings and noted a further improvement:

- *Contrary to prior years, there were no reports that the government or its agents committed arbitrary or unlawful killings*

This statement was not consistent with the situation as reported by other publicly available sources.

A subtle change in language was observed in the 2018 edition which could be read to indicate an improvement in the situation. The 2016 and 2017 reports noted that:

- *Members of Jehovah’s Witnesses who did not perform military service continued to be unable to obtain official identification documents.*

ERITREA: KEY OBSERVATIONS



C: IMPROVEMENTS (continued)

This language was weakened in the 2018 and 2019 editions to:

- **Most** members of Jehovah's Witnesses who did not perform military service continued to be unable to obtain official identification documents

This implies that 'most' but not all were unable to obtain official identification documents. No information was found from 2018 to indicate the situation had improved. On the contrary, publicly available information continued to document this being an issue for Jehovah's Witnesses in general.

D: OMISSIONS

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Twenty three issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. These issues almost always continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional five omissions were observed in the 2018 report (four of which repeated in 2019) and a further twelve omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the persistent existence of these issues.

In the 2017 report, over half of the omitted issues related to section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*. Most notably, the section *Women-Reproductive Rights* included in the 2016 report was amended to *Coercion in Population Control* in subsequent editions. This had the effect of stripping out the following issues, which continued to be documented by other publicly available sources in the respective years:

- Couples and individuals have the right to decide the number, spacing, and timing of their children, but they often lacked the information, means, and access to do so, free from discrimination, coercion, and violence;
- Statistics on contraception use and maternal mortality rates [e.g. in 2016 it was noted that "According to the World Health Organization, the maternal death rate was an estimated 501 maternal deaths per 100,000 live births, and a woman had a lifetime risk of maternal death of one in 43 as of 2015." In 2018: "Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternalmortality2015/en/"];
- Access to government-provided contraception, skilled health-care attendance during pregnancy and childbirth, prenatal care, essential obstetric care, and postpartum care was available, but women in remote regions sometimes did not seek or could not obtain the care they needed due to lack of spousal or family consent, transport, or awareness of availability.

Other omitted information from the subsection on *Women* in the 2017 report, all of which continued to be omitted from subsequent reports, related to

- Lack of information on the prevalence of rape and its underreporting;
- Incidence of domestic violence and lack of reporting as well as cases rarely brought to trial;
- The reasons for lack of state intervention in domestic violence cases;
- The continued practice of FGM in rural areas;
- Cultural norms preventing women from reporting sexual harassment.

ERITREA: KEY OBSERVATIONS



D: OMISSIONS (continued)

Additional information from the subsection on *Women* in the 2018 report, which continued to be omitted from the 2019 edition included:

- Widespread sexual violence against women in military training camps that amounted to torture.

With regards to *Children* the 2017 and subsequent reports neglected to mention that if students did not complete secondary education at Sawa (military training centre) they could not pursue higher education.

The 2017 and subsequent reports also omitted information that was included in 2016 noting that society stigmatized discussion of LGBTI matters as well as the absence of state efforts to investigate and punish those complicit in abuses against LGBTI persons.

In the 2017 report notable issues omitted from section 1. *Respect for the Integrity of the Person*, all of which were omitted from 2018 and the majority from 2019 included:

- Mass arrests of persons suspected of evading national service;
- That persons detained for political reasons or on security grounds were not informed of the charges against them and not tried;
- The number of prisoners of conscience held;
- Harsher treatment for political prisoners;
- Information on demolitions and forced evictions.

Notable issues omitted from other sections of the 2017 and subsequent reports included:

- Authorities arresting persons who tried to cross the border and leave without exit visas;
- Military involvement in smuggling persons out of the country;

- Government organized unions' ineffectiveness in protecting workers rights.

Additional issues omitted from the 2018 report (the first three of which also from the 2019) included:

- The inability of detainees to submit complaints to judicial authorities;
- Details on women's and ethnic minorities' political participation;
- The ineffectiveness of the government in enforcing the right of workers to form and join unions, bargain collectively, and conduct legal strikes.

Noteworthy issues omitted from the 2019 report included:

- Extrajudicial killings of persons attempting to cross the border;
- Absence of mechanisms to investigate security force abuses;
- That persons married and had children to avoid military service;
- That persons attempted to leave the country to avoid military service;
- Living conditions in Sawa (military training centre);
- Corruption in the issuance of identification and travel documents;
- Consequences for returning citizens who had residency or citizenship in other countries.

In all the instances highlighted above, the information was omitted despite publicly available sources documenting their continued existence.

ERITREA: KEY OBSERVATIONS



NOTABLE OMISSIONS FROM THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 Executive Summary to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Six such omissions were observed in 2017, most of which continued to be omitted in 2018 and 2019:

- [Harsh detention conditions] that reportedly sometimes resulted in death [but in 2018 and 2019 were amended to “harsh and life threatening prison and detention center conditions”]
- Lack of due process and excessively long pretrial detention;
- Evictions without due process;
- Discrimination against ethnic minorities;
- Female genital mutilation/cutting;
- Government policies limiting worker rights.

An additional six issues were omitted from the 2018 *Executive Summary*, most of which continued to be omitted from the 2019 edition despite being reported on in the main body of the U.S. Department of State report:

- Other cruel, inhuman, and degrading treatment;
- Denial of fair public trial [but reinserted in 2019 and amended to “serious problems with the independence of the judiciary”];
- Restrictions on freedoms of speech and the press [but reinserted in 2019 and amended to the “worst forms of restrictions on free expression and the press, including censorship and the existence of criminal libel laws”];
- Restrictions on internet freedom, academic freedom, and cultural events;

- Lack of government transparency;
- Violence against women and girls, including in military camp settings and national service roles.

Three further issues were omitted from the 2019 *Executive Summary*:

- Reports of unlawful or arbitrary killings;
- Corruption;
- Restrictions on international nongovernmental organizations.

The first of these was consistent with the body text of the 2019 report, but inconsistent with the situation as reported by other publicly available information and classified as an omission (see section *C. Improvements* above). The other two were both observed to be inconsistent with the 2019 U.S. Department of State report.

IRAN: KEY OBSERVATIONS



A: STRUCTURE OF THE REPORT

LENGTH

The 2016 and 2017 Iran reports were 48 pages long. The 2018 and 2019 reports were increased to 56 and 57 pages respectively. Most significantly, the subsection *Reproductive Rights* (re-named *Coercion in Population Control* in the 2017, 2018 and 2019 reports), which in the 2016 edition had 65 words, was scaled down to 25 words in the 2017 report, and to just 10 words in the 2018 and 2019 editions.

SECTION HEADINGS

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. Significant changes included:

- Changing the title of the subsection on *Reproductive Rights to Coercion in Population Control*. This resulted in substantive changes to the type of information included and the issues addressed;
- Omitting the following subsections and related content despite publicly available sources continuing to document these issues:
 - ▶ *Amnesty*: The removal of the subsection resulted in the complete exclusion of relevant information in relation to past and current amnesty decrees or provisions.
 - ▶ *Public Access to Information*: Information relating to public access to government information was omitted, which meant that sources referring to the limitations imposed by the Iranian authorities for individuals and journalists alike to access information that may conflict with state interests was no longer included.
 - ▶ *Other Societal Violence or Discrimination*: Information previously included in 2016 on the societal discrimination faced by non-native Persian speakers and non-Shia individuals was omitted from the subsequent editions.

In addition, the 2019 report omitted the subsection on *Exile* previously found under section 2.d. *Freedom of Movement*, omitting contextual information.

Furthermore, the 2019 report omitted the subsections *Role of the Police and Security Apparatus and Detainee's Ability to Challenge Lawfulness of Detention before a Court*, both previously included in section 2.d. *Arbitrary Arrest or Detention* of the 2016, 2017 and 2018 reports. However, the content, save for one issue – police corruption – was kept in the 2019 edition, but moved to the *Executive Summary* and repeated elsewhere within section 2.d.

The 2017 and subsequent editions condensed the section title 2.d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons* to 2.d. *Freedom of Movement*. Given that this section continued to document issues including access to legal protection and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed, which may result in new or less familiar users of these publications missing out on information included.



IRAN: KEY OBSERVATIONS



B: LANGUAGE USED

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report, with the majority of these repeated in 2018 and 2019. Most of these language points related to the inclusion of softening of language or toning down of previously made statements, potentially implying an improvement of the situation.

Section 6. *Discrimination, Societal Abuses, and Trafficking* was by far the section with the highest number of language observations throughout the 2017, 2018 and 2019 reports, followed by section 1. *Respect for the Integrity of the Person*.

Softening of language was the main language change observed, such as illustrated by the following examples:

- Prison conditions described in 2016 as “often harsh and life threatening” were amended in 2017 and 2018 to “potentially life threatening”. The 2019 report changed the way it described prison conditions again suggesting a worsening of the situation. Interestingly, all these descriptive changes occurred despite the content on prison conditions not having changed substantially in that section across all four reports;
- Whilst the 2016 report stated that Human Rights Watch reported that undocumented Afghans were recruited by the Islamic Revolutionary Guard Corps (IRGC) to fight in Syria threatening them with forced deportation if they didn’t, the 2017, 2018 and 2019 reports all added a ‘softener’ to the same sentence as follows [emphasis added]: “According to HRW [Human Rights Watch], the IRGC since 2013 **allegedly** recruited thousands of undocumented Afghans living in Iran to fight in Syria, threatening forced deportation **in some cases**”;
- In 2018 it was noted that [emphasis added] “Media and human rights groups also documented **numerous** suspicious deaths while in custody”. Interestingly in the 2019 report “numerous” was removed, possibly implying an improvement on the situation: “Media and human rights groups also documented suspicious deaths while in custody or following beatings of protesters by security forces throughout the year”.

In the following instances a previously made statement in 2016 was no longer included in the subsequent editions, potentially implying an improvement of the situation:

- In the 2019 report a previously included specific statement was replaced with a more general one, compared to the 2016, 2017 and 2018 editions. Whilst the 2016 report noted that the Iranian authorities made “few attempts to investigate allegations of deaths” specifically caused by “torture or other physical abuse or after denying detainees medical treatment”, the 2019 report limited this to the authorities not initiating “credible investigations” into “suspicious deaths in custody”, thus neglecting to mention that these may have been caused by torture and other ill-treatment or denial of medical treatment;
- Whilst the 2016 report stated that [emphasis added] “Some prison facilities [...] **were notorious for the use** of cruel and prolonged torture of political opponents”, the subsequent editions noted [emphasis added] “Human rights organizations frequently cited some prison facilities [...] **for their use** of cruel and prolonged torture of political opponents of the government”;
- “Cases of rape were difficult to document due to nonreporting”.

IRAN: KEY OBSERVATIONS



B: LANGUAGE USED (continued)

The introduction of source attributions was also observed of which some notable examples are presented below, which may be read to undermine the veracity of information:

- Whilst the 2016 report stated that “Some prison facilities, including Evin Prison in Tehran and Rajai Shahr Prison in Karaj, were notorious for the use of cruel and prolonged torture of political opponents”, the subsequent editions started this sentence with [additions highlighted in bold] “**Human rights organizations frequently cited** some prison facilities, including Evin Prison in Tehran and Rajai Shahr Prison in Karaj, for their use of cruel and prolonged torture of political opponents of the government”;
- In relation to where Female Genital Mutilation/Cutting (FGM/C) was mostly practiced, the reports differed in their approach to presenting such information from one year to the next, potentially casting doubt on the veracity of the information: Whilst in 2016 it was noted that the “UN Committee on the Rights of the Child noted in its January periodic review”, this was changed in 2017 to “FGM was reportedly” and further amended in the 2018 and 2019 reports to “Little current data was available [...] although older data and media reports suggested”;
- In 2017 and 2018 “according to activist reports” was added to the exact same information as previously included in 2016 [bold indicates added text]: “**According to activist reports** the law limited Sunni Baluchis’ employment opportunities and political participation”.

The 2017 report noted that “Several teachers and union activists either remained in prison or were awaiting new sentences”. Interestingly in the 2018 report the emphasis was added that “several **prominent** teachers and union activists”

remained in prison, providing the impression that only those teachers and union activists who might be known to the authorities (or others), or have a public profile, might remain in prison, thereby potentially ignoring the plight of teachers and union activists without such a ‘prominent’ profile.

In the 2019 report, the assessment introduced by the U.S. Department of State in the 2018 edition that “corrective treatment” of LGBTI persons “may constitute torture or other cruel, inhuman, or degrading treatment under international law” was no longer included.

Some contextual information, such as the existence of specific laws, was completely omitted in the 2017, 2018 and 2019 reports compared to the 2016 report.

NOTABLE LANGUAGE CHANGES IN THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT

The 2016 *Executive Summary* identified what it defined as the “most significant human rights problems” followed by seven separate lists, which introduced additional human rights issues as:

- Other HR [human rights] problems;
- Other reported human rights problems;
- Of additional concern;
- Also of concern;
- Additionally there were severe restrictions;
- There was also violence against;
- There were significant HR problems with.

In comparison, the 2017 report only provided one list of what it termed “the most significant human rights issues”. The 2018 edition continued to provide one list of issues, termed “human rights issues” and in 2019 the categorisation was slightly amended again to “significant human rights issues”.

IRAN: KEY OBSERVATIONS



C: IMPROVEMENTS

One reported improvement in the human rights situation was observed in the 2017 report and repeated in 2018 and 2019, which was found not to be consistent with the situation as reported by other publicly available sources. Whilst the 2016 report noted that the government restricted freedom of internal movement, foreign travel, emigration and repatriation, the subsequent editions all explained that this concerned ‘particularly migrants and women’. However, publicly available information located for those years documented that movement restrictions continued to also be applied to perceived opponents of the regime, including journalists and human rights activists, and not just to migrants and women.

NOTABLE IMPROVEMENTS FROM THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE’S REPORT

Freedom of religion was described in the 2016 *Executive Summary* as being “severely restricted”, whilst the 2017 and 2018 *Executive Summaries* noted the “egregious restrictions of religious freedom”. However, in the 2019 *Executive Summary* it returned to describe religious freedom as being severely restricted again, potentially implying a small improvement to the years 2017 and 2018. Interestingly, these changes were observed despite references to religious freedom throughout the four reports being almost identical.

D: OMISSIONS

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Thirty seven issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. These issues almost always continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional twelve omissions were observed in the 2018 report and a further eight omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the persistent existence of these issues.

More than half of the omissions observed across the three reports were found in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, in particular the subsections on *Women and National/Racial/Ethnic Minorities*. Almost one quarter of the human rights issues omitted across the reports were from section 1. *Respect for the Integrity of the Person*.

Examples of significant omissions included the following:

- Impunity for past unlawful killings was no longer mentioned in section 1.a. *Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings* in the 2017, 2018 and 2019 reports.
- The extent to which the Iranian government sought to prevent or investigate disappearances was not reported in the 2017 and 2018 editions (although this issue was re-inserted in the 2019 report).

IRAN: KEY OBSERVATIONS



D: OMISSIONS (continued)

- The renamed *Coercion in Population Control* subsection in the 2017, 2018 and 2019 reports did not include contextual information about the legal rights of married couples to freely decide the number, spacing and timing of children, their entitlements to reproductive healthcare free from discrimination, coercion, and violence, and that government family planning cuts meant that previously included full free access to contraception and family planning was no longer available. Instead in 2017 the following statement was included: “There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods” and a link provided to estimates on maternal mortality and contraception prevalence. In the 2018 and 2019 editions this was further reduced to “There were no reports of coerced abortion or involuntary sterilization”.
- The only societal harassment and violence reported on against LGBTI persons was in the 2016 report and related specifically to “young gay men” facing “harassment and abuse from family members, religious figures, school leaders and community elders”. This issue was omitted from the 2017, 2018 and 2019 reports, thereby omitting any information on societal harassment and violence targeting LGBTI persons from those reports.
- Information on the societal discrimination on linguistic grounds faced by non-Persians or discrimination on religious grounds against non-Shia persons.

Other notable omitted information from the subsection on *Women* in the 2017 report, all of which continued to be omitted from subsequent reports, related to:

- Lack of information on the principal of “qisas” (punishment in kind);
- Legal restrictions on women’s economic, social, political, academic, and cultural rights;
- The continued limits placed on women to seek divorce;
- The social and legal constraints limiting women’s professional opportunities.

In the 2017 report, the following notable additional issues were omitted from section 1. *Respect for the Integrity of the Person*, all of which continued to be omitted from the 2018 and 2019 reports:

- That family members were arrested for demanding justice for those who died in custody;
- That prolonged solitary confinement and sexual humiliation continued to be reported methods of torture;
- That corruption remained a problem within the police forces;
- That defendants did not always have access to government-held evidence.

Additional notable issues omitted from the 2018 report, some of which continued to be omitted in the 2019 edition, included:

- Executions continued without due process;
- Estimates on maternal mortality and contraceptive prevalence;
- Firing of labour activists for trade union activities.

IRAN: KEY OBSERVATIONS



D: OMISSIONS (continued)

In the 2019 report, the following notable additional issues were omitted:

- Limited attempts by the Iranian government to investigate allegations of deaths that occurred after or during torture or other physical abuse;
- Threats issued against prisoners accused of contacting the UN Secretary-General's office;
- Repression of civilians accused of violation Iran's strict moral code;
- The lengthy pre-trial detention and continued imprisonment of teachers and union activists.

In all these instances, the information was omitted despite publicly available sources documenting their continued existence.

NOTABLE OMISSIONS FROM THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 Executive Summary to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Seventeen such omissions were observed in 2017, most of which continued to be omitted in 2018 and 2019 [words in bold indicates omission]:

- Cruel, inhuman, or degrading treatment or punishment;
- Disregard for the physical integrity of persons, whom authorities [...] unlawfully detained;
- Disregard for the physical integrity of persons, whom authorities arbitrarily and unlawfully [...] killed;

- Politically motivated violence and repression;
- Harsh and life-threatening conditions in detention facilities, **including lengthy solitary confinement**;
- Harsh and life-threatening conditions in detention facilities [...] **with instances of deaths in custody**;
- Arbitrary arrest and lengthy pretrial detention, sometimes incommunicado;
- Denial of fair public trial;
- Lack of an independent judiciary;
- Arbitrary interference with [...] **family, home, and correspondence**;
- Academic freedom;
- Restrictions on freedom of movement;
- Lack of government transparency;
- Constraints on investigations by international and nongovernmental organizations (NGOs) into alleged violations of human rights;
- Legal and societal discrimination;
- Violence against women;
- Violence against ethnic and religious minorities.

An additional three issues were omitted from the 2018 *Executive Summary*, the first of which continued to be omitted from the 2019 edition despite being reported on in the main body of the U.S. Department of State report:

- Refoulement of refugees;
- Imprisonment of journalists;
- Lack of an independent judiciary.

No additional issues were omitted from the 2019 *Executive Summary*.

IRAQ: KEY OBSERVATIONS



A: STRUCTURE OF THE REPORT

LENGTH

The 2016 Iraq report was 66 pages long. The 2017 was reduced to 52 pages, whilst the 2018 and 2019 reports increased to 64 and 63 pages respectively. Most significantly, the subsection *Reproductive Rights* (re-named *Coercion in Population Control* in the 2017, 2018 and 2019 reports), which in the 2016 edition had 150 words, was scaled down to 32 words in the 2017 report, 35 words in the 2018 report and to just 10 words in the 2019 edition.

SECTION HEADINGS

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. Significant changes included:

- Changing the title of the subsection on *Reproductive Rights to Coercion in Population Control*. This resulted in substantive changes to the type of information included and the issues addressed;
- Omitting the following subsections and related content despite publicly available sources continuing to document these issues:
 - ▶ *Amnesty* (removed in 2017 and re-inserted in 2018 and 2019): The removal of the subsection resulted in the complete exclusion of relevant information in relation to past and current amnesty decrees or provisions;
 - ▶ *Emigration and Repatriation*: Information pertaining to the Iraqi government refusing to issue travel documents for its citizens facing deportation from the U.S. was omitted;
 - ▶ *Refoulement*: Information was omitted on the Iraqi government's cooperation with UNHCR to prevent refoulement.

Additional subsections were removed in 2017 for which the content was either moved elsewhere within the body of the U.S. Department of State report or the content removed but no publicly available information documenting the issue was found, were:

- ▶ *Improvements* (relating to prison conditions): Previously included information on the installation of surveillance cameras in federal prisons as a deterrent to would-be abusers was no longer included. Amongst the sources consulted for those years no information was found detailing the continued use of these cameras;
- ▶ *Exile*: The 2017, 2018 and 2019 reports no longer included information on forced exile. Amongst the sources consulted this could not be corroborated or refuted;
- ▶ *Public Access to Information*: Information relating to whether the Kurdistan Region of Iraq had implemented a public access to government information law was omitted. Amongst the sources consulted this could not be corroborated or refuted.

In addition, the 2018 report omitted the subsection *Abuse of Migrants, Refugees, and Stateless Persons* and with it information on attacks and arrests of refugees, including Palestinians, Ahwazis, and Syrian Arabs by state and non-state forces. Amongst the sources consulted whether these issues occurred in 2018 no information was found to corroborate or refute. The subsection title was re-inserted in 2019 with only some of its previously included content.



IRAQ: KEY OBSERVATIONS



A: STRUCTURE OF THE REPORT

(continued)

Furthermore, the 2019 report omitted the subsection *Role of the Police and Security Apparatus*. Information pertaining to complaints that the military and Federal Police committed abuses owing to ethno sectarian differences, that there were limited efforts by government forces to respond to societal violence, including ethno sectarian violence, was omitted despite other publicly available sources documenting their continued existence. Two additional issues, namely reprisals against prisoners for talking about the abuses they suffered and corruptive practices amongst the provincial police force, were no longer included in the 2019 report. However, and amongst the sources consulted the continued occurrence of these issues was not corroborated or refuted. One issue previously included in this section, namely that investigations against police human rights violations by the Independent Human Rights Commission Kurdistan Region (IHRCKR) were not deemed credible, was amended to suggest an improvement [emphasis added]: “The IHRCKR [...] reported KRG police and security organizations generally had been [...] **responsive to reports of violations**”. Amongst the sources consulted this was not corroborated or refuted.

A further subsection entitled *Libel/Slander Laws* and its content was removed from the 2019 report. Some of it was contextual information on the existence of defamation laws, other information related to these laws being used to prosecute media workers. Amongst the sources consulted this practice was not corroborated or refuted for 2019.

The subsection *Other Societal Violence or Discrimination* was also removed from the 2019 report thereby omitting information on property seizures of Christians and Yezidis by criminal networks and armed groups.

The 2017 and 2019 editions condensed the section title *2.d. Freedom of Movement, Internally Displaced Persons, protection of Refugees, and Stateless Persons* to *2.d. Freedom of Movement*. Given that this section continued to document issues including access to legal protection and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed, which may result in new or less familiar users of these publications missing out on information included.

B: LANGUAGE USED

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report, with the majority of these repeated in 2018 and 2019. Most of these language points related to the inclusion of softening of language, potentially implying an improvement of the situation, or the use of distancing language, potentially questioning the veracity of information.

Section 1. *Respect for the Integrity of the Person* was by far the section with the highest number of language observations throughout the 2017, 2018 and 2019 reports and within it subsection *Arbitrary arrest or detention*.

IRAQ: KEY OBSERVATIONS



B: LANGUAGE USED (continued)

Softening of language was the main language change observed, illustrated by the following examples:

- Whilst the 2016 report referred to **'torture'** as being one of the reasons why conditions in prison and detention facilities were described as "harsh and life threatening", this was reduced in the 2017, 2018 and 2019 editions to **"physical abuse"**, potentially undermining the level of violence and abuse that did take place [however torture in detention was noted elsewhere in the report];
- With regards to the treatment experienced by media workers, whilst the 2016 and 2017 reports noted that throughout the Kurdistan Region of Iraq [emphasis added] **"numerous beatings, detentions, and death threats"** were made, the 2018 and 2019 editions potentially implied an improvement as it suggested that **"there were reports of beatings, detentions and death threats"** against media workers;
- With regards to working conditions, whilst the 2016 report noted that these were **"unacceptable"** a softening in language introduced in the 2017, 2018 and 2019 editions meant that now working conditions were **"substandard"** despite continuing to report on similar work standards for workers

Additional examples of distancing language included:

- It was noted in 2016 that "many inmates lacked adequate food, water, exercise facilities, vocational training, and family visitation".

In the 2017 report the word "sometimes" was added to describe the lack of food and water, which in the subsequent 2018 and 2019 reports was amended again to imply a deterioration as it was stated that "inmates often lacked adequate food and water";

- Where the 2017 report noted that "prison authorities sometimes delayed the release of exonerated inmates", the 2018 and 2019 reports both now stated that [emphasis added] "prison authorities **reportedly** sometimes delayed the release of exonerated detainees", thereby potentially undermining the veracity of the information included;
- Another example observed in the 2018 and 2019 reports implied that the [emphasis added] "KRG executive **reportedly** influenced politically sensitive cases" whilst in the 2017 report it stated that the "KRG executive influenced politically sensitive cases".

Two previously made assertions made in the 2016 U.S. Department of State report were omitted from subsequent editions: that "treatment of detainees were generally poor" and "activists from religious and ethnic minority communities faced the greatest risk", potentially implying these situations were no longer the case.

The 2019 report on occasion no longer described general patterns but instead presented isolated incidents. For example, whilst the 2018 report described that detainees were tortured to death, the 2019 edition did not, but added specific examples documenting two cases where torture lead to death in custody.



B: LANGUAGE USED (continued)

In the following example it was implied in 2016 that “the constitution provides some basic legal safeguards against arbitrary arrest and detention”. However, in the 2017 edition it was reported that “the constitution provides legal safeguards...” thereby implying that these same legal safeguards had been modified and were no longer considered as providing “basic” protection. Similarly, whilst the 2016 and 2017 reports suggested that the constitution only “broadly provides for the right of free expression”, this was removed in the 2018 and 2019 editions implying that the constitution now “provides for the right of free expression, including for the press”. This was despite no changes in the relevant legal provisions having been observed

The removal of source attribution was also observed, which may be read to undermine the veracity of information. For example, whilst the 2016 report noted that “International and local NGOs reported” that “some juveniles were held in Ministry of Justice facilities”, the 2017, 2018 and 2019 reports stated instead that “there were **reports** that some juveniles were held in Ministry of Justice facilities”.

Some contextual information, such as the existence of specific laws and historical events such as the September 2017 referendum on the independence of the Kurdistan Region of Iraq, was omitted in the 2017, 2018 and 2019 reports compared to the 2016 report.

NOTABLE LANGUAGE CHANGES IN THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE REPORT

The 2016 *Executive Summary* listed three human rights issues which it defined as having “weakened the government’s authority and worsened effective human rights protections”, only one of which continued to be listed as a human rights issue in the 2017, 2018 and 2019 Reports’ *Executive Summary*.

The 2016 *Executive Summary* further categorised human rights issues by perpetrator and noted “Observers also reported other significant human rights-related problems” listing:

- “Iraqi Security Forces (ISF), members of the Federal Police, and the Peshmerga committed some human rights violations”;
- “the terrorist organization Da’esh committed the overwhelming majority of serious human rights abuses, including attacks against”;
- “Observers also reported other significant human rights-related problems”;
- “Da’esh members committed acts of violence on a mass scale.

Instead the 2017 *Executive Summary* listed human rights issues under “The most significant human rights issues” and “ISIS members committed acts of violence on a mass scale”, as well as separately listing additional human rights issues without categorising them. These were: “Militant groups killed LGBTI persons” and “There were also limitations on worker rights, including restrictions on formation of independent unions”. In comparison the 2018 report only provided one list of what it termed “Human rights issues”, which was slightly amended in the 2019 report to “significant human rights issues”.



C: IMPROVEMENTS

Three reported improvements in the human rights situation were observed in the 2017 report, all repeated in the 2018 report and two of which repeated in the 2019 edition, that were found to be inconsistent with the situation as reported by other publicly available sources. Four additional improvements were noted in 2018, three of which were repeated in the subsequent report covering 2019 for which country information was found.

For example, it was suggested in 2018 and 2019 that “little information was available” on ISIS’s recruitment and use of children compared to 2016 and 2017 where it was reported that “In previous years ISIS was known to recruit and use children”. However, sources located in the public domain continued to document this practice for both years.

Furthermore, whilst the 2016 report described the Iraqi asylum system as “flawed”, this was replaced in the 2017, 2018 and 2019 editions with “The law provides for the granting of asylum or refugee status, and the government established a system, albeit flawed, for providing protection to refugees” suggesting an improved situation to the previous year. However, information found amongst alternative publicly available sources reported that access to asylum was problematic mainly due to the fact that Iraq is not a party to the Refugee Convention of 1951 or its protocol of 1967.

A further notable example observed related to Female Genital Mutilation/Cutting (FGM/C). Whilst the 2016 report stated that “25 percent of women in the central and southern parts of the country had been subjected to FGM/C”, the 2017 report omitted such information.

The 2018 and 2019 added instead that “FGM/C was not common outside the IKR [Iraqi Kurdistan Region]”. Reducing the statistics included in the 2016 to “was not common” may be read to imply an improvement of the situation for 2018 and 2019, which was not supported by other available sources.

D: OMISSIONS

The majority of issues were observed comparing the 2017 report to the 2016 edition. Twenty eight issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. These issues almost always continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional twenty three omissions were observed in the 2018 report and a further nineteen omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the existence of these issues.

Almost half of the omissions observed across the three reports were found in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, particularly the subsection on *Women*, followed by section 1. *Respect for the Integrity of the Person*.

IRAQ: KEY OBSERVATIONS



D: OMISSIONS (continued)

Examples of significant omissions included the following:

- Information on the occurrence of torture in prisons operated in the Kurdistan Region of Iraq opposed to information on the availability of redress for torture allegations as omitted in the 2017, 2018 and 2019 reports.
- Information on the continued violence and abuse against children in 2017, 2018 and 2019, women in 2018 and 2019, and civilians in general committed by ISIS in 2018 and 2019.
- Information on the widespread nature of corruption and lack of government transparency in the Kurdistan Region of Iraq.
- Information on the underreporting of sexual and gender-based violence due to social stigma, societal retribution, cultural norms, distrust in the legal system, and lack of punishment of perpetrators.
- The renamed *Coercion in Population Control* subsection in the 2017 report did not include information about the legal rights of married couples to freely decide the number, spacing and timing of children their entitlements to reproductive healthcare free from discrimination, coercion, and violence, the inadequate and limited sexual and reproductive health services and general medical care provided to women. Instead in 2017 the following statement was included: “There were reports that ISIS forced Yezidi women whom they had impregnated to have abortions. There were no reports of involuntary sterilization” and a link provided to estimates on maternal mortality and contraception prevalence.

In the 2018 report it was stated that “There were no reports of coerced abortion or involuntary sterilization by government authorities. Unlike previous years, there were no reports of coerced abortion by ISIS or other armed groups of pregnancies of Yezidi captive women” and in the 2019 edition this was further reduced to “There were no reports of coerced abortion or involuntary sterilization”.

- Information on violence and fear experienced by LGBTI organisations and activists, societal discrimination affecting LGBTI persons, as well as violence and abuse faced by state and non-state actors.

Other notable omitted information from the 2017 report, all of which continued to be omitted from subsequent reports, related to:

- Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices’ impacted on civilians;
- Information that overcrowding was driven by terrorism-related detentions;
- ISIS’s violations against children, including killing and maiming, recruitment and use as soldiers/suicide bombers, sexual violence etc.;
- Economic pressures faced by IDPs resulting in an increase in early marriages;
- Violations faced by labour activists because of their union activities.

IRAQ: KEY OBSERVATIONS



D: OMISSIONS (continued)

Additional notable issues omitted from the 2018 report, all of which also omitted in the 2019 edition, included:

- The abduction by ISIS of members of the security or police forces, members of ethnic and religious minorities and other non-Sunni communities;
- Abuses and atrocities committed by militias working under the Popular Mobilization Forces (PMFs);
- The Kurdistan Regional Government's attempts to try, convict and take legal action against journalists;
- Denial of Sunni Arab IDPs access to Kirkuk;
- Difficulties faced by IDPs in accessing services if they did not register with the government;
- Societal discrimination experienced by persons with disabilities.

In the 2019 report, the following notable additional issues were omitted:

- Ethnic or sectarian dimensions relating to home and property confiscations;
- Continued use of vehicle-borne IEDs and suicide bombs, as well as the use of mortars by ISIS;
- Forced return of IDPs to unsafe areas;
- Continued practice of fasliya, whereby family members, including women and children, are traded to settle disputes;
- Discrimination faced by ethnic and religious minorities by the Kurdistan Regional Government;
- Continued seizure of Christian properties.

In all these instances the information was omitted despite publicly available sources documenting their continued existence.

NOTABLE OMISSIONS FROM THE *EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT*

All of the omissions to the *Executive Summary* were observed when comparing the 2017 Executive Summary to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Twenty such omissions were observed in 2017, all of which were omitted from subsequent reports unless otherwise stated [Note that for the sentences in bold: Only the highlighted words have been omitted]:

- Sectarian hostility;
- Lack of transparency at all levels of government and society;
- Lengthy pretrial detention, sometimes incommunicado;
- Denial of fair public trial;
- Insufficient judicial institutional capacity;
- Ineffective implementation of civil judicial procedures and remedies;
- Arbitrary interference with privacy **and homes**;
- Child soldiers" in 2017;
- "Violence against **and harassment** of journalists" in 2017 and the whole sentence from 2018 and 2019 editions;
- Undue Censorship;
- Social, religious, and political restrictions in academic and cultural matters;
- Limits on freedoms of peaceful assembly and association;
- Limits on religious freedom due to violence by extremist groups;
- Refugee and IDP abuse;
- Forced IDPs returns;



D: OMISSIONS (continued)

- Preventing IDPs from returning home;
- Discrimination against and societal abuse of women [...] including exclusion from decision-making roles;
- Discrimination against and societal abuse of [...] ethnic, religious, and racial minorities, including from decision-making roles;
- “**Societal discrimination and violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons**” in 2017 (whole sentence), 2018 and 2019 (words in bold);
- Seizure of property without due process.

The following profiles categorised in 2016 as being targeted by “the terrorist organization Da’esh committed the overwhelming majority of serious human rights abuses, including attacks against” were omitted in subsequent reports’ *Executive Summary*:

- Civilians, (particularly Shia but also Sunnis who opposed Da’esh);
- Members of other religious and ethnic minorities;
- Women;
- Children.

The omission of these profiles from the 2017, 2018 and 2019 *Executive Summary* was internally consistent with how the three reports dealt with violations committed by ISIS despite publicly available sources continuing to document these profiles as ISIS targets for those years.

The 2017 report further listed the following five separate human rights issues that ISIS committed which were omitted from the 2018 and 2019 Reports’ *Executive Summary*:

- “They also engaged in kidnapping, rape, enslavement, forced marriage, and sexual violence, committing such acts against civilians from a wide variety of religious and ethnic backgrounds, including Shia, Sunnis, Kurds, Christians, Yezidis, and members of other religious and ethnic groups”;
- Reports of ISIS perpetrating gender-based violence;
- Recruiting child soldiers;
- Trafficking in persons;
- Destroying civilian infrastructure and cultural heritage sites.

No additional issues were omitted from the 2018 or 2019 Reports’ *Executive Summary*.



A: STRUCTURE OF THE REPORT

LENGTH

The 2016 Pakistan report was 59 pages long. This was reduced to 54 pages in the 2017 and 2018 editions and to 52 pages in 2019. The section most notably reduced in 2017 which continued in subsequent editions was 6. Women. In 2018 and 2019 the sections on *1. a. Arbitrary Deprivation of Life and other Unlawful Politically Motivated Killings* and *1.g. Abuses in Internal Conflict* were condensed, in particular omitting incidents of sectarian violence. In 2019 the section *Role of the Police and Security Apparatus* previously found within section *1.d Arbitrary Arrest or Detention* was removed along with much of its content. These are all presented as omissions below that were not commensurate with the situation as reported by other sources.

SECTION HEADINGS

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. The most significant changes were:

- Replacing the whole subsection on *Reproductive Rights* in the 2016 report with a new subsection on *Coercion in Population Control* in the 2017 and subsequent editions, dramatically changing the range of issues addressed in the respective reports (see *D. Omissions* below for further details).
- Omitting the following subsections and related content from the 2017 and subsequent reports on:
 - ▶ *Public Access to Information*: This had the effect that information on regulations concerning access to public records and NGO's criticism thereof were omitted. (See *D. Omissions* below for further details)

- ▶ *Libel/Slander Laws*: However the omitted text "Ministers and members of the National Assembly used libel and slander laws in the past to counter public discussion of their actions" was not documented by the sources consulted and is therefore not addressed further.

Two further notable omissions were observed in the 2018 report's structure, both of which were repeated in the 2019 edition. This was the removal of the subsections:

- ▶ *Abductions*: Thereby omitting the text "There were reports militant groups kidnapped or took civilians hostage in FATA, KP, Punjab, Sindh, and Balochistan" (See *D. Omissions* below for further details)
- ▶ *Refoulement*: Thereby omitting information on the forcible return of Afghan 'Proof of Registration' cardholders (See *D. Omissions* below for further details)





A: STRUCTURE OF THE REPORT

(continued)

SECTION HEADINGS (continued)

A notable omission observed in the 2019 report's structure was the removal of the subsection: *Role of the Police and Security Apparatus* previously found within section 1.d *Arbitrary Arrest or Detention*. Some of the related content was moved to the 2019 report's *Executive Summary*. However, other information was omitted, despite publicly available information continuing to document its existence (See *D. Omissions* below for further details)

A new subsection was introduced to section 1.c *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment/ Prison and Detention Conditions* of the 2017, 2018 and 2019 reports entitled *Improvements*. (see *C. Improvements* below for further details).

In one section a heading title was condensed, potentially altering its perceived meaning. The 2016 edition contained the section 2. *d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*. In the 2017, 2018 and 2019 reports this was revised to *Freedom of Movement*. Given that this section continued to document access to legal protections and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed.

B: LANGUAGE USED

It was observed that on occasion the 2017 report and subsequent editions tended to describe less general patterns than the 2016 edition and instead only presented individual incidents (which may be read to imply that the incidents were isolated), as well as providing less examples or reduced specificity on particular issues. In other instances, less illustrative incidents were provided.

Section 1. *Respect for the Integrity of the Person* was by far the section with the highest number of language observations throughout the 2017, 2018 and 2019 reports, followed by section 6. *Discrimination, Societal Abuses, and Trafficking*.

The most notable changes to language observed when comparing the 2016 edition to the 2017 and which were repeated in subsequent years included:

- Two incidences of source attribution being introduced in the 2017 which were repeated in the subsequent editions which may be read to imply reduced veracity of the issues in that only isolated sources reported on their occurrence [bold indicates added text]:
 - ▶ *The law provides for an independent judiciary, but **according to NGOs and legal experts**, the judiciary often was subject to external influences*
 - ▶ ***According to a wide range of LGBT NGOs and activists**, society generally shunned transgender women, eunuchs, and intersex persons, collectively referred to as 'hijras'.*
- It was observed that the 2017 report introduced language which could be read to undermine the veracity of the issue which was repeated in the 2018 and 2019 editions:
 - ▶ *Security forces **allegedly** abducted journalists.*



B: LANGUAGE USED (continued)

- The 2017 and subsequent editions removed “torture” from the forms of domestic violence experienced by women.
- The general pattern “*Militant and terrorist bombings in all four provinces and in FATA and PATA also killed hundreds of persons and wounded thousands*” was removed from the 2017, 2018 and 2019 editions. Instead, the 2017 report detailed particular examples of suicide attacks, including the numbers killed and injured and no such incidents were documented in the 2018 and 2019 editions, despite being reported by other publicly available sources.
- Less illustrative examples were presented in the 2017 report on the targets of politically motivated attacks compared to 2016 and no illustrative incidents of violence and discrimination against LGBTI persons were provided in the 2017, 2018 and 2019 editions, although the general pattern was described.

The 2018 report introduced further source attribution for a number of issues, which were repeated in 2019:

- **NGOs reported that rape was a severely underreported crime.**
- *With regards to sexual harassment: the problem was **reportedly** widespread.*

The 2018 report also downplayed the nature of abuse resulting in death or serious injury from torture to police excesses. Whilst this terminology mirrors that of the Human Rights Commission of Pakistan, cited on this issue, inverted commas should have been used to more clearly indicate this:

- *Multiple sources reported that **police excesses** sometimes resulted in death or serious injury and was often underreported (in 2016 and 2017 “Multiple sources reported that **torture** occasionally resulted in death or serious injury and was often underreported).*

The 2018 and 2019 reports underplayed the coercive element of child soldier recruitment compared to the 2016 and 2017 editions:

- *Nonstate militant groups **recruited children as young as 12 to spy, fight, or die as suicide bombers** [in 2016 and 2017: Nonstate militant groups **kidnapped boys and girls and used fraudulent promises to coerce parents** into giving away children as young as 12 to spy, fight, or die as suicide bombers].*

The 2019 edition also introduced some additional distancing language:

- **Media and civil society organizations** reported cases of individuals dying in police custody **allegedly** due to torture in Punjab Province.
- **Civil society groups stated** courts often failed to protect the rights of religious minorities.

The 2019 report no longer described the general pattern that “The terrorist groups TTP, Lashkar-e-Jhangvi, and related factions bombed government buildings and attacked and killed female teachers”, but instead provided examples, thereby potentially suggesting that the incidents documented were isolated examples rather than a more general pattern/widespread practice

Less specificity was also observed with regards to numbers/statistics, for example with regards to the percentage of Dawoodi Bohra Muslims practising FGM, the numbers of government-funded Shaheed Benazir Bhutto Centers for Women (in the 2017, 2018 and 2019 reports) and the size of the Rohingya population (in the 2019 report).



B: LANGUAGE USED (continued)

In addition, less contextual information was found on certain topics including the forms of torture perpetrated and the practice of honour killings (2017, 2018 and 2019 reports), as well as the buying and selling of brides and marriage to the Quran (2018 and 2019 reports).

Language changes in the *Executive Summary*

The 2016 *Executive Summary* included three categories of abuses. First, it listed seven of what it termed the “most serious human rights problems”, followed by a list of six “other human rights problems”, a list of seven “serious societal problems” as well as numerous other issues that were described but not categorised, for example: “Gender inequality continued”.

By comparison, the 2017 edition included two categories, the first of which slightly amended the language used in the 2016 edition to the “most significant human rights issues”, under which only five points were included. This was followed by a reduced list of four “additional problems” and a longer list of other issues that, as with the 2016 edition, were described but not categorised. It is observed that re-categorising “human rights problems” to “additional problems” may be read to imply less severity.

The 2018 report provided just one category, “human rights issues included credible reports of” and the 2019 edition kept this one list but amended it slightly to “significant human rights issues included”. It is notable that the language used in the 2018 report no longer presents abuses as occurring, but now introduces the concept of credibility to reports of abuses, potentially undermining their perceived veracity.

C: IMPROVEMENTS

Three reported improvements in the situation in 2017 were observed when comparing the situation in 2016 which were not found to be commensurate with the situation as reported by other publicly available sources. Two such improvements were located in section 1. *Respect for the Integrity of the Person* and one in section 6. *Discrimination, Societal Abuses, and trafficking in Persons*. All of these improvements were repeated in 2018 and continued to be inconsistent with the situation as documented by other sources:

- *Juveniles and adults were in close proximity when waiting for transport but were kept under careful supervision at this time* [In 2016: “officials often mixed children with the general prison population at some point during their imprisonment”].
- The 2017 edition contained a new subsection under *Prison and Detention Center Conditions* entitled *Improvements*, which included the statement “Infrastructure improvements and new policies in existing prisons, along with the construction of new facilities, increased the frequency with which pretrial detainees and convicted prisoners were separated”.
- *“Women also faced discrimination in employment”* [In 2016: Women faced significant discrimination in employment and frequently were paid less than men for similar work].

Only the latter of these reported improvements was repeated in 2019, again found to be inconsistent with other available information.



C: IMPROVEMENTS (continued)

Four further improvements were observed in the 2018 report which were broadly not found to be commensurate with the situation as reported by other publicly available sources. All of these reported improvements were repeated in the 2019 edition and continued to be inconsistent with the situation as documented by other sources, which included:

- *Outreach by NGOs in KP [Khyber Pakhtunkhwa], however, improved interactions between police and the transgender community there.* Whilst no information was found to confirm or deny whether interactions between the police and transgender community had improved in Khyber Pakhtunkhwa, information was found for both years to indicate police involvement in abuses against the transgender community in KP, that most of the assaults, rape and murders of transgender people took place in KP and the police's failure to hold perpetrators accountable. None of these issues were addressed the report, therefore indicating that the reported improvement was inconsistent with the situation on the ground as reported by other sources.

No further improvements were observed in the 2019 report that were observed to be inconsistent with the situation as reported by other publicly available sources.

D: OMISSIONS

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Twenty six issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. All but one of these continued to be excluded from the 2018 and 2019 editions.

An additional thirteen issues were omitted in the 2018 report and ten additional omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the persistent existence of these issues.

The vast majority of the omissions observed across the three reports were found in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, in particular the subsection on *Women*, and in section 1. *Respect for the Integrity of the Person*.

In the 2017 report, two thirds of the omitted issues related to section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*. Most notably, the section *Women-Reproductive Rights* included in the 2016 report was amended to *Coercion in Population Control* in subsequent editions. This had the effect of stripping out the following issues, which continued to be documented by other publicly available sources in the respective years:

- Couples and individuals have the right to decide the number, spacing, and timing of their children, but they often lacked the information and means to do so, with young girls and rural women particularly vulnerable to accessing sexual and reproductive health rights.
- Spousal opposition also contributed to the challenges women faced in obtaining contraception or delaying pregnancy.
- Access to contraception, skilled health-care attendance during pregnancy and childbirth, prenatal care, essential obstetric and postpartum care.



D: OMISSIONS (continued)

Other omitted information from the subsection on *Women* in the 2017 report, all of which were also omitted from subsequent reports, related to:

- Challenges in changing the cultural assumptions of police and training female police;
- Lack of knowledge and restrictions on women's mobility affecting their utilisation of women's police centre;
- Communities practising the sequestering (confinement) of women;
- Women's lack of awareness of legal protections and inability to access legal representation;
- Situation of divorced women, including lacking means of support due to being ostracised by their family;
- The practice of honour crimes for adultery or other 'crimes of honour', including against women who marry without consent.

Additional information from the subsection on *Women* in the 2018 report, which continued to be omitted from the 2019 edition included:

- NGOs reported that police were at times implicated in rape cases;
- Estimates on maternal mortality and contraceptive prevalence.

Further issues omitted from the subsection on *Women* in the 2019 report included:

- In-laws frequently abused and harassed the wives of their sons;
- The National Commission on the Status of Women lacked resources.

With regards to *Children*, the 2017 and subsequent reports neglected to mention that:

- Birth registration figures believed to be lower than government figures of 75%;
- Girls' school attendance rates being lower than boys' and the most significant barrier to girls' education being lack of access, lack of institutions and cultural beliefs;
- Estimation of the number of street children (1.5 million according to SPARC cited in 2016);
- Children, including trafficking victims forced to beg and experiencing sexual and physical abuse;
- Conditions in IDP camps causing medical issues for children.

With regards to *Persons With Disabilities*, the 2017 report and subsequent editions neglected to mention that families cared for most individuals with physical and mental disabilities.

An additional issue observed in 2017 that wasn't repeated in subsequent years was that insufficient data existed for accurate reporting of discrimination against LGBTI persons due in part to severe social stigma and fear of recrimination on the part of those that came forward (The 2018 and 2019 editions added that "The crimes often go unreported").



D: OMISSIONS (continued)

Issues omitted from other sections of the 2017 and subsequent reports included:

- District-level and provincial politicians from Awami National Party, Pakistan People's Party, Pakistan Tehreek-e-Insaaf, and Jamiat Ulema-e-Islam (F) were shot and killed in targeted attacks throughout Khyber Pakhtunkhwa and FATA;
- The 2014 end of the moratorium on capital punishment, concerns with observance of due process and the execution of individuals who were under age 18 when they allegedly committed the crime;
- The forcible return of Afghani 'Proof of Registration' cardholders;
- Security threats being a problem for NGO workers;
- The number of child labourers (3.4 million according to the ILO in the 2016 report).

The majority of additional issues omitted from the 2018 report related to Section 1. *Respect for the Integrity of the Person*, most of which were also omitted from the 2019 report:

- Continued allegations of politically motivated killings in Balochistan and Sindh, including by political factions or unknown assailants in Sindh;
- Provincial governments and political parties in Sindh, Balochistan and Khyber Pakhtunkhwa remained targets of attack by militant and other nonstate actors;
- Journalists, teachers, students, and human rights defenders targeted by state and nonstate actors in Balochistan;
- The Karachi-based political party Muttahida Qaumi Movement alleged that the paramilitary Sindh Rangers kidnapped and killed some of its members;

- Individuals accused of blasphemy from both majority and minority communities were killed during the year;
- There were reports militant groups kidnapped or took civilians hostage in FATA, Khyber Pakhtunkhwa, Punjab, Sindh, and Balochistan;
- Multiple (as opposed to isolated) Ahmadiyya community members died in what appeared to be targeted killings.

Other noteworthy issues omitted from the 2019 report included:

- Authorities may still apply collective punishment without regard to individual rights;
- Police resources and effectiveness varied by district, ranging from well-funded and effective to poorly resourced and ineffective;
- Police often failed to protect members of religious minorities--including Ahmadiyya Muslims, Christians, Shia Muslims, and Hindus--from attacks;
- Sectarian violence decreased significantly across the country, although some attacks continued.

In all the instances highlighted above, the information was omitted despite publicly available sources documenting their continued existence.

PAKISTAN: KEY OBSERVATIONS



NOTABLE OMISSIONS FROM THE *EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT*

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 Executive Summary to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Eleven such omissions were observed in 2017, all of which continued to be omitted in 2018 and ten of which in 2019. Many of these related to issues perpetrated by societal actors. The majority of these were found to be internally inconsistent with the respective sections of the U.S. State Department reports:

- Gender inequality;
- Domestic violence;
- Discrimination against women and girls;
- Child abuse and commercial sexual exploitation of children;
- Societal discrimination against national, ethnic, and racial minorities [this was reinserted in the 2019 *Executive Summary* as follows: “crimes involving violence targeting members of racial and ethnic minorities”];
- Discrimination based on caste;
- Discrimination based on sexual orientation, gender identity;
- Discrimination based on HIV status;
- Poor prison condition;
- A weak criminal justice system;
- Minimal respect for worker rights.

An additional four issues were omitted from the 2018 *Executive Summary*, all of which continued to be omitted from the 2019 edition, first three of which are considered to be internally inconsistent with the respective sections of the U.S. Department of State reports:

- Lack of rule of law, including lack of due process; poor implementation and enforcement of laws;
- Frequent mob violence and vigilante justice with limited accountability;
- Lack of judicial independence in the lower courts;
- Sectarian violence.

Seven further issues were omitted from the 2019 *Executive Summary*, all of which are considered to be internally inconsistent with the respective sections of the U.S. Department of State reports:

- Discrimination against members of religious minority groups;
- Lack of criminal investigations or accountability for cases related to rape;
- Sexual harassment;
- Violence based on gender, gender identity;
- So-called honor crimes;
- Female genital mutilation/cutting;
- Lengthy pretrial detention.

SUDAN: KEY OBSERVATIONS



A: STRUCTURE OF THE REPORT

LENGTH

The 2016 Sudan report is 72 pages long. This was reduced to 52 pages covering events in 2017, 46 pages in 2018, and 44 pages in 2019. Notably, section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* was substantially reduced from over 3200 words in the 2016 report to just over 1400 words in the 2019 edition.¹⁴ Most significantly, the subsection *Reproductive Rights* (re-named *Coercion in Population Control* in the 2017, 2018 and 2019 reports), which in the 2016 edition had 165 words, was scaled down to 25 in the 2017 report, and to just 10 words in the 2018 and 2019 editions.

SECTION HEADINGS

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. Significant changes included:

- Changing the title of the subsection on *Reproductive Rights* to *Coercion in Population Control*. This resulted in substantive changes to the type of information included and the issues addressed;
- Omitting the following subsections and related content despite publicly available sources continuing to document these issues:
 - ▶ *Stateless Persons*: The removal of the subsection resulted in the absence of relevant information in relation to statelessness with the exception of the reference elsewhere in the 2017, 2018 and 2019 reports that “UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness”. In the 2019 report the subtitle *Stateless Persons* was re-inserted with an accompanying note “Not applicable”.

- ▶ *Public Access to Information*: Information relating to the limitations imposed by the Sudanese authorities in accessing information that may shine a critical light on the government was no longer included.

In addition, the 2018 and 2019 reports omitted two additional subsections compared to the 2016 and 2017 editions, despite publicly available sources continuing to document these issues:

- *Amnesty*: The removal of the subsection resulted in the exclusion information in relation to past and current pardons and prisoner releases.
- *Other Harmful Traditional Practices*: Contextual information on Sudan’s obligation to combat harmful customs and traditions as stipulated by the Interim Constitution was no longer included.

The 2017 and subsequent editions condensed the section title *2.d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons* to *2.d. Freedom of Movement*. Given that this section continued to document issues including access to legal protection and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed, which may result in new or less familiar users of these publications missing out on information included.



¹⁴ Section 6. in the 2017 report contained just over 1600 words, whilst in the 2018 report just over 1400 words.



B: LANGUAGE USED

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report, with the majority of these repeated in 2018 and 2019. A number of these language points related to the inclusion of softening of language, potentially implying an improvement of the situation, and less specificity of information.

Section 1. *Respect for the Integrity of the Person* was by far the section with the highest number of language observations, followed by section 6. *Discrimination, Societal Abuse, and Trafficking*. Within section 1. the subsection with the most observed language points related to 1.c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*.

Examples of softening of language, which may imply an improvement in the situation:

- The violence political opponents experienced in 2016, was described as “torture”, whilst in the subsequent editions this was reduced to “suffered physical abuse” despite all three reports continuing to document the occurrence of torture in other sections of the report;
- The 2016 report described that political opponents were detained “incommunicado”, which was amended in 2017, 2018 and 2019 to ‘held in isolation cells’. This language change has implications given that as repeatedly reaffirmed by the UN Commission on Human Rights, “prolonged incommunicado detention may facilitate the perpetration of torture and can in itself constitute a form of cruel, inhuman or degrading treatment or even torture”.¹⁵

- Whilst the 2016 report reported that [emphasis added] “Government forces **frequently** harassed NGOs that received international assistance”, this was lessened in 2017, 2018 and 2019 to “Government forces **at times** harassed NGOs that received international assistance”.

With regards to the subsection dealing with child labor, the 2017, 2018 and 2019 reports provided reduced specificity, compared to 2016 by no longer including information as stipulated in the Child Act in relation to the minimum age children can be engaged in ‘light work’, the prohibition of children in hazardous industries and jobs, and exemptions in place for children to engage in work.

The inclusion of distancing language was also observed, which may be read to undermine the veracity of information. For example, whilst the 2016 report noted that “security forces, [...] continued to torture, beat, and harass suspected political opponents, rebel supporters, and others”, the 2017 and 2018 reports introduced this exact same information with [emphasis added] “security forces **reportedly** continued”.

The 2018 and 2019 reports on occasion also no longer described general patterns but instead presented isolated incidents. For example, whilst the 2017 report described that peaceful protesters were being held “incommunicado”, the 2018 and 2019 editions did not, but included an isolated example documenting the prolonged detention of 150 human rights defenders in “unknown NISS facilities” and “without access to family visits or legal counsel”. By only including one such incident, might imply that the situation is less widespread.

¹⁵ UN Commission on Human Rights, [Commission on Human Rights Resolution 2003/32: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), 23 April 2003, para. 14



B: LANGUAGE USED (continued)

In a further example, whilst the 2017 report noted that searches conducted on “persons suspected of political crimes” were undertaken “without warrants”, by dropping this latter point from the 2018 and 2019 editions it might be implied that these searches were now legal.

Similar to the 2017 report, the 2018 edition noted that “political detainees reported facing harsher treatment” but added that “many prominent political detainees reported being exempt from abuse in detention”. However, no further information was provided to describe this ‘prominent group’, which reportedly experienced an improved situation.

Furthermore, the U.S. Department of State made statements, which in subsequent years were no longer included. For example whilst the 2016 edition stated “Sexual exploitation of children was less prevalent in nonconflict areas” and “Child abuse and abduction for ransom were widespread in conflict areas and less prevalent in nonconflict areas”, these were no longer included in the 2017, 2018 and 2019 reports.

Some contextual information, such as the existence of specific laws, was omitted in the 2017, 2018 and 2019 reports compared to the 2016 report.

NOTABLE LANGUAGE CHANGES IN THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE REPORT

The 2016 *Executive Summary* identified three categories of human rights abuses. Firstly what it defined as the “three most significant human rights problems” followed by a list of major abuses committed by the NISS, and lastly human rights violations committed by non-state actors were listed as “Societal abuse included”.

In comparison, the 2017 report only provided one list of what it termed “the most significant human rights issues”. The 2018 edition continued to provide one list of issues, termed “Human rights issues” and in 2019 the categorisation was amended to “Significant human rights issues under the Bashir government”.

C. IMPROVEMENTS

A limited number of improvements in the human rights situation were observed in the 2017 and 2018 reports, which were found to be inconsistent with the situation as reported by other publicly available sources. However, a more sizeable number of improvements were observed in the 2019 report, which were inconsistent with information found in the public domain.

One notable alleged improvement reported in 2018 and repeated in 2019, compared to the previous 2017 and 2016 editions, was the statement that “There were no reports of humanitarian workers being targeted for kidnapping and ransom”. According to information located amongst sources located this issue continued to occur in 2018 and 2019.

SUDAN: KEY OBSERVATIONS



C. IMPROVEMENTS (continued)

The reason for the high number of alleged improvements in the 2019 report is due to the political changes that Sudan experienced that year. Former President Bashir was ousted in April 2019, after reigning over Sudan for 30 years. Following his imprisonment the Transitional Military Council governed Sudan between 11th April and 20th August 2019, followed by the Sovereignty Council of Sudan, also referred to as the Civilian-led Transitional Government (CLTG), which continues to rule Sudan at the time of writing. The 2019 U.S. Department of State report on Sudan at times categorised these three time periods as follows [emphasis added]:

- **“Throughout the year...”** or **“During the year”**: This suggests that the issues occurred throughout 2019, thus pre-Bashir’s ousting and post-take over by the Transitional Military Council and CLTG. The following notable examples observed reported improvements despite being inconsistent with information found amongst other sources consulted:
 - ▶ The text in bold was omitted from the 2019 report: “Government authorities detained other members of the Darfur Students Association during the year. **Upon release, many showed visible signs of severe physical abuse and reported they had been tortured**”;
 - ▶ The arrest of NGO-affiliated international human rights and humanitarian workers.
- **“The Bashir government...”**: The way some issues were introduced suggested that following Bashir’s ousting in April 2019 they no longer occurred. The following issues were described this way in the 2019 report despite publicly available sources indicating they persisted in the most cases at least until July 2019, some even till the end of the year:

“There were numerous reports the Bashir government or its agents committed arbitrary or unlawful killings”;

- ▶ “Peaceful protesters were regularly detained under the Bashir regime”;
- ▶ “There were reports of disappearances by or on behalf of Bashir government authorities”;
- ▶ “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime”;
- ▶ “Some former detainees reported security force members under the Bashir regime held them incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Released detainees under the Bashir regime also reported witnessing rapes of detainees by guards”;
- ▶ “Under the Bashir regime authorities rarely conducted proper investigations of credible allegations of mistreatment”;
- ▶ “The law provides for access to legal representation, but security forces under the Bashir regime often held persons incommunicado for long periods in unknown locations”;
- ▶ “States of emergency continued in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala to facilitate the Bashir regime’s national arms collection campaigns. The states of emergency allowed for the arrest and detention of individuals without trial under the Bashir regime”;
- ▶ “The Interim National Constitution and law provide for freedom of movement, foreign travel, and emigration, but the Bashir government restricted these rights for foreigners, including humanitarian workers”;



C. IMPROVEMENTS (continued)

- ▶ “The Bashir regime [...] restricted the movement of citizens in conflict areas”;
 - ▶ “Bashir authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members”;
 - ▶ “Under the Bashir regime, journalists who reported on government corruption were sometimes intimidated, detained, and interrogated by security services”;
 - ▶ “The Bashir regime was uncooperative with, and unresponsive to, domestic human rights groups. It restricted and harassed workers of both domestic and international human rights organizations”;
 - ▶ “The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the Bashir government, discriminates against women”;
 - ▶ “Under the Bashir regime several LGBTI persons felt compelled to leave the country due to fear of abuse, intimidation, or harassment”.
- **“Such behavior largely ceased under the CLTG” or “The CLTG respected...”:**
This descriptor suggested an improvement of the situation post-August 2019 when the Civilian-Led Transitional Government was in control. The following notable improvements were observed despite publicly available sources not supporting their existence:
 - ▶ “Under the Bashir regime, and continuing under the TMC, security forces reportedly tortured, beat, and harassed suspected political opponents, rebel supporters, and others. Reports of such behavior largely ceased under the CLTG [Civilian-Led Transitional Government], although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF”;
 - ▶ “Demonstrations during the CLTG [Civilian-Led Transitional Government] were reportedly peaceful; police used nonviolent measures to maintain order”;
 - ▶ “There were no reported political prisoners under the CLTG [Civilian-Led Transitional Government]”;
 - ▶ “There were no reports of arbitrary arrest or detentions under the CLTG [Civilian-Led Transitional Government]”, especially of political opponents, protesters, human rights defenders, journalists, students and professionals;
 - ▶ “The CLTG [Civilian-Led Transitional Government] reportedly respected press and media freedoms”;
 - ▶ “The law provides for the freedoms of peaceful assembly and association, but the Bashir regime and the TMC restricted these rights. These rights, however, were generally respected by the CLTG [Civilian-Led Transitional Government]”;
 - ▶ “There were reports some female refugees and migrants working as domestic workers or tea sellers were not compensated for their work, required to pay “kettle taxes” to police, sexually exploited, or trafficked. Female tea sellers also reported harassment and confiscation of their belongings. Observers reported, however, such harassment had stopped under the CLTG [Civilian-Led Transitional Government], though challenges persisted”.

SUDAN: KEY OBSERVATIONS



C. IMPROVEMENTS (continued)

NOTABLE IMPROVEMENTS FROM THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT

Three separate improvements were noted from one year to the next in how human rights issues were described in the *Executive Summary*. Two of these were observed comparing the 2017 edition with the 2018 report, which was then repeated in 2019, whilst one was a suggested improvement in the human rights situation of the 2019 *Executive Summary* compared to the previous edition. In all three instances they were found to be internally inconsistent with the respective sections of the U.S. State Department report.

D. OMISSIONS

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Twenty eight issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. These issues almost always continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional sixteen omissions were observed in the 2018 report and a further seven omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the persistent existence of these issues.

More than half of the omissions observed across the three reports were found in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, in particular the subsections on *Women and Children*.



D. OMISSIONS (continued)

Examples of significant omissions included the following:

- The renamed *Coercion in Population Control* subsection in the 2017 report did not include contextual information about the ability of couples to freely decide the number, spacing and timing of children, manage their reproductive health, have access to the means and information to do so, free from discrimination, coercion, or violence. Moreover, the 2017 report omitted to include that “Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas”, the reasons for high maternal mortality rates, as well as statistics in relation to the use of modern methods of contraception, maternal mortality rates, and the number of skilled healthcare personnel attending births. Instead the following statement was included: “There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods” and a link provided to estimates on maternal mortality and contraception prevalence. In the 2018 and 2019 editions this was further reduced to “There were no reports of coerced abortion or involuntary sterilization”.
- The discriminatory approach by the Sudanese government towards ethnic and religious minorities in 2017, 2018 and 2019.
- Information on the fear faced by LGBTI+ persons for their safety in 2017, 2018 and 2019.
- The burning and looting of villages in Southern Kordofan and Blue Nile in 2018 and 2019.
- Information on the situation of persons of South Sudanese origin living in Sudan who may face statelessness in 2018 and 2019.

- The implication of the Rapid Support Forces (RSF) in government campaigns against rebel movements resulting in major human rights violations against civilians in 2019.

Other notable omitted information from the subsection on *Women* in the 2017 report, both of which continued to be omitted from subsequent reports, related to:

- Failure to include UNAMID figures on female victims of conflict-related sexual violence;
- The existing difficulties for women to initiate legal divorce proceedings.

Other notable omitted information from the subsection on *Children* in the 2017 report, all of which continued to be omitted from subsequent reports, related to:

- Information on the situation and treatment of street children;
- The extent of child marriage in Sudan.

In the 2017 report, the following notable additional issues were omitted from section 1. *Respect for the Integrity of the Person*, all of which continued to be omitted from the 2018 and 2019 reports:

- Attacks on humanitarian and UNAMID convoys and compounds;
- Information on access to information and its implications for accessing information that may be critical about the government.

SUDAN: KEY OBSERVATIONS



D. OMISSIONS (continued)

Additional notable issues omitted from the 2018 report, some of which were also omitted from the 2019 edition, included:

- Lack of government compensation to victims' families nor prosecution of any perpetrators in relation to the killing of 200 persons during the protests in 2013;
- The detention of actual or assumed supporters of anti-government forces, e.g. the Sudan People's Liberation Movement-North (SPLM-N);
- The International Criminal Court's arrest warrant for former President Bashir and the government's lack of cooperation in this regard.

In the 2019 report, the additional notable issues omitted included:

- Lack of government response in interethnic fighting or deterring violence crime;
- Women's experience of economic discrimination.

In all these instances, the information was omitted despite publicly available sources documenting their continued existence.

NOTABLE OMISSIONS FROM THE EXECUTIVE SUMMARY OF THE U.S. DEPARTMENT OF STATE'S REPORT

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 *Executive Summary* to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Seventeen such omissions were observed in 2017, most of which continued to be omitted in 2018 and 2019:

- Inability of citizens to choose their government;
- Arbitrary arrest;
- Incommunicado detention;
- Prolonged pretrial detention;
- Obstruction of humanitarian assistance;
- Discrimination against women;
- Early childhood marriage;
- Use of child soldiers;
- Child abuse;
- Sexual exploitation of children;
- Discrimination against ethnic and religious minorities;
- Persons with disabilities;
- Persons with HIV/AIDS;
- "Beating of civilians" in Darfur
- "Forced displacement" in Darfur;
- "Destroying food stores and other infrastructure necessary for sustaining life" in Darfur;
- "Attacks on humanitarian targets, including humanitarian facilities and peacekeepers" in Darfur;
- "Burning of villages" in Darfur.

Additional three issues were omitted from the 2018 *Executive Summary*, which continued to be omitted from the 2019 edition. This was considered to be internally inconsistent with the respective section of the 2018 and 2019 report:

- Restrictions on movement;
- Restrictions on freedoms of expression;
- Abduction was also seen as a lucrative business by both militias and various tribes in Darfur.

No additional issues were omitted from the 2019 *Executive Summary*.