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Trump's State Department excludes key human rights issues from its reports

Asylum Research Centre's (ARC) research report, a *Comparative Analysis of U.S. Department of State Country Reports on Human Rights Practices*ⁱ, identifies serious omissions of human rights issues and inadequately substantiated reports of improvements in the U.S. State Department's country reports.

ARC compared the State Department's assessment of the situation in Eritrea, Iran, Iraq, Pakistan and Sudan in 2016, the last year of President Obama's administration, with the subsequent reports produced by President Trump's administration covering events in 2017, 2018 and 2019.

The content changes identified by ARC were not consistent with the situation on the ground as documented by other sources and have the effect of **downplaying the seriousness of the human rights situations** in these countries. The principle changes related to **women's rights, civil and political rights**, and issues relating to **LGBTI persons**. Examples of the findings included:

- All reports under the Trump administration removed the **Reproductive Rights** section and replaced it with *Coercion in Population Control* thereby omitting information related to accessing reproductive rights, contraception and pre and post-natal healthcare.
- Violence experienced by **LGBTI persons**, organisations and activists, as well as societal discrimination and abuse affecting LGBTI persons has been omitted from the Iraq reports, and the latter issue from the Iran reports.
- The **Iran** reports neglected to document the use of prolonged solitary confinement and sexual humiliation as reported methods of torture; and omitted continued legal restrictions on women's economic, social, political, academic, and cultural rights.
- The **Iraq** reports no longer mentioned the occurrence of torture in prisons operated in the Kurdistan Region of Iraq or that sexual and gender-based violence was underreported.
- The **Pakistan** reports failed to mention the end of the moratorium on capital punishment; concerns with observance of due process; the execution of individuals who were under the age 18 when they allegedly committed the crime; and women's lack of awareness of legal protections and their inability to access legal representation.
- The 2019 **Eritrea** report no longer mentioned the widespread sexual violence against women in military training camps that amounted to torture and the forced domestic service of women and girls in training camps that amounted to sexual slavery.
- The way human rights issues were presented in the 2019 **Sudan** report suggested that abuses such as arbitrary killings by the security forces; disappearances; the detention of peaceful protesters; the failure to properly investigate alleged mistreatment; and traditional legal practices discriminating against women only occurred in the Bashir-era, despite other sources documenting their continued occurrence.
- Distancing language was also inserted into all reports which could be read to imply an improvement in the situation, such as "Detention conditions **reportedly** remained harsh, leading to serious health damage and in some instances death" in the Eritrea report.

Liz Williams, Co-Director of ARC stated:

"Our research shows that the State Department under the Trump administration has excluded human rights issues from its reports which continue to be well documented elsewhere. We are concerned that these omissions have the effect of denying the existence of rights or abuses and may result in certain types of asylum claims being dismissed if the U.S. Department of State reports are relied upon in isolation."ⁱⁱ

Responses to ARC's report:

"This analysis of the U.S. Department of State reports shows the changes in the last few years, which have been noticed selectively but have not yet been systematically processed. With your work you show that these reports, which are consulted as standard, need to be treated with care and the information they contain needs to be substantiated even more carefully".

Andrea Jakober, Head of the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

"ARC's important analysis lays bare the U.S. State Department's efforts to erase reproductive rights as human rights. By eliminating reporting on certain human rights, including reproductive health and rights, the U.S. State Department makes clear its disregard for universal human rights protections and undermines decades of concerted, global efforts to empower and protect women, LGBTQI people, people with disabilities, children, and marginalized people living at the intersections of these identities."

Risa E. Kaufman, Director, U.S. Human Rights, Center for Reproductive Rights

"This excellent report thoroughly documents what we unfortunately know to be true – that the Trump administration is using all the tools at its disposal to undermine our asylum system. Asylum officers and immigration judges rely on these reports to make life-and-death decisions. ARC's careful analysis demonstrates how the reports have been distorted, particularly downplaying women's rights and LGBTQ rights. It's another shocking example of how cynical the administration has been in undermining due process and basic fairness in asylum adjudication".

Kate Jastram, Director of Policy & Advocacy, Center for Gender & Refugee Studies (CGRS)

"In the Dutch asylum practice we see that decisions makers use the U.S. Department of State a lot as a source, particularly when no Dutch country report is available. The problem with sources that have a good reputation is their quality standard is taken for granted, even if they change over time. This report shows the need to reassess the reliability of this source."

Hiske van den Bergh, Head of Country of Origin (COI) Department, Dutch Council for Refugees

"The trends highlighted by this report appear to show that high-level Trump administration rhetoric in support of torture has filtered down into State Department human rights reports that downplay torture. This weakens reports that have global importance and is very disturbing."

Tracy Doig, Head of International Advocacy and Accountability, Freedom from Torture

"Given the importance of the U.S. Department of State reports in deciding asylum claims in a number of countries including the UK, we welcome this report which highlights the omission of critical data regarding the discrimination and human rights abuses LGBTQI+ people face around the world. Omitting this information could result in LGBTQI+ people being returned to danger. Decision-makers should consider country background evidence with a more critical eye, as lack of reporting on the risks LGBTQI+ people face in their countries of origin doesn't automatically mean such risks don't exist."

Leila Zadeh, Executive Director, UK Lesbian and Gay Immigration Group (UKLIG)

"This important research by the Asylum Research Center further exposes the misrepresentation of human rights situations in various countries by the current US administration and the potential consequences this has on people fleeing persecution. The findings of this paper—that the U.S. State Department over the last three years has continued to obscure and de-emphasize human rights abuses, including those faced by women and members of the LGBTQIA+ community, via changes to language in the annual Country Reports on Human Rights Practices—are disheartening but critical to acknowledge and redress."

Noah Gottschalk, Global Policy Lead, Oxfam America

"The Department of State reports have been routinely relied on for many years by Home Office decision-makers, immigration lawyers and immigration judges. This important and thorough new research gives rise to significant concerns about the reliability and objectivity of these reports. All decision-makers and practitioners in the asylum field need to be aware of this research and need to exercise caution when using the Department of State reports."

David Neale, legal researcher and former barrister

ⁱ [Asylum Research Centre](#) (ARC), UK charity 1170807, that 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.

ⁱⁱ For further information, please contact Stephanie Huber, Director of ARC Foundation on steph@asylumresearchcentre.org