



Torture Abolition and Survivors Support Coalition

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing

On

The Global Magnitsky Human Rights Accountability Act: Taking Stock

March 24, 2021 - 12:30 p.m.

Virtual via Cisco WebEx

STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

Leonce Byimana

Executive Director

Torture Abolition And Survivors Support Coalition International (TASSC)

My name is Leonce Byimana, Executive Director of TASSC International, the Torture Abolition and Survivors Support Coalition International, based in Washington DC. TASSC International provides direct services and advocacy training to almost 300 survivors of torture every year, and advocates for the abolition of torture worldwide. Thank you for allowing me to submit this testimony on the reauthorization of the Global Magnitsky Human Rights Accountability Act.

TASSC International considers the Global Magnitsky Act a critical tool in the international campaign against torture and is encouraged by the adoption of Magnitsky-style laws in Canada, the United Kingdom, and the European Union. Torture survivors assisted directly by TASSC International and those we have interviewed who are still in-country applaud Magnitsky sanctions against some of the world's worst perpetrators of torture. Survivors know they cannot get justice in their own countries, since government agents are often the ones who persecuted them, or who gave the orders to torture them.

Over the past year, TASSC International has conducted 21 in-depth interviews with torture survivors in Uganda. It has provided Ugandans with a secure online site where they were able to report current and recent incidents of torture, unlawful arrests, and human rights violations.

The site was not publicized in order to protect the safety of those who used it. Over 300 Ugandans submitted descriptions of human rights abuses on this site.

The 17 men and 4 women interviewed by phone spoke openly about the suffering they experienced. They were detained for lengthy periods in so-called “safe houses,” actually “torture houses,” controlled by the Ugandan military and police; electrocuted, waterboarded, and beaten so severely that their bones were broken. Most of the men told us that the torturers-- military and police officials-- had squeezed their genitals as a form of physical and psychological torture. Several of these men said they will never be able to have children. One woman was raped and her children were also raped to “punish” her for her peaceful political activities. Some of these Ugandans were activists, journalists, and human rights defenders, but **many were ordinary people who supported opposition political parties.**

This is one reason we support incorporating into the reauthorization the language in Executive Order 13818 which would not require victims of human rights abuses to “expose illegal activity carried out by government officials.” Many torture survivors in Uganda and other countries have been attacked by police or military simply for attending a political rally, publicly criticizing the government, or just for associating with a civil society organization viewed as connected to an opposition party candidate. Sometimes their family members were victimized too, like the children of the Ugandan woman mentioned above. Rather than the EO language saying: “The United States seeks to impose tangible and significant consequences on those who commit serious human rights abuse or engage in corruption,” we prefer specifically mentioning “serious human rights abuse such as torture and rape.”

TASSC International also welcomes exploring the idea Stanford Law School professor Beth Van Schaack’s proposed in her testimony on how assets seized from perpetrators sanctioned by the Global Magnitsky Act might be utilized to rehabilitate their victims. This idea is being considered in Canada by the World Refugee Council, and also by a member of the Canadian Senate.

We recommend that the Biden Administration and Members of Congress pay particular attention to human rights abuses carried out by repressive regimes that seek to maintain power by changing their constitutions and by using excessive force against their citizens before, during, and after elections. Election-related violence has occurred quite frequently, especially in African countries such as Equatorial Guinea, Cameroon, the Democratic Republic of Congo, Rwanda, Burundi, and Uganda. In 2017, for instance,

Ugandan President Yoweri Museveni removed the age limit for a president that was set in the constitution so he could remain president indefinitely. Before the January 14, 2021 election, the military and police systematically attacked opposition supporters with live ammunition and teargas.

The State Department and Congress members could find a way to warn rulers of authoritarian countries that attacking opposition party candidates and their supporters around election time could lead to Magnitsky sanctions against the high-level government officials behind these attacks. This could make officials with ties to the United States and the international banking system think twice before orchestrating violent campaigns against government critics and their supporters. Political activists seeking to democratize their countries and battle corruption could then publicize these “warnings” in the traditional media and social media to limit the violence that is almost expected every time there is an election in a country that has been ruled for decades by the same dictator.

Leonce Byimana

A handwritten signature in blue ink, appearing to read 'L. Byimana', with a long horizontal line extending to the right.