



Updated April 25, 2024

Global Human Rights: The Department of State's Country Reports on Human Rights Practices

Introduction

The State Department's *Country Reports on Human Rights Practices* are an annual U.S. government account of human rights conditions in countries around the globe. The reports characterize countries on the basis of their adherence to "internationally recognized human rights," which generally refer to civil, political, and worker rights set forth in the Universal Declaration of Human Rights (1948) and other international human rights agreements.

The most recent reports cover calendar year 2023 and were issued on April 22, 2024. The reports provide individual narratives on countries and territories worldwide and are available on the Department of State website. In remarks introducing the reports, Secretary of State Antony Blinken stated, "We once again see human rights and the rule of law under stress in more ways and in more places across the globe."

As with prior reports, the 2023 reports do not compare countries or rank them based on the severity of human rights abuses documented. At the same time, in his remarks and in a preface to the 2023 reports, Secretary Blinken highlighted human rights challenges in a number of contexts, including Afghanistan, China, Cuba, Iran, the Israel-Hamas conflict, Russia and occupied Ukraine, Sudan, Nicaragua, and Uganda, among others. Blinken stated that China's government "continues to carry out genocide, crimes against humanity, forced labor, and other human rights violations" against ethnic and religious minority groups, and noted State Department assessments of international crimes in additional contexts, including by Russian forces in Ukraine and by both the Sudanese Armed Forces and Rapid Support Forces in Sudan.

Broad Topics Covered in the 2023 Reports

- Integrity of the Person
- Civil Liberties
- Political Freedoms
- Government Corruption
- Governmental Posture toward Human Rights Investigations
- Discrimination and Societal Abuses
- Worker Rights

Legislative Mandate

The foundational statutory requirement for the human rights reports is found in Sections 116 and 502B of the Foreign Assistance Act (FAA) of 1961 (P.L. 87-195), as amended. Both of these provisions were first enacted via congressional amendments in the mid-1970s and have been broadened and strengthened over time through additional amendments.

The 1970s was a formative period for human rights-related legislation as Congress sought to enshrine human rights as a

priority in U.S. foreign policy. Section 502B of the FAA (22 U.S.C. §2304), added in 1974 and substantially strengthened in 1976, sought to withhold U.S. security assistance from countries the governments of which engage in "a consistent pattern of gross violations of internationally recognized human rights." Section 116 (22 U.S.C. §2151n), added in 1975 and also strengthened in the years following, imposed similar restrictions for recipients of U.S. development assistance. Contained within these provisions was language requiring that the Secretary of State transmit to Congress each year a report on the human rights conditions of recipient countries; an amendment to Section 116 in 1979 broadened the reporting requirement to cover all other foreign countries. This language thus served as the legislative basis for the State Department's annual human rights reports. Despite the legislative origin of the reports in connection with U.S. foreign assistance, the role that the reports should play with regard to assistance decisions or U.S. foreign policy more broadly has been the subject of debate (see "Relationship to U.S. Foreign Policy" below).

Evolution of the Reports

In the early reports, there was concern within the State Department about publicly characterizing the human rights conditions in other countries, particularly U.S. allies. The first reports were criticized for lacking objectivity and being thin on substance. Over time, with improvements in the breadth, quality, and accuracy of the reports, many observers have come to recognize them as more authoritative. At the same time, governments whose human rights practices are criticized in the reports may publicly defend their record, dismiss the reports as biased, and/or in turn criticize human rights conditions in the United States.

The State Department has gradually broadened the scope of the reports to add or expand coverage of certain topics, sometimes due to congressional amendments to the statutory requirements or other directives, such as those accompanying State Department appropriations bills. In addition, the reports now reference separate congressionally mandated reports on international religious freedom (IRF) and trafficking in persons (TIP). Topics that have received new or increased coverage in recent reports include transnational repression, threats and violence against human rights defenders, and abuses against lesbian, gay, bisexual, transgender, queer, and intersex individuals. In December 2023, as part of the Department of State Authorization Act contained in the National Defense Authorization Act for FY2024, Congress amended the reporting requirements to codify and expand State Department reporting on transnational repression issues, where applicable (see §6707 of P.L. 118-31; 22 U.S.C. §2151n(d)(13)).

Drafting and Review Process

The State Department's Bureau of Democracy, Human Rights, and Labor (DRL) coordinates the drafting and issuance of the human rights reports. Embassy officers use reporting guidance, issued annually by DRL, to formulate initial drafts for each country. The reports are then edited by DRL staff and further refined in consultation with other relevant State Department offices and the embassies (see **Figure 1**). The Department of Labor also contributes to the portions concerning worker rights. Information sources for the reports are wide-ranging and may include information gathered by U.S. embassies and consulates, foreign government officials, nongovernmental and international organizations, human rights defenders, and others.

Figure 1. Overview of the Report Drafting Process



Source: Created by CRS based on GAO-12-561R (May 2012), p. 8.

Note: Timelines are for illustrative purposes and may vary; according to an appendix to the 2023 reports, the State Department “provides guidance to U.S. diplomatic missions annually by July for submission of updated reports in September and October,” and “updates these texts by year’s end.”

By law, the reports are to be issued by February 25 each year, but in practice the issuance is often delayed until March or April. According to a 2012 report by the Government Accountability Office (GAO), preparing the reports “involves a significant commitment of State time and resources” within DRL and at embassies. In an October 2018 report, the State Department Office of Inspector General (OIG) found that DRL had “established generally effective processes” for report production.

Human Rights in the United States

The FAA requires that the reports cover foreign countries and does not mandate coverage of human rights conditions in the United States. (The aforementioned annual report on IRF similarly covers only foreign countries, while the annual report on TIP is required to cover U.S. domestic efforts to combat the practice.) An appendix to the 2023 reports states that the reports “do not describe or assess the human rights implications of actions taken by the U.S. Government or its representatives.” State Department

officials have at times noted that the United States participates in mechanisms that evaluate domestic human rights conditions, such as the United Nations Human Rights Council’s Universal Periodic Review (UPR). The United States underwent its third and most recent review in 2020, and the council adopted the United States’ UPR report in March 2021. In his remarks introducing the 2023 reports, Secretary of State Blinken stated, “While the report focuses on human rights challenges abroad, we recognize that the United States faces its own shortcomings,” and argued that “The strength of democracies like ours is that we address those shortcomings ... openly.”

Relationship to U.S. Foreign Policy

Given that most nations may seek to avoid being identified as a human rights-violating nation by the U.S. government, the human rights reports may help incentivize improvements in human rights practices in some cases. While the reports serve as an information source for U.S. policy, findings from the reports appear to have infrequently been used to restrict aid in accordance with Section 116 or Section 502B of the FAA. Some human rights advocates have argued that the executive branch has historically insufficiently adhered to these assistance prohibitions. The FAA does not require to be made public a list of governments that are or have been subject to restriction pursuant to these FAA provisions, and the State Department does not characterize in the reports which, if any, governments have met the aforementioned statutory standard of “a consistent pattern of gross violations of internationally human rights.” This differs somewhat from other similar annual reports that Congress mandated in later years, such as those on IRF and TIP, which require the public designation of problematic governments for potential sanctions.

As a general matter, some analysts argue that tying U.S. policy too closely to human rights can overly constrain the U.S. government’s flexibility to address other challenges affecting U.S. interests. Supporters of robust human rights and democracy promotion conversely argue that doing so serves U.S. interests over the long term, noting, for example, that threats to U.S. security tend to be associated with countries with poor human rights records (in addition to their arguments for doing so on moral grounds).

The scope and content of the reports and the role they should serve, as well as the role of human rights in U.S. foreign policy more broadly, have been contested since the reports began in the 1970s. Congress has been a key actor in these debates, at times as a source of pressure on the executive branch to place greater emphasis on human rights when formulating foreign policy.

See also CRS Report R47890, *Democracy and Human Rights in U.S. Foreign Policy: Tools and Considerations for Congress*.

Michael A. Weber, Analyst in Foreign Affairs

IF10795

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.