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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. As with prior reports, the 2023 reports do not compare countries or rank them based on the severity of human rights abuses documented.

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 a similar restriction 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. (See also "2024 Reports: Status and Possible Reduction in Topical Scope.")

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").

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 generally broadened the scope of the reports to add or expand coverage of certain topics over time, sometimes due to congressional amendments to the statutory requirements or other directives, such as those accompanying State Department appropriations bills. The reports now also reference separate congressionally mandated reports on international religious freedom (IRF) and trafficking in persons (TIP).

2024 Reports: Status and Possible Reduction in Topical Scope

By law, the human rights reports are to be issued by February 25 each year, but in practice the issuance has often been delayed until March or April. The Trump Administration has not yet released the human rights reports covering 2024, which were statutorily due by February 25, 2025.

Some media reporting has indicated that the Administration plans to "streamline" the human rights reports by reducing them to cover only topics that are statutorily required. Section 116 and Section 502B of the FAA, as amended, broadly require "a full and complete report" regarding the status of "internationally recognized human rights" in foreign countries and gross violations of such rights (e.g., torture and arbitrary detention). The reports have also served to help fulfill a separate statutory requirement to report annually on the status of "internationally recognized worker rights" in certain countries (see 19 U.S.C. §2464).

Through gradual amendments to Sections 116 and 502B over the years, Congress has specifically mandated coverage of certain topics, such as coercion in population control, protection of refugees, acts of antisemitism, and press freedom. Most recently, in December 2023, Congress amended Section 116 of the FAA to require reporting on

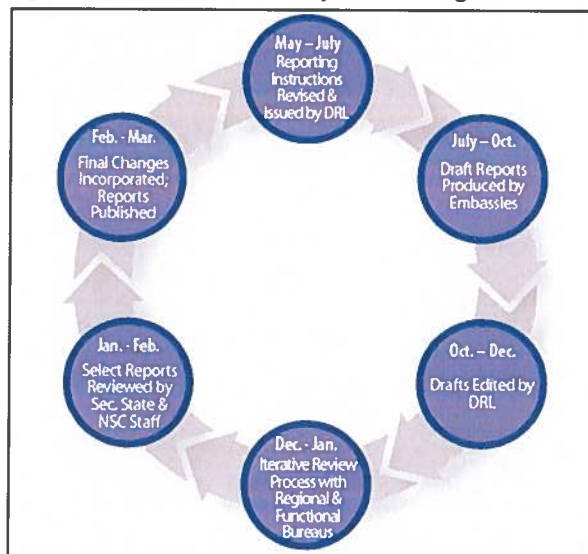
transnational repression issues, where applicable (see §6707 of P.L. 118-31; 22 U.S.C. §2151n(d)(13)).

Numerous topics have traditionally been included in the annual reports that are not explicitly required by statute, including government corruption; freedom to participate in the political process; freedom of expression (other than press freedom); freedoms of peaceful assembly and association; and prison and detention center conditions, among others. No official announcement has been made concerning the Administration's approach to the reports.

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.”

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.

The Trump Administration in early 2025 initiated a broad reorganization of the State Department through which, according to Secretary of State Rubio, “region-specific functions will be consolidated to increase functionality, redundant offices will be removed, and non-statutory programs that are misaligned with America’s core national interests will cease to exist.” The reorganization reportedly entails the closure of numerous DRL offices, including most DRL regional offices composed of officers focused on human rights issues in particular countries. Some observers have argued that such changes risk undermining the quality of the annual human rights reports.

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 U.S. assistance 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*.

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