

September 5, 2024

The Honorable Janet Yellen
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Yellen and Secretary Blinken,

We write to you with deep concern about the U.S. government's declining use of Global Magnitsky sanctions and responsiveness to sanctions recommendations from civil society. We urge you to prioritize the effective use of this human rights and anticorruption accountability tool in a manner that draws on civil society advocacy, as required by the Global Magnitsky Human Rights Accountability Act.

We are members of a global coalition of human rights, anticorruption, and press freedom nongovernmental organizations that since 2017 have provided your departments with more than 160 evidence-based recommendations identifying perpetrators of human rights abuses and corruption across more than 60 countries who are eligible for Global Magnitsky sanctions. While this work grew out of the Global Magnitsky Act's direction that credible information from NGOs must be considered in targeting decisions, in practice it has been fully welcomed by U.S. officials. Until recently, approximately one-third of Global Magnitsky sanctions have appeared to have a basis in our recommendations.

This civil society engagement has been critical to the strength and success of the Global Magnitsky sanctions program and the effectiveness of the U.S. government's efforts to respond to and deter abusive actors. We regularly hear from officials at the Treasury and State Departments that the information provided by our coalition partners is vital to their work. We know that civil society recommendations have been behind some of the cases that U.S. officials consider to be the most impactful. These sanctions have quite literally saved lives. The United States has been a global leader in recognizing the remarkable value that civil society groups bring to the process of sanctioning human rights abusers and corrupt actors, and establishing a [positive model](#) of engagement that has inspired counterparts in the United Kingdom, Canada, the European Union, and Australia.

However, over the course of the Biden administration, we have noted with concern the [steady downturn](#) in the use of Global Magnitsky sanctions, with three straight fiscal years seeing fewer primary designations than the year before. FY 2023 saw a 56 percent drop in annual primary designations compared to FY 2020; FY 2024 appears to be ending near similarly low levels. We have seen a parallel steep decline in the number of such sanctions that appear to have a basis in civil society's recommendations. By our estimates, since January 2023, only 10 percent of Global Magnitsky sanctions cases had a basis in civil society recommendations of which we are aware – a far drop from the first year of the Biden administration during which an

estimated 36 percent of cases were based on civil society recommendations. This stark change cannot be explained by decreased advocacy from civil society, as we are aware of dozens of cases submitted within recent years that have not yet been reflected in public sanctions actions.

While sanctions are tools of U.S. foreign policy, the unique power of Global Magnitsky sanctions greatly relies on the fact that this particular tool has a specific purpose – to condemn and hold accountable perpetrators of the world’s worst abuses. As such, these sanctions must be used in ways that maintain their credibility and effectiveness. We believe that requires taking seriously the recommendations of civil society actors who have the deepest expertise on patterns of abuse and who have dedicated their lives to the pursuit of justice and accountability. Failure to do so undermines the reputation and credibility of Global Magnitsky sanctions, contributes to perceptions that political preferences play a greater role in sanctions decisions than merit, and misses opportunities for greater impact by acting where leading activists have already built a strong foundation of advocacy.

Our coalition members know the great risks that sanctions advocacy can pose for themselves, their colleagues, and their families, including harassment, surveillance, prosecution, and imprisonment. We know that the most abusive regimes would not stop there. Yet our coalition members continue to seek and appreciate Global Magnitsky sanctions as one of the few ways to impose tangible consequences and accountability on those who have inflicted so much pain on their communities and countries.

We have the greatest respect and gratitude for the many U.S. officials over the years who have been committed to engaging with our coalition in good faith, listening to our recommendations, and seeking our advice. And we believe, as Congress intended, that this sanctions program will be more credible and effective when it is more closely aligned with civil society recommendations than it has been these past few years.

In these final months of the Biden administration, we urge you to take immediate steps to prioritize acting on civil society’s calls for Global Magnitsky sanctions. While we understand the targeting process takes time, we know many recommendations have been considered for months or more. Our coalition remains ready to discuss these cases with your teams and ways to further strengthen this invaluable sanctions program.

Sincerely,

1. Access Center for Human Rights (ACHR)
2. Access Now
3. African Middle Eastern Leadership Project (AMEL)
4. American Jewish World Service
5. Australian Centre for International Justice
6. Boat People SOS (BPSOS)
7. Caesar Files for Justice (CF4J)
8. Campaign For Uyghurs

9. Capital Punishment Justice Project (CPJP)
10. Center for the Study of Democracy
11. Central and Eastern European Council
12. China Aid Association
13. Church of Scientology National Affairs Office
14. Citizens' Alliance for North Korean Human Rights
15. Committee to Protect Journalists
16. Community Watchdog.md
17. Coptic Solidarity
18. Corporate Accountability Lab
19. Council for Global Equality
20. Crude Accountability
21. Cubalex
22. Dialogue China
23. EG Justice
24. Egyptian Front for Human Rights
25. Equidem
26. Estonian American National Council
27. Expediente Abierto
28. Forbidden Colours
29. Free Russia Foundation
30. Freedom for Eurasia
31. Freedom House
32. Friends of Angola
33. FSI - Freedom Seekers International
34. Global Magnitsky Justice Campaign
35. Heartland Initiative
36. Helsinki Citizens' Assembly Vanadzor, Armenia
37. Human Rights Campaign
38. Human Rights First
39. Human Rights Foundation
40. Human Rights in China
41. Human Trafficking Legal Center
42. Humanitarian China
43. Institute for Public Policy
44. Integrity Initiatives International
45. International Bar Association's Human Rights Institute
46. International Campaign for Tibet
47. International Federation for Human Rights (FIDH)
48. International Lawyers Project
49. International Partnership for Human Rights (IPHR)
50. Italian Federation for Human Rights (FIDU)
51. Joint Baltic American National Committee (JBANC)
52. Jubilee Campaign

53. Justice For All
54. Khodorkovsky Foundation US
55. Kleptocracy Initiative (Hudson Institute)
56. Kloop Media
57. Korea Future
58. Lantos Foundation for Human Rights & Justice
59. Liberty Shared
60. Lobbio
61. McCain Institute
62. Middle East Democracy Center
63. Norwegian Helsinki Committee
64. Not1More
65. PA "Bir Duino-Kyrgyzstan"
66. PAEMA (Preventing and Ending Mass Atrocities)
67. Pan American Development Foundation
68. PEN America
69. Raoul Wallenberg Centre for Human Rights
70. REDRESS
71. Reporters Without Borders (RSF)
72. Robert F. Kennedy Human Rights
73. Salam for Democracy and Human Rights
74. Spotlight on Corruption
75. State Capture: Research and Action
76. StoptheDrugWar.org
77. The Arrested Lawyers Initiative
78. The Sentry
79. The Tahrir Institute for Middle East Policy (TIMEP)
80. TI Madagascar
81. TI-Moldova
82. Torture Abolition and Survivors Support Coalition (TASSC)
83. Transitional Justice Working Group (TJWG)
84. Transparency International
85. Transparency International Anticorruption Center
86. Transparency International EU
87. Transparency International U.S.
88. Ukrainian Congress Committee of America
89. Ukrainian National Information Service
90. United States Tamil Action Group
91. Uyghur American Association
92. Uyghur Human Rights Project (UHRP)
93. Vietnam Coalition Against Torture (VN-CAT)
94. Vladimir Herzog Institute
95. Washington Office on Latin America (WOLA)
96. Youth Congress Rohingya