

110TH CONGRESS
1ST SESSION

H. R. 982

To promote democratic values and enhance democracy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2007

Mr. LANTOS (for himself, Mr. WOLF, Ms. ROS-LEHTINEN, Mr. PRICE of North Carolina, Mr. DREIER, Mr. ACKERMAN, Mr. BERMAN, Mr. BURTON of Indiana, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To promote democratic values and enhance democracy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advance Democratic
5 Values, Address Nondemocratic Countries, and Enhance
6 Democracy Act of 2007” or the “ADVANCE Democracy
7 Act of 2007”.

8 **SEC. 2. TABLE OF CONTENTS.**

9 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Statement of policy.
- Sec. 5. Definitions.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

- Sec. 101. Promotion of democracy in foreign countries.
- Sec. 102. Reports.
- Sec. 103. Democracy fellowship program.
- Sec. 104. Advisory Committee on Democracy Promotion.
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- Sec. 106. Programs by United States missions in foreign countries and activities of chiefs of mission.
- Sec. 107. Training for foreign service officers.
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TITLE II—COOPERATION WITH OTHER DEMOCRATIC COUNTRIES

- Sec. 201. Cooperation with other democratic countries.
- Sec. 202. Strengthening the Community of Democracies.
- Sec. 203. Initiatives at the United Nations.

TITLE III—FUNDING FOR PROMOTION OF DEMOCRACY

- Sec. 301. Policy.
- Sec. 302. Human rights and democracy fund.
- Sec. 303. Instruments for providing democracy assistance.

TITLE IV—PRESIDENTIAL ACTIONS

- Sec. 401. Investigation of violations of international humanitarian law.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) All human beings are created equal and
 4 possess certain rights and freedoms, including the
 5 fundamental right to participate in the political life
 6 and government of their respective countries.

7 (2) The development of democracy constitutes a
 8 long-term challenge that goes through unique phases
 9 and paces in individual countries as such countries
 10 develop democratic institutions such as a thriving

1 civil society, a free media, and an independent judi-
2 ciary, and must be led from within such countries,
3 including by individuals, nongovernmental organiza-
4 tions, and movements, and by nationals of such
5 countries who live abroad.

6 (3) Individuals, nongovernmental organizations,
7 and movements that support democratic principles,
8 practices, and values are under increasing pressure
9 from governments of nondemocratic countries (as
10 well as, in some cases, in democratic transition coun-
11 tries), including by using administrative and regu-
12 latory mechanisms to undermine the activities of
13 such individuals, organizations, and movements.

14 (4) Democratic countries have a number of in-
15 struments available for supporting democratic re-
16 formers who are committed to promoting effective,
17 nonviolent change in nondemocratic countries and
18 who are committed to keeping their countries on the
19 path to democracy.

20 (5) United States efforts to promote democracy
21 and protect human rights can be strengthened to
22 improve assistance for such reformers, including
23 through an enhanced role for United States dip-
24 lomats when properly trained and given the right in-
25 centives.

1 (6) The promotion of democracy requires a
2 broad-based effort with collaboration between all
3 democratic countries, including through the Commu-
4 nity of Democracies.

5 **SEC. 4. STATEMENT OF POLICY.**

6 It shall be the policy of the United States—

7 (1) to promote freedom and democracy in for-
8 eign countries as a fundamental component of
9 United States foreign policy, along with other key
10 foreign policy goals;

11 (2) to affirm fundamental freedoms and human
12 rights in foreign countries and to condemn offenses
13 against those freedoms and rights as a fundamental
14 component of United States foreign policy, along
15 with other key foreign policy goals;

16 (3) to protect and promote fundamental free-
17 doms and rights, including the freedoms of associa-
18 tion, of expression, of the press, and of religion, and
19 the right to own private property;

20 (4) to promote democracy through the pro-
21 motion of democratic institutions, including institu-
22 tions that support the rule of law (such as an inde-
23 pendent judiciary), an independent and professional
24 media, strong legislatures, a thriving civil society,
25 transparent and professional independent govern-

1 mental auditing agencies, civilian control of the mili-
2 tary, and institutions that promote the rights of mi-
3 norities and women;

4 (5) to provide appropriate support to individ-
5 uals nongovernmental organizations, and movements
6 located in nondemocratic countries that aspire to live
7 in freedom and establish full democracy in such
8 countries;

9 (6) to provide, political, economic, and other
10 support to foreign countries and individuals, non-
11 governmental organizations, and movements that are
12 willingly undertaking a transition to democracy; and

13 (7) to strengthen cooperation with other demo-
14 cratic countries in order to better promote and de-
15 fend shared values and ideals.

16 **SEC. 5. DEFINITIONS.**

17 In this Act:

18 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
19 **TEES.**—The term “appropriate congressional com-
20 mittees” means the Committee on Foreign Affairs of
21 the House of Representatives and the Committee on
22 Foreign Relations of the Senate.

23 (2) **COMMUNITY OF DEMOCRACIES AND COMMU-**
24 **NITY.**—The terms “Community of Democracies”
25 and “Community” mean the association of demo-

1 cratic countries committed to the global promotion
2 of democratic principles, practices, and values, which
3 held its First Ministerial Conference in Warsaw, Po-
4 land, in June 2000.

5 (3) DEPARTMENT.—The term “Department”
6 means the Department of State.

7 (4) ELIGIBLE ENTITY.—The term “eligible enti-
8 ty” means any nongovernmental organization, inter-
9 national organization, multilateral institution, pri-
10 vate foundation, corporation, partnership, associa-
11 tion, or other entity, organization, or group that
12 supports democratic principles, practices, and values
13 and is engaged in, or plans to engage in, the pro-
14 motion of democracy and the protection of human
15 rights in non-democratic countries or democratic
16 transition countries.

17 (5) ELIGIBLE INDIVIDUAL.—The term “eligible
18 individual” means any individual who supports
19 democratic principles, practices, and values and is
20 engaged in, or who intends to engage in, the pro-
21 motion of democracy or the protection of human
22 rights in non-democratic countries or democratic
23 transition countries.

24 (6) NONDEMOCRATIC OR DEMOCRATIC TRANSI-
25 TION COUNTRY.—The term “nondemocratic or

1 democratic transition country” shall include any
2 country which is not governed by a fully functioning
3 democratic form of government, as determined by
4 the Secretary, taking into account the general con-
5 sensus regarding the status of civil and political
6 rights in a country by major nongovernmental orga-
7 nizations that conduct assessments of such condi-
8 tions in countries and whether such country fails to
9 satisfy the following requirements:

10 (A) All citizens of such county have the
11 right to, and are not restricted in practice from,
12 fully and freely participating in the political life
13 of such country, regardless of gender, race, lan-
14 guage, religion, or beliefs.

15 (B) The national legislative body of such
16 country and, if directly elected, the head of gov-
17 ernment of such country, are chosen by free,
18 fair, open, and periodic elections, by universal
19 and equal suffrage, and by secret ballot.

20 (C) More than one political party in such
21 country has candidates who seek elected office
22 at the national level and such parties are not
23 restricted in their political activities or their
24 process for selecting such candidates, except for
25 reasonable administrative requirements com-

1 monly applied in countries categorized as fully
2 democratic.

3 (D) All citizens in such country have a
4 right to, and are not restricted in practice from,
5 fully exercising the freedoms of thought, con-
6 science, belief, peaceful assembly and associa-
7 tion, speech, opinion, and expression, and such
8 country has a free, independent, and pluralistic
9 media.

10 (E) The current government of such coun-
11 try did not come to power in a manner contrary
12 to the rule of law.

13 (F) Such country possesses an independent
14 judiciary and the government of such country
15 generally respects the rule of law.

16 (G) Such country does not violate other
17 core principles enshrined in the United Nations
18 Charter, the Universal Declaration of Human
19 Rights, the International Covenant on Civil and
20 Political Rights, United Nations Commission on
21 Human Rights Resolution 1499/57 (entitled
22 “Promotion of the Right to Democracy”),
23 United Nations General Assembly Resolution
24 55/96 (entitled “Promoting and consolidating
25 democracy”), the assessments used to deter-

1 mine eligibility for financial assistance dis-
2 bursed from the Millennium Challenge Account,
3 the assessments of nongovernmental organiza-
4 tions of eligibility to participate in the meetings
5 of the Community of Democracies, and the
6 standards established and adopted by the Com-
7 munity of Democracies.

8 (7) SECRETARY.—The term “Secretary” means
9 the Secretary of State.

10 (8) UNDER SECRETARY.—The term “Under
11 Secretary” means the Under Secretary of State for
12 Democracy and Global Affairs.

13 **TITLE I—DEPARTMENT OF**
14 **STATE ACTIVITIES**

15 **SEC. 101. PROMOTION OF DEMOCRACY IN FOREIGN COUN-**
16 **TRIES.**

17 (a) ADDITIONAL DUTIES FOR ASSISTANT SEC-
18 RETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS,
19 AND LABOR.—Section 1(c)(2)(A) of the State Department
20 Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is
21 amended by inserting after the first sentence the following
22 new sentence: “The Assistant Secretary of State for De-
23 mocracy, Human Rights, and Labor shall also be respon-
24 sible for matters relating to the transition to and develop-
25 ment of democracy in nondemocratic countries, including

1 promoting and strengthening the development of democ-
2 racy in foreign countries that are in the early stages of
3 a transition to democracy and evaluating the effectiveness
4 of United States programs that promote democracy.”.

5 (b) DEPARTMENT OF STATE AND UNITED STATES
6 MISSIONS ABROAD.—

7 (1) OFFICE RELATED TO DEMOCRATIC MOVE-
8 MENTS AND TRANSITIONS.—

9 (A) ESTABLISHMENT.—There shall be
10 within the Bureau of Democracy, Human
11 Rights, and Labor of the Department of State
12 at least one office that shall be responsible for
13 working with democratic movements and facili-
14 tating the transition of nondemocratic countries
15 and democratic transition countries to full de-
16 mocracy.

17 (B) PURPOSE.—In addition to any other
18 responsibilities conferred on such an office or
19 offices, such office or offices shall promote tran-
20 sitions to full democracy in nondemocratic
21 countries and democratic transition countries.

22 (C) RESPONSIBILITIES.—The office or of-
23 fices shall—

24 (i) develop relations with, consult
25 with, and provide assistance to nongovern-

1 mental organizations, individuals, and
2 movements that are committed to the
3 peaceful promotion of democracy, demo-
4 cratic principles, practices, and values, and
5 fundamental rights and freedoms, includ-
6 ing fostering relationships with the United
7 States Government and the governments of
8 other democratic countries; and

9 (ii) assist officers and employees of
10 regional bureaus to develop strategies and
11 programs to promote peaceful change in
12 such countries.

13 (D) LIAISON.—Within each such office,
14 there shall be at least one officer or employee
15 who shall have expertise in and be responsible
16 for working with individuals, nongovernmental
17 organizations and movements that develop rela-
18 tions with, consult with, and provide assistance
19 to nongovernmental organizations, individuals,
20 and movements that are committed to the
21 peaceful promotion of democracy, democratic
22 principles, practices, and values, and funda-
23 mental rights and freedoms.

24 (2) DEMOCRACY LIAISON OFFICERS.—

1 (A) ESTABLISHMENT.—The Secretary
2 shall establish and staff Democracy Liaison Of-
3 ficer positions, under the supervision of the As-
4 sistant Secretary, who may be assigned to the
5 following posts:

6 (i) United States missions to or liai-
7 sons with regional and multilateral organi-
8 zations, including the United States mis-
9 sions to the European Union, African
10 Union, Organization of American States,
11 and any other appropriate regional organi-
12 zation, and the Organization for Security
13 and Cooperation in Europe, the United
14 Nations and its relevant specialized agen-
15 cies, and the North Atlantic Treaty Orga-
16 nization.

17 (ii) Department of State regional pub-
18 lic diplomacy centers.

19 (iii) United States combatant com-
20 mands.

21 (iv) Other posts as designated by the
22 Secretary.

23 (B) RESPONSIBILITIES.—Each Democracy
24 Liaison Officer shall—

1 (i) provide expertise on effective ap-
2 proaches to promote and build democracy;

3 (ii) assist in conceiving and imple-
4 menting strategies for transitions to de-
5 mocracy; and

6 (iii) carry out such other responsibil-
7 ities as the Secretary and the Assistant
8 Secretary may assign.

9 (C) NEW POSITIONS.—The Democracy Li-
10 aison Officer positions established under sub-
11 paragraph (A) shall be new positions, in addi-
12 tion to existing officer positions in the Depart-
13 ment with responsibility for other human rights
14 and democracy-related issues and programs, in-
15 cluding officers responsible for labor issues.

16 (D) RELATIONSHIP TO OTHER AUTHORI-
17 TIES.—Nothing in this section may be con-
18 strued as derogating any authority or responsi-
19 bility of a chief of mission or other employee of
20 a diplomatic mission of the United States pro-
21 vided under any other provision of law, includ-
22 ing any authority or responsibility for the devel-
23 opment or implementation of strategies to pro-
24 mote democracy.

1 (E) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There are authorized to be appro-
3 priated to the Secretary such sums as may be
4 necessary to carry out the responsibilities de-
5 scribed in subparagraph (B), including hiring
6 additional staff to carry out such responsibil-
7 ities.

8 (3) MONITORING AND DOCUMENTATION.—The
9 Secretary should coordinate with the Secretary of
10 the Treasury, the Attorney General, the Directory of
11 National Intelligence, other appropriate intelligence
12 agencies, and, as appropriate, with foreign govern-
13 ments to—

14 (A) monitor and document financial assets
15 inside and outside the United States held by
16 leaders of nondemocratic countries;

17 (B) identify close foreign associates of such
18 leaders; and

19 (C) monitor and document financial assets
20 inside and outside the United States held by
21 such close associates.

22 (4) SENSE OF CONGRESS REGARDING COORDI-
23 NATION.—It is the sense of Congress that there
24 should be three Deputy Assistant Secretaries of
25 State for Democracy, Human Rights, and Labor and

1 at least one such deputy assistant secretary should
2 be responsible for coordinating the promotion of de-
3 mocracy in nondemocratic countries and democratic
4 transition countries.

5 (5) RECRUITMENT.—The Secretary shall seek
6 to ensure that, not later than December 31, 2012,
7 not less than 50 percent of the nonadministrative
8 employees serving in the Bureau of Democracy,
9 Human Rights, and Labor are members of the For-
10 eign Service.

11 (c) AMENDMENTS TO THE FREEDOM INVESTMENT
12 ACT OF 2002.—The Freedom Investment Act of 2002
13 (subtitle E of title VI of Public Law 107–228) is amend-
14 ed—

15 (1) in section 663(a), (relating to human rights
16 activities at the Department of State)—

17 (A) in paragraph (1), by striking “and” at
18 the end;

19 (B) in paragraph (2)—

20 (i) by striking “monitoring human
21 rights developments” and all that follows
22 through “recommendation” and inserting
23 the following: “monitoring and promoting
24 democracy and human rights in a foreign

1 country should be made after consultation
2 with and upon the recommendation”; and

3 (ii) by striking the period at the end
4 and inserting “; and”;

5 (C) by adding at the end the following new
6 paragraph:

7 “(3) the level of seniority of any such political
8 officer should be in direct relationship to the severity
9 of the problems associated with the establishment of
10 full democracy and respect for human rights in such
11 country.”; and

12 (2) in section 665(c) (relating to reports on ac-
13 tions taken by the United States to encourage re-
14 spect for human rights), by striking the second sen-
15 tence.

16 **SEC. 102. REPORTS.**

17 (a) ANNUAL STRATEGY REPORT.—Section 116 of the
18 Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is
19 amended—

20 (1) in subsection (d)—

21 (A) by striking paragraph (10) and redesi-
22 gnating paragraph (11) as paragraph (10);

23 (B) by striking the period at the end of
24 paragraph (10) (as so redesignated) and insert-
25 ing “; and”; and

1 (C) by adding at the end the following new
2 paragraphs:

3 “(11) for each country with respect to which
4 the report indicates that extrajudicial killings, tor-
5 ture, or other serious violations of human rights
6 have occurred in the country, a long term strategy,
7 including a specific list of priorities and an action
8 plan, to end such practices in the country, and any
9 actions taken in the previous year to end such prac-
10 tices; and

11 “(12)(A) a long term strategy to promote and
12 achieve a transition to full democracy and good gov-
13 ernance in each country described in subparagraph
14 (B), developed following consultations with non-
15 governmental organizations, individuals, and move-
16 ments that promote democratic principles, practices,
17 and values in each such country, including a specific
18 list of priorities, an action plan, and specific respon-
19 sibilities and activities for chiefs of missions to pro-
20 mote democracy, and any actions taken in the pre-
21 vious year to advance such transition.

22 “(B) The countries referred to in subparagraph
23 (A) shall include any country which is not governed
24 by a fully functioning democratic form of govern-
25 ment, as determined by the Secretary, taking into

1 account the general consensus regarding the status
2 of civil and political rights in a country by major
3 nongovernmental organizations that conduct assess-
4 ments of such conditions in countries and whether
5 any such country fails to satisfy the following re-
6 quirements—

7 “(i) all citizens of such county have the
8 right to, and are not restricted in practice from,
9 fully and freely participating in the political life
10 of such country regardless of gender, race, lan-
11 guage, religion, or beliefs;

12 “(ii) the national legislative body of such
13 country and, if directly elected, the head of gov-
14 ernment of such country, are chosen by free,
15 fair, open, and periodic elections, by universal
16 and equal suffrage, and by secret ballot;

17 “(iii) more than one political party in such
18 country has candidates who seek elected office
19 at the national level and such parties are not
20 restricted in their political activities or their
21 process for selecting such candidates, except for
22 reasonable administrative requirements com-
23 monly applied in countries categorized as fully
24 democratic;

1 “(iv) all citizens in such country have a
2 right to, and are not restricted in practice from,
3 fully exercising the freedoms of thought, con-
4 science, belief, peaceful assembly and associa-
5 tion, speech, opinion, and expression, and such
6 country has a free, independent, and pluralistic
7 media;

8 “(v) the current government of such coun-
9 try did not come to power in a manner contrary
10 to the rule of law;

11 “(vi) such country possesses an inde-
12 pendent judiciary and the government of such
13 country generally respects the rule of law; and

14 “(vii) such country does not violate other
15 core principles enshrined in the United Nations
16 Charter, the Universal Declaration of Human
17 Rights, the International Covenant on Civil and
18 Political Rights, United Nations Commission on
19 Human Rights Resolution 1499/57 (entitled
20 ‘Promotion of the Right to Democracy’), United
21 Nations General Assembly Resolution 55/96
22 (entitled ‘Promoting and consolidating democ-
23 racy’), the assessments used to determine eligi-
24 bility for financial assistance disbursed from the
25 Millennium Challenge Account, the assessments

1 of nongovernmental organizations of eligibility
2 to participate in the meetings of the Commu-
3 nity of Democracies, and the standards estab-
4 lished and adopted by the Community of De-
5 mocracies.”; and

6 (2) by inserting at the end the following new
7 subsection:

8 “(g) The information required in paragraphs (11)
9 and (12) of subsection (d) and in the sixth sentence of
10 section 502B(b) may be provided as separate reports not
11 later than 90 days after the submission of the reports re-
12 quired by such sections if the Secretary determines that
13 it is in the national security interests of the United States,
14 is necessary for the safety of individuals identified in such
15 reports, or is necessary to further the purposes of this Act.
16 Any information required by such paragraphs, including
17 policies adopted or actions taken by the United States,
18 may be summarized in the report and submitted in a clas-
19 sified addendum.”.

20 (b) CONFORMING AMENDMENT.—Section 502B(b) of
21 the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)),
22 by striking the sixth sentence and inserting the following
23 new sentence: “Such report shall also include, for each
24 nondemocratic country or democratic transition country or
25 country with respect to which the report indicates that

1 extrajudicial killings, torture, or other serious violations
2 of human rights have occurred in the country, a strategy,
3 including a specific list of priorities and an action plan,
4 to end such practices and to promote democracy in the
5 country, and any actions taken in the previous year to pro-
6 mote democracy in such country or end such practices in
7 the country.”.

8 (c) CLASSIFIED ADDENDUM.—If the Secretary deter-
9 mines that it is in the national security interests of the
10 United States, is necessary for the safety of individuals
11 identified in the strategy report required by sections 116
12 or 502B of the Foreign Assistance Act of 1961 (as amend-
13 ed by subsections (a) and (b)), or is necessary to further
14 the purposes of this Act, any information required by such
15 sections, including policies adopted or actions taken by the
16 United States, may be summarized and submitted to the
17 appropriate congressional committees in more detail in a
18 classified addendum.

19 (d) TRANSLATION OF COUNTRY REPORTS ON HUMAN
20 RIGHTS PRACTICES.—The Secretary shall expand the
21 timely translation of the Country Reports on Human
22 Rights Practices required under sections 116 and 502B
23 of the Foreign Assistance Act of 1961, the Annual Report
24 on International Religious Freedom required under section
25 102(b) of the International Religious Freedom Act of

1 1998 (22 U.S.C. 6412(b)), the Trafficking in Persons Re-
2 port required under section 110(b) of the Trafficking Vic-
3 tims Protection Act of 2000 (22 U.S.C. 7107(b)), and any
4 separate report on democracy and human rights policy
5 submitted in accordance with section 116(g) of the For-
6 eign Assistance Act of 1961 into the principal languages
7 of as many countries as possible, with particular emphasis
8 on nondemocratic and democratic transition countries and
9 countries in which extrajudicial killings, torture, or other
10 serious violations of human rights have occurred.

11 **SEC. 103. DEMOCRACY FELLOWSHIP PROGRAM.**

12 (a) ESTABLISHMENT.—The Secretary shall establish
13 a Democracy Fellowship Program to enable Department
14 of State officers to gain an additional perspective on de-
15 mocracy promotion abroad by working on democracy
16 issues in congressional committees with oversight over the
17 subject matter of this Act, including the Committee on
18 Foreign Affairs and the Committee on Appropriations of
19 the House of Representatives and the Committee on For-
20 eign Relations and the Committee on Appropriations of
21 the Senate, and in nongovernmental organizations in-
22 volved in democracy promotion. The Assistant Secretary
23 for Democracy, Human Rights, and Labor shall play a
24 central role in the selection of Democracy Fellows and fa-

1 cilitate their placement in appropriate congressional of-
2 fices and nongovernmental organizations.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Secretary of State
5 such sums as may be necessary to carry out the establish-
6 ment of the Democracy Fellowship Program described in
7 subsection (a), including hiring additional staff to carry
8 out such establishment.

9 **SEC. 104. ADVISORY COMMITTEE ON DEMOCRACY PRO-**
10 **MOTION.**

11 (a) STUDY ON DEMOCRACY ASSISTANCE.—The Advi-
12 sory Committee on Democracy Promotion shall conduct a
13 study of United States democracy assistance to determine
14 the best practices for providing such assistance to individ-
15 uals, nongovernmental organizations, and movements that
16 are committed to the peaceful promotion of democracy and
17 democratic principles, practices, and values, with a view
18 towards making recommendations as to how to improve
19 such assistance, including the appropriate mechanisms for
20 assistance, means of coordinating with assistance pro-
21 grams of other countries, and the appropriate role for
22 international organizations in promoting democracy.

23 (b) STUDY ON PERSONNEL PRACTICES.—The Advi-
24 sory Committee on Democracy shall conduct a study of
25 personnel and training practices of the Department of

1 State relating to the promotion of democracy in order to
2 provide recommendations to the Secretary concerning im-
3 proving incentives for service in positions that have as
4 their primary purpose the promotion of democracy, the
5 protection of human rights, or both, improving the train-
6 ing of members of the Foreign Service and civil service
7 employees of the Department of State in the promotion
8 of democracy and the protection of human rights, and on
9 other changes to enhance the capacity of the Department
10 of State to promote democracy and protect human rights.

11 **SEC. 105. ESTABLISHMENT AND MAINTENANCE OF INTER-**
12 **NET SITE FOR GLOBAL DEMOCRACY AND**
13 **HUMAN RIGHTS.**

14 (a) **ESTABLISHMENT.**—In order to facilitate access
15 by individuals and nongovernmental organizations in for-
16 eign countries to documents, streaming video and audio,
17 and other media regarding democratic principles, prac-
18 tices, and values, and the promotion and strengthening of
19 democracy, the Secretary of State, in cooperation with the
20 Under Secretary of State for Democracy and Global Af-
21 fairs, the Under Secretary of State for Public Diplomacy
22 and Public Affairs, the Assistant Secretary of State for
23 Democracy, Human Rights, and Labor, the Director of
24 the Office International Religious Freedom, and the Di-
25 rector of the Office to Monitor and Combat Trafficking

1 shall establish and maintain an Internet site for global de-
2 mocracy and human rights.

3 (b) CONTENTS.—The Internet site for global democ-
4 racy established under subsection (a) shall include the fol-
5 lowing information:

6 (1) Narratives and histories of significant
7 democratic movements in foreign countries, particu-
8 larly regarding successful nonviolent campaigns to
9 oust dictatorships.

10 (2) Narratives relating to the importance of the
11 establishment of and respect for fundamental free-
12 doms.

13 (3) Major human rights reports by the United
14 States Government or any other documents, ref-
15 erences, or links to external Internet sites the Sec-
16 retary or Under Secretary and Assistant Secretary
17 determines appropriate, including reference to or
18 links to training materials regarding successful
19 movements in the past, including translations of
20 such materials, as appropriate.

21 **SEC. 106. PROGRAMS BY UNITED STATES MISSIONS IN FOR-**
22 **EIGN COUNTRIES AND ACTIVITIES OF CHIEFS**
23 **OF MISSION.**

24 (a) DEVELOPMENT OF PROGRAMS TO PROMOTE DE-
25 MOCRACY IN FOREIGN COUNTRIES.—Each chief of mis-

1 sion in each nondemocratic or democratic transition coun-
2 try shall—

3 (1) develop, as part of annual program plan-
4 ning, a strategy to promote democracy in each such
5 foreign country and to provide visible and material
6 support to individuals and nongovernmental organi-
7 zations in each such country that are committed to
8 democratic principles, practices, and values, such
9 as—

10 (A) consulting and coordinating with such
11 individuals and organizations regarding the pro-
12 motion of democracy;

13 (B) visiting local landmarks and other
14 local sites associated with nonviolent protest in
15 support of democracy and freedom from oppres-
16 sion;

17 (C) holding periodic public meetings with
18 such individuals and organizations to discuss
19 democracy and political, social, and economic
20 freedoms;

21 (D) issuing public condemnation of severe
22 violations of internationally recognized human
23 rights (as such term is described in section
24 116(a) of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2151n(a)), violations of religious

1 freedom, including particularly severe violations
2 of religious freedom (as such terms are defined
3 in paragraphs (11) and (13) of section 3 of the
4 International Religious Freedom Act of 1998
5 (22 U.S.C. 6402)), political repression, and
6 government-tolerated or -condoned trafficking
7 in persons; and

8 (E) providing technical, financial, and such
9 other support to such individuals and organiza-
10 tions;

11 (2) hold ongoing discussions with the leaders of
12 each such nondemocratic country or democratic
13 transition country regarding a transition to full de-
14 mocracy and the development of political, social, and
15 economic freedoms and respect for human rights, in-
16 cluding freedom of religion or belief, in such coun-
17 try; and

18 (3) conduct meetings with civil society, inter-
19 views with media that can directly reach citizens of
20 each such country, and discussions with students
21 and young people of each such country regarding a
22 transition to democracy and the development of po-
23 litical, social, and economic freedoms in each such
24 country.

1 (b) PUBLIC OUTREACH IN FOREIGN COUNTRIES.—

2 Each chief of mission or principal officer shall spend time
3 at universities and other institutions of higher learning
4 to—

5 (1) debate and discuss values and policies that
6 promote democracy; and

7 (2) communicate, promote, and defend such
8 United States values and policies.

9 (c) ACCESS TO UNITED STATES MISSIONS.—The
10 Secretary is encouraged to allow access to a United States
11 diplomatic or consular mission in each nondemocratic or
12 democratic transition country by individuals and rep-
13 resentatives of nongovernmental organizations in each
14 such country who are committed to democratic principles,
15 practices, and values in each such country.

16 **SEC. 107. TRAINING FOR FOREIGN SERVICE OFFICERS.**

17 (a) TRAINING IN DEMOCRACY AND THE PROMOTION
18 OF DEMOCRACY AND HUMAN RIGHTS.—Section 708 of
19 the Foreign Service Act of 1980 (22 U.S.C. 4028) is
20 amended by adding at the end the following new sub-
21 section:

22 “(c) TRAINING ON GLOBAL DEMOCRACY PRO-
23 MOTION.—

24 “(1) IN GENERAL.—In addition to the training
25 required under subsections (a) and (b), the Sec-

1 retary of State, in cooperation with other relevant
2 officials, including the Under Secretary of State for
3 Democracy and Global Affairs, and the Director of
4 the National Foreign Affairs Training Center of the
5 Foreign Service Institute of the Department of
6 State, shall establish as part of the training provided
7 after December 31, 2007, for members of the Service,
8 including all chiefs of mission and deputy chiefs
9 of mission, instruction in how to strengthen and promote
10 democracy through peaceful means in consultation
11 with individuals and nongovernmental organizations
12 that support democratic principles, practices,
13 and values. In particular, such instruction shall be
14 mandatory for members of the Service having reporting
15 or other responsibilities relating to internal political
16 developments and human rights, including religious
17 freedom, in nondemocratic countries or democratic
18 transition countries as defined in section 5 of the
19 ADVANCE Democracy Act of 2007, including for chiefs
20 of mission and deputy chiefs of mission, and shall be
21 completed before the time that such member or chief
22 of mission assumes a post (or, if such is not practical,
23 within the first year of assuming such post).

1 “(2) CONTENTS OF TRAINING.—The training
2 required under paragraph (1) shall include instruc-
3 tion, a training manual, and other materials regard-
4 ing the following:

5 “(A) International documents and United
6 States policy regarding electoral democracy and
7 respect for human rights.

8 “(B) United States policy regarding the
9 promotion and strengthening of democracy
10 around the world, with particular emphasis on
11 the transition to democracy in nondemocratic
12 countries.

13 “(C) For any member, chief of mission, or
14 deputy chief of mission who is to be assigned to
15 a nondemocratic or democratic transition coun-
16 try, instruction regarding ways to promote de-
17 mocracy in such country and providing tech-
18 nical, financial, and other support to individuals
19 (including expatriated citizens) and nongovern-
20 mental organizations in such country that sup-
21 port democratic principles, practices, and val-
22 ues.

23 “(D) The protection of internationally rec-
24 ognized human rights (including the protection
25 of religious freedom) and standards related to

1 such rights, provisions of United States law re-
2 lated to such rights, diplomatic tools to promote
3 respect for such rights, the protection of indi-
4 viduals who have fled their countries due to vio-
5 lations of such rights (including the role of
6 United States diplomatic and consular missions
7 in providing access to the United States Ref-
8 ugee Admissions Program) and the relationship
9 between respect for such rights and democratic
10 development and national security. The Direc-
11 tor of the National Foreign Affairs Training
12 Center of the Foreign Service Institute of the
13 Department of State shall consult with non-
14 governmental organizations involved in the pro-
15 tection and promotion of such rights and the
16 United States Commission on International Re-
17 ligious Freedom (established under section
18 201(a) of the International Religious Freedom
19 Act of 1998 (22 U.S.C. 6431(a)) in developing
20 the training required by this subparagraph.”.

21 (b) OTHER TRAINING.—The Secretary shall ensure
22 that the training described in subsection (c) of section 708
23 of the Foreign Service Act of 1980 (as added by sub-
24 section (a)) is provided to members of the civil service who
25 are assigned in the United States or abroad who have re-

1 porting or other responsibilities relating to internal polit-
2 ical developments and human rights in nondemocratic
3 countries or democratic transition countries.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Secretary such
6 sums as may be necessary to develop appropriate pro-
7 grams and materials to accomplish the training required
8 under subsection (c) of section 708 of the Foreign Service
9 Act of 1980.

10 (d) CLERICAL AMENDMENTS.—Section 708 of the
11 Foreign Service Act of 1980, as amended by subsection
12 (a), is further amended—

13 (1) in subsection (a) by striking “(a) The” and
14 inserting “(a) TRAINING ON HUMAN RIGHTS.—
15 The”; and

16 (2) in subsection (b), by striking “(b) The” and
17 inserting “(b) TRAINING ON REFUGEE LAW AND
18 RELIGIOUS PERSECUTION.—The”.

19 (e) ONE-TIME REPORT ON TRAINING AND GUIDE-
20 LINES FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF
21 MISSION.—Not later than 180 days after the date of the
22 enactment of this Act, the Secretary shall submit to the
23 appropriate congressional committees a one-time report
24 containing a description of the training provided to For-
25 eign Service officers in human rights and democracy pro-

1 motion, including such training provided to chiefs of mis-
2 sion serving or preparing to serve in nondemocratic coun-
3 tries or democratic transition countries, and plans for an
4 expansion of such training.

5 **SEC. 108. PERFORMANCE PAY; PROMOTIONS; FOREIGN**
6 **SERVICE AWARDS.**

7 (a) PERFORMANCE PAY.—Section 405(d) of the For-
8 eign Service Act of 1980 (22 U.S.C. 3965(d)) is amended
9 by inserting after the second sentence the following new
10 sentence: “Meritorious or distinguished service in the pro-
11 motion of democracy in foreign countries, including con-
12 tact with and support of individuals and nongovernmental
13 organizations that promote democracy in nondemocratic
14 countries or democratic transition countries, as defined in
15 section 5 of the ADVANCE Democracy Act of 2007, shall
16 also serve as a basis for granting awards under this sec-
17 tion.”.

18 (b) PROMOTIONS.—Section 603(b) of the Foreign
19 Service Act of 1980 (22 U.S.C. 4003(b)) is amended—

20 (1) by striking “(b) Precepts” and inserting
21 “(b)(1) Precepts”; and

22 (2) by adding at the end the following new
23 paragraph:

24 “(2) Precepts for selection boards shall also,
25 where applicable, include a specific precept evalu-

1 ating whether members of the Service and members
2 of the Senior Foreign Service have met the stand-
3 ards of performance established by the Secretary
4 pursuant to section 108(c) of the ADVANCE De-
5 mocracy Act of 2007, or have served in a position
6 in which the primary responsibility is to monitor or
7 promote democracy or human rights.”.

8 (c) REGULATIONS AND EVALUATIONS CONCERNING
9 STANDARDS OF PERFORMANCE AND PROGRAMS TO PRO-
10 MOTE DEMOCRACY.—With respect to members of the For-
11 eign Service, including all chiefs of mission, who are as-
12 signed to nondemocratic countries or democratic transi-
13 tion countries, the Secretary shall prescribe regulations
14 concerning the standards of performance to be met under
15 sections 405(d) and 603(b) of the Foreign Service Act of
16 1980 (22 U.S.C. 3965(d) and 4003(b)), as amended by
17 subsections (a) and (b), respectively, and the development
18 of programs to promote democracy in foreign countries
19 under section 106. The requirements of section 106 shall
20 serve as one of the bases for performance criteria in evalu-
21 ating chiefs of mission and those members of the Service
22 serving in a position in which the primary responsibility
23 is to monitor or promote democracy or human rights.

24 (d) FOREIGN SERVICE AWARDS.—Section 614 of the
25 Foreign Service Act of 1980 (22 U.S.C. 4013) is amended

1 by adding at the end the following new sentence: “Distin-
2 guished or meritorious service in the promotion of democ-
3 racy in foreign countries, including contact with and sup-
4 port of individuals and nongovernmental organizations
5 that promote democracy in a nondemocratic country or
6 democratic transition country, as defined in section 5 of
7 the ADVANCE Democracy Act of 2007, shall also serve
8 as a basis for granting awards under this section.”.

9 **SEC. 109. APPOINTMENTS.**

10 Section 304(a)(1) of the Foreign Service Act of 1980
11 (22 U.S.C. 3944(a)(1)) is amended by adding at the end
12 the following new sentence: “If the country in which the
13 individual is to serve is a nondemocratic country or a
14 democratic transition country as defined in section 5 of
15 the ADVANCE Democracy Act of 2007, the individual
16 should possess clearly demonstrated competence in and
17 commitment to the promotion of democracy, including
18 competence in promoting democratic principles, practices,
19 and values, such as through regular interaction with indi-
20 viduals, including students and young people, who support
21 and advocate such principles, practices, and values.”.

1 **TITLE II—COOPERATION WITH**
2 **OTHER DEMOCRATIC COUN-**
3 **TRIES**

4 **SEC. 201. COOPERATION WITH OTHER DEMOCRATIC COUN-**
5 **TRIES.**

6 (a) FINDING.—Congress finds that it is in the na-
7 tional interest of the United States, including for humani-
8 tarian, economic, social, political, and security reasons, to
9 forge alliances with democratic countries to work together
10 to promote and protect—

11 (1) shared democratic principles, practices, and
12 values; and

13 (2) political, social, and economic freedoms
14 around the world.

15 (b) PURPOSES.—The purposes of this title are to en-
16 courage new ways of cooperating closely with democratic
17 countries, including through the Community of Democ-
18 racies, in order to—

19 (1) promote and protect democratic principles,
20 practices, and values, including the right to free,
21 fair, and open elections, secret balloting, and uni-
22 versal suffrage;

23 (2) promote and protect fundamental shared
24 political, social, and economic freedoms, including

1 the freedoms of association, of expression, of the
2 press, of religion, and to own private property;

3 (3) promote and protect respect for the rule of
4 law;

5 (4) develop, adopt, and pursue strategies to ad-
6 vance common interests in international organiza-
7 tions and multilateral institutions to which members
8 of the alliance of democratic countries belong; and

9 (5) provide political, economic, and other nec-
10 essary support to countries that are undergoing a
11 transition to democracy.

12 (c) SENSE OF CONGRESS REGARDING PARTICIPA-
13 TION.—It is the sense of Congress that nondemocratic
14 countries should not participate in any association or
15 group of democratic countries aimed at working together
16 to promote democracy.

17 **SEC. 202. STRENGTHENING THE COMMUNITY OF DEMOC-**
18 **RACIES.**

19 (a) SENSE OF CONGRESS REGARDING FORMAL
20 MECHANISMS FOR THE COMMUNITY OF DEMOCRACIES.—
21 It is the sense of Congress that the Community of Democ-
22 racies should develop a more formal mechanism for car-
23 rying out work between ministerial meetings, such as
24 through the creation of a permanent secretariat with ap-

1 appropriate staff to carry out such work, and should estab-
2 lish a headquarters.

3 (b) DETAIL OF PERSONNEL.—The Secretary is au-
4 thorized to detail on a nonreimbursable basis any em-
5 ployee of the Department of State to any permanent secre-
6 tariat of the Community of Democracies or to any country
7 that is a member of the Convening Group of the Commu-
8 nity of Democracies.

9 (c) SENSE OF CONGRESS REGARDING REGIONAL
10 GROUP IN THE COMMUNITY OF DEMOCRACIES.—It is the
11 sense of Congress that regional groups within the Commu-
12 nity of Democracies should be established and strength-
13 ened in order to facilitate coordination of common posi-
14 tions and action on multilateral strategies to promote and
15 consolidate democracy.

16 (d) INTERNATIONAL CENTER FOR DEMOCRATIC
17 TRANSITION.—

18 (1) SENSE OF CONGRESS.—It is the sense of
19 Congress that the United States should, along with
20 contributions from private individuals, support the
21 initiative of the Government of Hungary and the
22 governments of other European countries to estab-
23 lish a International Center for Democratic Transi-
24 tion to support transitions to full democracy in non-

1 democratic countries and democratic transition
2 countries.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated for a grant
5 to the International Center for Democratic Transi-
6 tion \$1,000,000 for each of fiscal years 2008, 2009,
7 and 2010. Amounts appropriated under this para-
8 graph are authorized to remain available until ex-
9 pended.

10 (e) SENSE OF CONGRESS REGARDING ESTABLISH-
11 MENT OF OFFICE.—It is the sense of Congress that the
12 Secretary should establish an office of multilateral democ-
13 racy promotion to address issues related to the Commu-
14 nity of Democracies and democracy promotion activities
15 in international organizations, such as the United Nations.

16 **SEC. 203. INITIATIVES AT THE UNITED NATIONS.**

17 (a) UNITED NATIONS DEMOCRACY CAUCUS.—It is
18 the sense of Congress that the United States should con-
19 tinue to support a Democracy Caucus at the United Na-
20 tions and that the creation of a Democracy Caucus in each
21 international organization and multilateral institution of
22 which the United States is a member will not only improve
23 the internal governance of such organizations and institu-
24 tions but will also strengthen the implementation of com-

1 mitments by such organizations and institutions regarding
2 democracy and human rights.

3 (b) UNITED NATIONS DEMOCRACY FUND.—

4 (1) SENSE OF CONGRESS.—It is the sense of
5 Congress that the United States should continue to
6 contribute to and work with other countries to en-
7 hance the goals and work of the United Nations De-
8 mocracy Fund.

9 (2) AUTHORIZATION OF APPROPRIATIONS.—

10 There are authorized to be appropriated for each of
11 fiscal years 2008 and 2009 such sums as may be
12 necessary to provide for a United States contribution
13 to the United Nations Democracy Fund.

14 **TITLE III—FUNDING FOR**
15 **PROMOTION OF DEMOCRACY**

16 **SEC. 301. POLICY.**

17 It shall be the policy of the United States to provide
18 financial assistance to eligible entities and eligible individ-
19 uals in order to promote democracy in nondemocratic
20 countries and democratic transition countries.

21 **SEC. 302. HUMAN RIGHTS AND DEMOCRACY FUND.**

22 (a) SENSE OF CONGRESS REGARDING PURPOSES OF
23 THE HUMAN RIGHTS AND DEMOCRACY FUND.—It is the
24 sense of Congress that the Human Rights and Democracy
25 Fund should continue to be used for innovative approaches

1 to promoting democracy and human rights and to support
2 strategies developed pursuant to section 116 of the For-
3 eign Assistance Act of 1961, as amended by section
4 102(a)(1)(C) of this Act, in nondemocratic countries and
5 democratic transition countries.

6 (b) ADMINISTRATIVE AUTHORITIES.—Assistance
7 provided through the Human Rights and Democracy Fund
8 may be provided to eligible entities and eligible individuals
9 in foreign countries, notwithstanding any provision of law
10 that prohibits assistance to a foreign country or to a gov-
11 ernment of a foreign country.

12 (c) ANNUAL REPORT ON THE STATUS OF THE
13 HUMAN RIGHTS AND DEMOCRACY FUND.—Not later than
14 60 days after the conclusion of each fiscal year, the Assist-
15 ant Secretary of State for Democracy, Human Rights, and
16 Labor shall submit to the appropriate congressional com-
17 mittees an annual report on the status of the Human
18 Rights and Democracy Fund. Each such annual report
19 shall contain the following information:

20 (1) An identification of each eligible entity and
21 eligible individual who received assistance during the
22 previous fiscal year under subsection (b) and a sum-
23 mary of the activities of each such recipient.

1 (2) An account of projects funded and outside
2 contributions received during the previous fiscal
3 year.

4 (3) A balance sheet of income and outlays cur-
5 rent as of the conclusion of the fiscal year to which
6 such report is relevant.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—Of the funds available to
9 carry out chapter 4 of Part II of the Foreign Assist-
10 ance Act of 1961 for each of fiscal years 2008 and
11 2009, there are authorized to be appropriated to the
12 Human Rights and Democracy Fund to carry out
13 the purposes of this section \$50,000,000 for fiscal
14 year 2008 and \$60,000,000 for fiscal year 2009.
15 Amounts appropriated under this section are author-
16 ized to remain available until expended.

17 (2) ADMINISTRATIVE EXPENSES.—Not more
18 than five percent of amounts appropriated to the
19 Human Rights and Democracy Fund for each fiscal
20 year may be applied toward administrative expenses
21 associated with carrying out this section.

22 (3) CONTRIBUTIONS.—The Secretary may ac-
23 cept contributions to the Human Rights and Democ-
24 racy Fund from the governments of other demo-
25 cratic countries, private foundations, private citizens,

1 and other nongovernmental sources. Any such con-
2 tributions shall be merged into such Fund and shall
3 be available to the same extent and under the same
4 conditions as other amounts available to the Fund.

5 **SEC. 303. INSTRUMENTS FOR PROVIDING DEMOCRACY AS-**
6 **SISTANCE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Democracy assistance has many different
9 forms, including assistance to promote the rule of
10 law, build the capacity of civil society, political par-
11 ties, and legislatures, improve the independence of
12 the media and the judiciary, enhance independent
13 auditing functions, and advance security sector re-
14 form.

15 (2) Assistance through United States non-gov-
16 ernmental organizations in the form of grants and
17 cooperative agreements can play a key role in that
18 such organizations frequently have long-standing re-
19 lationships with individuals and nongovernmental or-
20 ganizations that support democratic principles, prac-
21 tices, and values in foreign countries, and have other
22 means that enable them to foster those relationships,
23 and allow assistance to be provided without direct
24 government involvement that could undermine the

1 purpose of such assistance (by, for example, creating
2 an appearance of outside interference).

3 (3) Contracts and other acquisition mecha-
4 nisms, because of their more direct association with
5 and control by the United States Government, may
6 not be as effective as non-governmental organiza-
7 tions in working to build the political capacity of
8 civil society, political parties, and legislatures, but
9 have an appropriate role to play in providing certain
10 technical solutions and related assistance in such
11 areas as fostering independence of the judiciary, pro-
12 viding modern infrastructures for parliaments, in-
13 creasing capacity of executive auditing functions,
14 and working in other government-to-government
15 areas where the involvement of United States offi-
16 cials and employees is appropriate.

17 (4) There is a need for greater clarity on the
18 proper roles for such methods in order to improve
19 the effectiveness of United States democracy assist-
20 ance.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the Secretary and the Administrator of the
23 United States Agency for International Development
24 should develop guidelines, in consultation with the appro-
25 priate congressional committees, building on the existing

1 framework for grants, cooperative agreements, and con-
2 tracts and other acquisition mechanisms to clarify for dip-
3 lomatic and consular missions abroad the appropriate
4 roles for the methods referred to in subsection (a) with
5 respect to democracy assistance, including taking into ac-
6 count the advantages of each such method.

7 **TITLE IV—PRESIDENTIAL** 8 **ACTIONS**

9 **SEC. 401. INVESTIGATION OF VIOLATIONS OF INTER-** 10 **NATIONAL HUMANITARIAN LAW.**

11 (a) IN GENERAL.—The President, with the assist-
12 ance of the Secretary, the Under Secretary of State for
13 Democracy and Global Affairs, and the Ambassador-at-
14 Large for War Crimes Issues, shall collect information re-
15 garding incidents that may constitute crimes against hu-
16 manity, genocide, slavery, or other violations of inter-
17 national humanitarian law by leaders or other government
18 officials of nondemocratic countries or democratic transi-
19 tion countries.

20 (b) ACCOUNTABILITY.—The President shall consider
21 what actions can be taken to ensure that such leaders or
22 other government officials of foreign countries who are
23 identified in accordance with subsection (a) as responsible
24 for crimes against humanity, genocide, slavery, or other
25 violations of international humanitarian law are brought

1 to account for such crimes in an appropriately constituted
2 tribunal, including enhancing the capacity of United
3 States diplomatic missions to implement restrictions on
4 assistance to individuals or entities, including military
5 units, that commit gross violations of human rights, such
6 as through training on the use of existing databases for
7 documenting and monitoring such violations.

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