

1 FAM 510

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

(DRL)

(TL:ORG-117; 09-27-2002)

1 FAM 511 ASSISTANT SECRETARY FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR

1 FAM 511.1 Responsibilities

(TL:ORG-117; 09-27-2002)

The Assistant Secretary:

(1) Reports directly to the Under Secretary for Global Affairs (G), and through that Office, to the Deputy Secretary and the Secretary;

(2) Formulates and implements policies and proposals and provides policy counsel at decision-making levels on matters relating to the integration of democracy, human rights, and labor affairs into U.S. foreign policy. This includes general oversight of the following:

(a) Formulating U.S. Government policy on Democracy, Human Rights, and Labor;

(b) Developing country-specific strategies for promoting democracy, human rights, and labor by drawing on the resources of all Mission elements;

(c) Gathering detailed information on democratization efforts, humanitarian affairs and on the observance of and respect for human and worker rights outside the United States;

(d) Preparing statements and reports required by Congress pertaining to human/worker rights practices in foreign countries and on the effectiveness of U.S. Government democracy programs;

(e) Preparing, upon Congressional request, reports on specific countries regarding policies and practices based on race, religion, national origin, or gender;

(f) Strengthening the United Nations human rights mechanisms; and

(g) Managing democracy, human rights, labor and rule of law programs throughout the world.

(3) Directs, analyzes, and evaluates issues associated with these matters. With available Bureau staff and other resources, *the Assistant Secretary* sets priorities, and allocates/shifts resources toward *the Bureau's* highest priorities. *He or she* coordinates with his or her immediate supervisor, the Under Secretary for Global Affairs, other bureaus, agencies, and private groups regarding division of responsibilities. *He or she* advises the Secretary on considerations relating to the development and implementation of relevant policies and programs. *The Assistant Secretary* ensures that such activities are designed and implemented in a manner which furthers overall U.S. foreign policy objectives;

(4) Is the focal point for liaison with other U.S. Government departments and agencies in the areas or fields for which the Bureau is responsible. *He or she* provides foreign policy guidance and coordination to organizations concerned with relevant Bureau programs, and to the U.S. private sector. *He or she* makes recommendations to the Secretary and to the Administrator of the Agency for International Development (AID) regarding compliance with Sections 116 and 502B of the Foreign Assistance Act of 1961, as amended. *The Assistant Secretary* advises the AID Administrator on the selection and implementation of such projects;

(5) Represents the Department in international negotiations and on interagency policy groups and committees regarding matters falling within the Bureau's responsibilities. This responsibility includes taking a lead role in the National Security Council Interagency Working Group on compliance with International Human Rights Instruments, and participating in U.S. delegations to international conferences, which concern the functions of the Bureau. *He or she* develops substantive positions and strategies in dealing with such matters in international organizations as they work toward defusing conflicts and promoting a common core of democratic values. Pursuant to delegated authority, *the Assistant Secretary* negotiates and concludes bilateral and multilateral agreements in areas of Bureau responsibility;

(6) Provides overall coordination and management of the Bureau. In coordination with the central management, *he or she* actively participates in the selection and recruitment of personnel to carry out the Department's responsibilities in the areas of democracy, human rights, and labor. In coordination with the geographic bureaus and central management, *the Assistant Secretary* recommends the assignment of labor officers to U.S. missions. As appropriate, *he or she* selects personnel to be accredited to international conferences and meetings related to the functional responsibilities of the Bureau; and

(7) Has substantive and coordinating responsibility for 1 FAM 510 *Bureau of Democracy, Human Rights, and Labor (DRL)*.

1 FAM 511.2 Organization

(TL:ORG-117; 09-27-2002)

An organization chart of DRL is found in 1 FAM 511 Exhibit 511.2.

1 FAM 511.3 Definitions

(TL:ORG-117; 09-27-2002)

Rule of Law efforts are activities directed toward creating stable legal and political environments and permitting the operation of market-based democracies. Such activities include assistance in drafting and analyzing constitutions, laws, and regulations; strengthening legislative, administrative, and judicial institutions; and in the administration of justice and commercial and criminal law.

1 FAM 511.4 Authorities

(TL:ORG-117; 09-27-2002)

The authorities cited for this subchapter are:

(1) Section 161(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, amended the State Department Basic Authorities Act (22 U.S.C. 2651 a (c)(2)) to reorganize the Bureau of Human Rights and Humanitarian Affairs into the Bureau of Democracy, Human Rights, and Labor. To the basic authority giving responsibilities for human rights and humanitarian affairs, the reorganization added the responsibilities for matters relating to democracy and labor affairs. Section 162 (e) amended the Foreign Assistance Act of 1961 to reflect these changes;

(2) Section 1(c)(2) of the State Department Basic Authorities Act, vests in the Assistant Secretary overall policy responsibility for the creation of U.S. Government human rights policy;

(3) Sections 116 and 502B of the Foreign Assistance Act of 1961, as amended, mandates that the Assistant Secretary is consulted on development assistance or security assistance programs. Section 116(e) authorized the President to use at least \$3 million annually to carry out programs to promote increased adherence to civil and political rights as set forth in the Universal Declaration of Human Rights. This money is unofficially referred to as the Human Rights and Democracy Fund;

(4) Title 8 of the Code of Federal Regulations, part 208, requires the Department of Justice to provide the Department of State an opportunity to provide factual information related to applications for asylum in the United States;

(5) Sections 116 and 502B of the Foreign Assistance Act of 1961, as amended, mandate the annual Country Reports on Human Rights Practices;

(6) Section 505(c) of the 1974 Trade Act, as amended, mandates an annual report on worker rights practices, which is met by the inclusion of a worker rights section in the annual Country Reports;

(7) Section 502B of the Foreign Assistance Act of 1961, as amended (Generalized System of Preferences (GSP), sections 231 A and 239(I) of the Foreign Assistance Act (Overseas Private Investment Corporation (OPIC), and other authorizing legislation attach worker rights conditionality to concessionary trade and assistance benefits to developing countries;

(8) Section 534(b)(6) of the Foreign Assistance Act (22 U.S.C. 2346(c)) authorizes activities to strengthen respect for the rule of law and internationally recognized human rights as part of the Administration of Justice Program in Latin America and the Caribbean. Title II of the Freedom for Russia and Emerging Democracies and Open Markets Act (Freedom Support Act) of 1992 (*Public Law 102-511*) added a new section (section 498) to the Foreign Assistance Act which serves as the basic authorization for NIS assistance, including rule of law efforts;

(9) Section 101(a) of the International Religious Freedom Act, 1998, establishes within the Departments of State "an Office of International Religious Freedom that shall be headed by the Ambassador-at-Large for International Religious Freedom." The Ambassador also serves as a principal adviser to the President and the Secretary of State. The Act directs the Secretary to "provide the Ambassador-at-Large with such funds as may be necessary for the hiring of staff for the Office, for the conduct of investigations by the Office, and for necessary travel to carry out the provisions" of the Act; *and*

(10) Other authorities, as appropriate.

1 FAM 512 PRINCIPAL DEPUTY ASSISTANT SECRETARY (DRL/PDAS)

(TL:ORG-117; 09-27-2002)

The Principal Deputy Assistant Secretary:

(1) Advises on policy formulation and action of all matters relating to international human rights. *He or she* leads the Department's efforts to hold human rights violators accountable for their actions. *He or she* coordinates the preparation of the annual Country Reports on Human Rights Practices and the submission of the Report to the Department of Justice of factual information relating to requests for asylum. *He or she* coordinates policy with *other* U.S. Government departments and agencies. *He or she* meets with Congress, international and nongovernmental agencies, and the private sector to explain and build support for U.S. policy. *He or she* oversees U.S. Government compliance with directives, legislation, treaty, and international agreement obligations. *He or she* assesses and evaluates human rights developments and their effect on, or as they are affected by, U.S. foreign policy interest;

(2) As designated by the Assistant Secretary, negotiates treaties, conventions, and agreements in areas of responsibility. *He or she* participates in interagency negotiations and implementation efforts, multilateral organizations, bilateral commissions and representations to foreign governments, and at relevant international meetings; *and*

(3) Sets program goals and objectives, and monitors and directs use of staff and other resources to achieve bureau priorities. *The Principal Deputy Assistant Secretary* supervises the work of the Offices of:

- (a) Country Reports and Asylum (CRA);
- (b) Multilateral Affairs (MLA); and
- (c) The Executive Director (OES-DRL/EX).

1 FAM 513 DEPUTY ASSISTANT SECRETARY (DRL/DAS)

(TL:ORG-117; 09-27-2002)

The Deputy Assistant Secretary:

(1) Sets program goals and objectives, and monitors and directs *the* use of staff and other resources to achieve Bureau priorities. *He or she* supervises the Offices of:

- (a) International Religious Freedom (IRF); and
- (b) International Labor *Affairs* (IL).

(2) At the Assistant Secretary's direction, develops policy on human rights and clears issues throughout the world;

(3) Coordinates policy with other *U.S. Government* departments and agencies, and provides policy guidance to regional bureaus and embassies abroad. He or she meets with Congress, international and non-governmental organizations, and the private sector to explain and build support for U.S. policy. He or she advises on policy formulation and action dealing with corporate responsibility;

(4) As designated by the Assistant Secretary, negotiates treaties, conventions, and agreements in areas of responsibility. *He or she* participates in interagency negotiations and implementation efforts. *He or she* participates in bilateral commissions and representations to foreign governments, and at relevant international meetings.

(5) Maintains a special relationship with the Secretary's special advisor on International Labor Affairs and his *or her* office.

1 FAM 514 SENIOR ADVISOR FOR STRATEGIC PLANNING AND EXTERNAL AFFAIRS

(*TL:ORG-117; 09-27-2002*)

The Senior Advisor for Strategic Planning and External Affairs:

(1) *Is* responsible for outreach to non-governmental organizations (NGOs) on Bureau and *the* Administration's policy priorities in the *United States* and at international conferences. *He or she* develops NGO briefings and other programs with senior Department principals and DRL staff;

(2) Reviews cohesive policy recommendations and strategies on highly visible issues of democracy, human rights and/or labor;

(3) Keeps the Assistant Secretary, Principal Deputy Assistant Secretary and the Deputy Assistant Secretaries apprised of democracy, human rights, and labor affairs concerning DRL strategies; *and*

(4) Supervises the Office of Strategic Planning and External Affairs (DRL/SEA).

1 FAM 515 SENIOR COORDINATOR FOR DEMOCRACY AND HUMAN RIGHTS PROMOTION

(TL:ORG-117; 09-27-2002)

The Senior Coordinator for Democracy and Human Rights Promotion:

(1) Provides overall inter-agency policy direction and programmatic coordination for all forms of *U.S. Government* activities promoting democracy and human rights. *He or she* advises the Secretary's Office of Resources, Plans and Policy on the allocation of democracy and human rights promotion funds. *He or she* provides guidance to the missions, regional bureaus, and other agencies on the formulation and implementation of country-level democracy and human rights strategies;

(2) As designated by the Assistant Secretary, negotiates treaties, conventions, and agreements in the areas of democracy and human rights. *He or she* participates in interagency negotiations and implementation efforts, multilateral organizations, bilateral commissions, and representations to foreign governments, and at relevant international meetings.

(3) Meets with Congress, international and non-governmental organizations, and the private sector to explain and build support for U.S. policy and programs;

(4) Has responsibility for liaison with the Office of the Coordinator for U.S. assistance to NIS (S/NIS/C) and the Office of Eastern European Assistance (EUR/EEA); and with USAID, DOJ, DOD and the Broadcasting Board of Governors, and other agencies involved in promoting democracy.

(5) Sets program goals and objectives, and monitors and directs the use of staff and other resources to achieve Bureau priorities. *He or she* supervises the work of the Office for the Promotion of Human Rights and Democracy (DRL/PHD).

1 FAM 516 EXECUTIVE DIRECTOR (OES-DRL/EX)

(TL:ORG-117; 09-27-2002)

The Executive Director of OES also supports DRL. See 1 FAM 545 for the services provided to DRL by OES-DRL/EX.

1 FAM 517 BUREAU OFFICES

1 FAM 517.1 Office of International Religious Freedom (DRL/IRF)

(TL:ORG-117; 09-27-2002)

The Office of International Religious Freedom (DRL/IRF):

(1) Supports the Ambassador-at-Large for International Religious Freedom, a position established by law. This Office is the principal advisor to the President and the Secretary of State on international religious freedom policy;

(2) Develops and implements U.S. policy on religious freedom abroad. This Office travels to key countries to meet with U.S. Government officials and non U.S. Government officials (NGOs); the office participates in public meetings, conferences and media events on international religious freedom issues;

(3) Is responsible for integrating religious freedom into the mainstream of U.S. foreign policy. This Office oversees development by the Foreign Service Institute (FSI), the Bureau of Consular Affairs (CA), the Bureau of Population, Refugees, and Migration (PRM) and the Immigration and Naturalization Service (INS) of U.S. policies to train U.S. Foreign Service officers, as well as refugee, asylum and immigration officials, on religious freedom issues;

(4) Monitors religious discrimination and persecution worldwide; by law, meets with NGOs, human rights and religious groups in the United States as well as abroad; and

(5) Is responsible for the legally mandated Annual Report on International Religious Freedom, covering 194 countries. The Office is responsible for recommending to the Secretary (as President's designee) "countries of particular concern" based on the report.

1 FAM 517.2 Office of Strategic Planning and External Affairs (DRL/SEA)

(TL:ORG-117; 09-27-2002)

The Office of Strategic Planning and External Affairs (DRL/SEA):

(1) *Supports the Assistant Secretary, Principal Deputy Assistant Secretary, Deputy Assistant Secretary, Senior Coordinator, Ambassador-at-Large, and Special Representative by providing concrete strategic planning support for all programming;*

(2) *Oversees the compilation and writing of the annual Bureau Performance Plan and the annual strategic planning presentation to the Secretary and/or the corporate board;*

(3) *Coordinates strategies and plans to influence key U.S. groups and opinion leaders on Bureau objectives. DRL/SEA serves as the Bureau liaison with members of Congress and their staffs, print and broadcast media, and non-governmental organizations;*

(4) *Coordinates preparation of all Bureau public documents, including speeches, presentation, press guidance, opinion-editorials, and Web content; and*

(5) *Formulates and implements public diplomacy strategies and plans to influence key foreign groups and opinion leaders on Bureau policy.*

1 FAM 517.3 Office of Country Reports and Asylum Affairs (DRL/CRA)

(TL:ORG-117; 09-27-2002)

The Office of Country Reports and Asylum Affairs (DRL/CRA):

(1) *Edits, revises, and prepares the annual Country Reports on Human Rights Practices (mandated by sections 116(d) and 502(b) of the Foreign Assistance Act of 1961, as amended, and the Trade Act of 1974, as amended) for submission to Congress;*

(2) *Helps the IRF Office to edit, revise, and prepare for submission to Congress the annual report on International Religious Freedom mandated by section 102(b) of the International Religious Freedom Act of 1998;*

(3) *Provides factual information relating to requests for asylum in the United States; and*

(4) *Prepares profiles of asylum claims and country conditions, as well as individual communications, for use by Department of Justice asylum adjudicators.*

1 FAM 517.4 Office of Multilateral Affairs (DRL/MLA)

(TL ORG-117; 09-27-2002)

The Office of Multilateral Affairs (DRL/MLA):

(1) *Formulates and implements U.S. Government human rights, religious freedom, and democracy policies in multilateral organizations, including the UN Commission on Human Rights (UNCHR); the General Assembly; the Office of the UN High Commissioner for Human Rights; the Organization for Security and Cooperation in Europe (OSCE); the European Union; the Council of Europe and the International Committee of the Red Cross;*

(2) *Anticipates emerging human rights issues and working with other bureaus and agencies; takes the lead in developing policy options and approaches to governments with widely differing interests; and negotiates strategies to achieve U.S. goals in multilateral fora;*

(3) *Coordinates with the UN High Commissioner for Human Rights, the OSCE; Office for Democratic Institutions and Human Rights (ODIHR), and the council of Europe;*

(4) *Takes the lead in developing appropriate multilateral response to human rights emergencies; and*

(5) *Directs DRL processing of munitions control requests.*

1 FAM 517.5 Office of International Labor Affairs (DRL/IL)

(TL:ORG-117; 09-27-2002)

The Office of International Labor Affairs (DRL/IL):

(1) *Supports the Special Representative for Diplomacy in fulfilling his or her responsibilities to advise the Secretary and his or her senior staff regarding the U.S. Government's international labor diplomacy;*

(2) *Coordinates support for the Advisory Committee on Labor Diplomacy;*

(3) *Advises the Bureau's Assistant Secretary and others as directed by the Assistant Secretary, regarding policies and initiatives promoting core worker rights, specifically, the four "fundamental rights" identified by the International Labor Organization;*

(4) *Ensures appropriate application of U.S. laws, regulations and policy on international labor standards in bilateral relations and in relations between the U.S. Government and international organizations;*

(5) *Initiates and advises policy approaches promoting the rights and interests of workers in the global economy;*

(6) *Encourages U.S. firms to adopt best practices, to include respect of core worker rights, in their operations abroad;*

(7) *Coordinates with other U.S. Government offices and agencies in supervision of and provision for field support to labor officers abroad; and*

h. Supports the Bureau's outreach efforts, including liaison with Congress, trade unions, the media and NGOs.

1 FAM 517.6 Office for the Promotion of Human Rights and Democracy (DRL/PHD)

(TL:ORG-117; 09-27-2002)

The Office for the Promotion of Human Rights and Democracy (DRL/PHD):

(1) *Develops and implements policy on human rights and democracy for all countries of the world. It formulates approaches and strategies to advance human rights and democracy, including country strategies;*

(2) *Provides policy guidance to regional bureaus and U.S. embassies abroad. The Office ensures that U.S. human rights policies and issues of concern are taken adequately into account in all bilateral relationships and are considered in decisions to provide U.S. military training and security assistance;*

(3) *Continuously monitors worldwide observance of human rights, democracy and fundamental freedoms. The Office participates in preparation of the annual State Department Country Report on Human Rights Practices;*

(4) *Provides guidance and policy recommendations to other bureaus and agencies during any congressionally mandated review process on proposed arms sales or other foreign policy activities which require determination of a foreign nation's compliance with human rights standards;*

(5) *Interacts with foreign government officials to highlight U.S. human rights concerns and build support for human rights, democracy, and fundamental freedoms;*

(6) *Meets with Congress, other agencies, the NGO community, and the private sector to explain and build support for U.S. human rights and democratic policy;*

(7) *Formulates bilateral policies and approaches on thematic human rights issues including women's human rights, torture, freedom of the press, human rights and the environment;*

(8) *Furnishes country specific expertise on human rights practices to other offices within DRL to assist them in the performance of their designated responsibilities;*

(9) *Provides inter-agency guidance on democracy promotion policy and programs;*

(10) *Reviews the democracy promotion strategies of key missions; ensures that these missions devote sufficient resources to implement their democracy strategies; and coordinates the democracy programming of the various foreign affairs agencies operating in these missions;*

(11) *Manages the Human Rights and Democracy Fund. The Office provides input to regional bureaus using economic support funds for promoting democracy in the AF, EAP, NEA, SA, and WHA regions and provides input to EUR and S/NIS when programming the democracy promotion funds within the SEED and FSA budgets; and*

(12) *Administers democracy and human rights grants programs arising from either the above funds or Congressional mandates including (but not limited to) programs in Burma, Iraq, China, Cambodia, and the states of the former Yugoslavia.*

1 FAM 518 AND 519 UNASSIGNED

1 FAM 511 Exhibit 511.2 BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR (DRL)

(TL:ORG-117; 09-27-2002)

