FORMAL RECOMMENDATION TO THE U.S. DEPARTMENT OF STATE AND U.S. DEPARTMENT OF THE TREASURY RECOMMENDING SANCTIONS AGAINST

[NAME PERPETRATORS IF THREE OR LESS, DESCRIBE IF MORE]

FOR INVOLVEMENT IN [SERIOUS HUMAN RIGHTS ABUSE AND/OR CORRUPTION] IN [COUNTRY]

THIS RECOMMENDATION IS MADE UNDER:

THE GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT
AS IMPLEMENTED BY EXECUTIVE ORDER 13818

[AND/OR]

§7031(C) OF THE ANNUAL DEPARTMENT OF STATE APPROPRIATIONS ACT

RECOMMENDATION PREPARED BY
[NGO Name]

POINT OF CONTACT REGARDING RECOMMENDATION
[Name of NGO POC]
[Email of NGO POC]
[Phone Number of NGO POC]

DATE OF SUBMISSION
[MONTH XX, XXXX]

FOREIGN JURISDICTION SANCTIONS RECOMMENDATION FOR U.S. CONSIDERATION

Civil society groups that have submitted sanctions recommendations to the UK, EU, or Canada and that would like to submit the same recommendation file to the U.S. government may use this template to prepare a "cover letter" for the original file to explain why the named perpetrators may also qualify for U.S. sanctions. This template outlines the key information that should be included to briefly explain to U.S. government officials the individuals and/or entities recommended for sanctions, the relevant abuses that those persons were involved in, and the targeted sanctions program(s) and specific provisions that may apply to each person. Text that is italicized in the template below should be updated with the information relevant for the specific recommendation.

TEMPLATE

The attached sanctions recommendation (Annex 1) is submitted for consideration under the *[Global Magnitsky sanctions program / Executive Order 13818, Section 7031(c), other U.S. sanctions program]*. This file has previously been submitted to *[the UK Foreign, Commonwealth and Development Office / the European External Action Service / Global Affairs Canada]* for action under *[insert relevant non-U.S. law(s) or regulations]. [If any of these jurisdictions have imposed sanctions on the named perpetrators, note that here with a footnote to the hyperlink announcing the designation.]*

This file recommends *[number of individuals / number of entities]* for sanctions and/or visa restrictions for their involvement in *[serious human rights abuse and/or corruption]* in *[Country]. [Include 2-3 sentence summary of the type of abuses perpetrated and by whom (i.e., the summary of evidence).]*

These abuses constitute sanctionable conduct under the standards set forth in the *[Global Magnitsky sanctions program / Executive Order 13818, Section 7031(c), other sanctions program]*. Annex 1 describes how the perpetrators are considered sanctionable in *[jurisdiction where file was previously submitted]* for their involvement in *[type of abuse]*. The same facts that support that conclusion also support sanctioning these perpetrators under the above-named U.S. sanctions programs for their involvement in *[type of abuse]. [i.e., this paragraph explains why the **abuses** are sanctionable conduct under U.S. law too]*

The following *[individuals / entities]* are recommended for sanctions on the basis of the following provisions of the applicable sanctions programs: *[i.e., this list explains how the **perpetrators** are sanctionable under U.S. law too]*

- **[Name of Perpetrator 1], [Title]**
  - Section (number) of Executive Order 13818
  - For being a "current or former government official" involved in ["gross human rights violations" or "significant corruption"] under Section 7031(c)
- **[Name of Perpetrator 2], [Title]**
  - Section (number) of Executive Order 13818
  - For being a "current or former government official" involved in ["gross human rights violations" or "significant corruption"] under Section 7031(c)

Imposing sanctions on the recommended *[individuals / entities]* would advance U.S. interests and likely have a positive impact. *[Include any U.S.-specific interests or connections to the situation, i.e., what the U.S. national interest is in imposing these sanctions. This may include, but is not limited to, the perpetrators' connections to the U.S.; U.S. support for or connections to the entities carrying out the abuses; past U.S. engagement on the issue or interest in deterring the behavior; upcoming and/or ongoing diplomatic engagements; notable dates, anniversaries, or events related to the issue; etc.]*

SAMPLE TEXT

The attached sanctions recommendation (Annex 1) is submitted for consideration under the Global Magnitsky sanctions program / Executive Order 13818 and Section 7031(c). This file has previously been submitted to the UK Foreign, Commonwealth and Development Office for action under the UK's Global Human Rights Sanctions Regulations 2020. On May 1, 2023, the UK imposed sanctions on one of the named perpetrators in this file, **Colonel Edward Doe**, following receipt of this recommendation.[1]

This file recommends two individuals for sanctions, **Colonel John Smith** (**Smith**) and **Colonel Edward Doe** (**Doe**) for their involvement in serious human rights abuses in Generica perpetrated by officials under their command within the Generica Security Service (GSS). GSS operates a network of torture facilities, in which GSS officers regularly subject detainees to various forms of torture in order to extract confessions that are used in sham trials to convict detainees on trumped up charges. The GSS' torture practices include: severe beatings, sleep deprivation, starvation, prolonged detention in stress positions, exposure to extreme cold and heat, sexual violence, and electric shock.

These abuses constitute sanctionable conduct under the standards set forth in Executive Order 13818 and Section 7031(c). As described in Annex 1, the perpetrators are considered sanctionable in the UK for their involvement in serious human rights violations, including the right to be free from torture and other ill treatment. The same facts that support that conclusion also support sanctioning these perpetrators under the above-named U.S. sanctions programs for their involvement in torture that constitutes both "gross violations of human rights" and "serious human rights abuse."

The following two individuals are recommended for sanctions on the basis of the following provisions of the applicable sanctions programs:

- **Colonel John Smith, Director-General of Ministry of Security**
    - o For being a "leader or official" of "an entity, including any government entity, that has engaged in or whose members have engaged in" serious human rights abuse, under Section 1(a)(ii)(C)(1) of Executive Order 13818
    - o For being a "current or former government official" involved in "gross human rights violations" under Section 7031(c)
- **Colonel Edward Doe, Director of Criminal Interrogation**

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[1] Announcement of Sanctions against Colonel Edward Doe, UK Foreign, Commonwealth and Development Office, May 1, 2023, [link].

- o For being a "leader or official" of "an entity, including any government entity, that has engaged in or whose members have engaged in" serious human rights abuse, under Section 1(a)(ii)(C)(1) of Executive Order 13818
- o For being a "current or former government official" involved in "gross human rights violations" under Section 7031(c)

Imposing sanctions on the recommended individuals would advance U.S. interests and foreign policy priorities and likely have a positive impact. The widespread and systematic use of torture within Generica's Ministry of Security has complicated U.S. efforts to coordinate with Generica on regional security initiatives.[2] U.S. sanctions would send a direct and clear message to Generica that reform of the GSS and accountability are needed before the U.S. could consider future cooperation. Moreover, there are clear ties between the two named perpetrators and the U.S., as both have participated in multiple trainings and events hosted by the U.S. government. Sanctions could therefore have a more direct impact on these individuals, and send a deterrent message to more junior officers in their chain of command.

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[2] Source [link].