

119TH CONGRESS
1ST SESSION

S. RES. _____

Requesting information on the Kingdom of Eswatini's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

IN THE SENATE OF THE UNITED STATES

Mr. KAINE submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Requesting information on the Kingdom of Eswatini's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

1 *Resolved,*

2 **SECTION 1. REQUEST FOR INFORMATION ON ESWATINI'S**
3 **HUMAN RIGHTS PRACTICES.**

4 (a) STATEMENT REQUESTED.—The Senate requests
5 that the Secretary of State, not later than 30 days after
6 the date of the adoption of this resolution, submit to the
7 Committee on Foreign Relations of the Senate and the
8 Committee on Foreign Affairs of the House of Representa-
9 tives, pursuant to section 502B(c) of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2304(c)), a statement re-

1 garding the Kingdom of Eswatini’s human rights practices
2 that has been prepared in collaboration with the Assistant
3 Secretary of State for Democracy, Human Rights, and
4 Labor and the Office of the Legal Adviser at the Depart-
5 ment of State.

6 (b) ELEMENTS.—The statement submitted pursuant
7 to subsection (a) should include—

8 (1) all available credible information concerning
9 alleged violations of internationally recognized
10 human rights by the Government of Eswatini, in-
11 cluding—

12 (A) arbitrary and unlawful arrest, deten-
13 tion, imprisonment, torture and cruel or inhu-
14 mane treatment, including of people who are
15 not citizens of Eswatini but have been removed
16 to Eswatini by the United States Government;

17 (B) violations of due process rights, includ-
18 ing a description of any opportunity provided to
19 people who are not citizens of Eswatini but
20 have been removed to Eswatini by the United
21 States Government to demonstrate that they
22 have been wrongfully arrested, detained, or im-
23 prisoned;

24 (C) enforced disappearances and arbitrary
25 or unlawful killings, including extrajudicial

1 killings, including of people who are not citizens
2 of Eswatini but have been removed to Eswatini
3 by the United States Government;

4 (D) trafficking in persons, including forced
5 or slave labor, including of people who are not
6 citizens of Eswatini but have been removed to
7 Eswatini by the United States Government; and

8 (E) treatment of and legal rights and sta-
9 tus provided by the Government of Eswatini to
10 people in Eswatini who are not citizens of
11 Eswatini but have been removed to Eswatini by
12 the United States Government;

13 (2) a description of the steps the United States
14 Government has taken—

15 (A) to promote respect for and observance
16 of human rights as part of the Government of
17 Eswatini's activities;

18 (B) to discourage any practices that are
19 inimical to internationally recognized human
20 rights;

21 (C) to publicly or privately call attention
22 to, and disassociate the United States and any
23 security assistance provided for the Government
24 of Eswatini from, any practices described in
25 subparagraph (B); and

1 (D) to assess, prior to removal, how the
2 Government of Eswatini would treat people who
3 are not citizens of Eswatini but have been re-
4 moved to Eswatini by the United States Gov-
5 ernment, including—

6 (i) conducting individualized assess-
7 ments of such individuals to determine
8 whether the Government of Eswatini may
9 send that person to their country of origin
10 or last residence, and if so, whether the
11 Government of Eswatini would provide
12 them with meaningful opportunity before
13 their removal to show that they may be
14 persecuted, tortured, or otherwise harmed;
15 and

16 (ii) ensuring that the Government of
17 Eswatini would provide such individuals
18 with legal immigration status, should they
19 wish to remain in Eswatini, and would be
20 treated humanely; and

21 (3) other information, including—

22 (A) an assessment from the Secretary of
23 State of the likelihood that United States secu-
24 rity assistance (as defined in section 502B(d) of
25 the Foreign Assistance Act of 1961 (22 U.S.C.

1 2304(d))) provided to Eswatini could be used in
2 support of activities by government officials re-
3 lated to the rendition, trafficking, detention, or
4 imprisonment of people who are not citizens of
5 Eswatini but have been removed to Eswatini by
6 the United States Government;

7 (B) any analysis conducted by the United
8 States Government of the conditions to be faced
9 in Eswatini by people who are not citizens of
10 Eswatini but have been removed to Eswatini by
11 the United States Government, prior to the ren-
12 dition, removal, trafficking, detention, or im-
13 prisonment of such individuals to Eswatini;

14 (C) an assessment from the Secretary of
15 State of the conditions in any detention centers
16 or prisons in Eswatini that may hold people
17 who are not citizens of Eswatini but have been
18 removed to Eswatini by the United States Gov-
19 ernment, including an assessment of allegations
20 of torture and other gross violations of human
21 rights;

22 (D) a description of any actions that the
23 United States Government is taking to ensure
24 that the Government of Eswatini returns people
25 who are not citizens of Eswatini but have been

1 removed to Eswatini by the United States Gov-
2 ernment, in compliance with United States
3 court orders regarding their return to the
4 United States;

5 (E) a description of any actions that the
6 United States Government is taking to address
7 the risk of detention, torture, or forced dis-
8 appearances of people who are not citizens of
9 Eswatini but have been removed to Eswatini by
10 the United States Government, or efforts to fa-
11 cilitate the detention, torture, or forced dis-
12 appearances of such people;

13 (F) a description of any actions the United
14 States Government is taking to protect people
15 who are not citizens of Eswatini but are within
16 the United States' jurisdiction or effective con-
17 trol from unlawful rendering, trafficking, or
18 other means of removal to Eswatini;

19 (G) all information regarding any agree-
20 ment or financial transaction between the
21 United States Government and the Government
22 of Eswatini related to the rendition, removal,
23 trafficking, detention, or imprisonment of indi-
24 viduals who are not citizens of Eswatini but

1 have been removed to Eswatini by the United
2 States Government;

3 (H) all information regarding any individ-
4 uals sent to Eswatini by the United States Gov-
5 ernment in 2025;

6 (I) a description of any actions that the
7 United States Government is taking to facilitate
8 the release or return of people who are not citi-
9 zens of Eswatini but have been wrongfully re-
10 moved to Eswatini by the United States Gov-
11 ernment;

12 (J) all information regarding any assur-
13 ances the United States Government sought or
14 received regarding the treatment of people who
15 are not citizens of Eswatini but have been re-
16 moved to Eswatini by the United States Gov-
17 ernment, prior to the rendition, removal, or
18 trafficking of such individuals to Eswatini;

19 (K) all information regarding assurances
20 the United States Government sought or re-
21 ceived regarding the further rendition, traf-
22 ficking, removal, or transfer of people who are
23 not citizens of Eswatini, but have been removed
24 to Eswatini by the United States Government
25 to countries that are not Eswatini, including

1 the human rights conditions for such individ-
2 uals in those countries; and

3 (L) a summary of all meetings in 2025 be-
4 tween Government of Eswatini officials and
5 Washington-based officials of the United States
6 Government.