

ELIE WIESEL GENOCIDE AND ATROCITIES PREVENTION REPORT

The Trump Administration has made a steadfast commitment to prevent, mitigate, and respond to mass atrocities, and has set up a whole-of-Government interagency structure to support this commitment. The 2017 National Security Strategy states: "We will hold perpetrators of genocide and mass atrocities accountable." President Trump further reiterated the United States Government's commitment in his remarks at the United States Holocaust Memorial Museum in 2017, where he stated, "We will never, ever be silent in the face of evil again . . . and we pledge: never again."

President Donald J. Trump also signed into law the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law (P.L.) 115-441), hereafter referred to as "the Act," on January 14, 2019. The Act requires a report to Congress within 180 days, and annually thereafter for the following 6 years. The President is pleased to provide the Congress with the first interagency report in response to the Act, which includes information on actions undertaken during the past 6 months. Future reports will provide information regarding United States Government efforts on atrocity prevention, mitigation, and response, within the 12-month reporting period, including an analysis of the effectiveness of tools used.

Representatives from the following United States Government departments and agencies were involved in drafting this report: the White House; the Departments of State, the Treasury, Defense, Justice, and Homeland Security; the intelligence community (IC); and the United States Agency for International Development (USAID). The White House and departments and agencies also held consultations with representatives from civil society.

The United States Government's work on mass atrocities prevention complements other legislation and foreign policy priorities, such as the Women, Peace, and Security (WPS) Act of 2017 (P.L. 115-68) and the Iraq and Syria Genocide Relief and Accountability Act of 2018 (P.L. 115-300). When President Trump signed the first comprehensive WPS legislation in the world, he reaffirmed the commitment of the United States to the protection of women and girls from violence, and the inclusion of women as equal partners in preventing and responding to conflict. With this renewed commitment and the release of the President's WPS Strategy in June 2019, the United States Government reiterated

its support for the meaningful participation of women in the prevention and mitigation of mass atrocities.

I. Global Assessment

The Act states that the President, in consultation with relevant departments and agencies, shall submit annual reports to Congress, including a global assessment of ongoing atrocities and countries at risk of atrocities. Please refer to the classified annex for an overview and analysis of current countries that are experiencing or at risk of mass atrocities.

While United States domestic and international law do not define "mass atrocities," the global assessment provided in the classified annex interprets mass atrocities to include acts that can be characterized as war crimes, crimes against humanity, genocide, and ethnic cleansing (consistent with the Act). The assessment uses multiple, atrocity-specific indicators to identify the level of risk in a county. Examples of common indicators include: the presence of armed conflict; a history of mass atrocities; discrimination, polarization, and dehumanizing actions; persistent hostility or tension between communal or sectarian groups; political instability, such as mass protests against the state; state-sanctioned or tolerated violence and impunity; and ethnically polarized elites.

There is no single approach to measuring risk, and indicators must be adaptable to local contexts. The United States Government will continue to refine its early-warning models and data-collection methods to assess the risk of atrocities.

II. Multilateral and Other Diplomatic Engagement: Sharing Responsibilities and Best Practices

The United States Government will continue to engage with multilateral institutions, international organizations, and key regional organizations to enhance their capacity and participation in efforts to prevent, mitigate, and respond to atrocities. The United States Government will urge the international community and multilateral institutions to share responsibility and information, and to build further capacity to prevent, mitigate, and respond to mass atrocities.

The United States Government continues to engage with the international community, including the United Nations (UN), to assist and strengthen the documentation of recent atrocities in places like Burma. For example, the United States Government

provided publicly available satellite imagery and pertinent information to the Independent International Fact-Finding Mission on Burma, which aided in the investigation of atrocities and human-rights violations and abuses committed by the Burmese security forces after 2011. The Fact-Finding Mission on Burma and its subsequent follow-on mechanism, the "Independent Investigative Mechanism for Myanmar," have focused on pursuing justice and promoting accountability for human-rights violations and abuses in Burma.

The United States is a member of the Group of Friends on the Responsibility to Protect¹ (R2P) in New York and Geneva. United States Government representatives attended the May 2019 meeting of R2P Focal Points in Brussels and reaffirmed the United States commitment to atrocity prevention reflected in the Act. This meeting helped strengthen linkages between United States Government personnel and atrocity prevention professionals in these bodies.

The United States Government advances the atrocity prevention agenda in the UN System, including in bodies beyond the UN Security Council, through more robust engagement in the Third Committee of the UN General Assembly, whose work includes human-rights abuses and violations. For example, the United States Government raised concerns about early-warning signs of violence against civilians in Nicaragua and Venezuela in the Third Committee. In addition, the United States Government has leveraged the Universal Periodic Review (UPR), which takes place in the UN Human Rights Council, to make recommendations to address human-rights violations related to the freedoms of expression, peaceful assembly, and association.

The United States Government also participates in regular exchanges with like-minded countries to share information and develop joint actions to address the risk of atrocities. In a recent high-level meeting, the United States and like-minded countries identified joint action on several countries, including Cameroon and Burma. This resulted in a joint demarche to the African Union on Cameroon and the first cross-country effort to analyze and develop shared recommendations to mitigate the risk of additional atrocities in Burma. In the past year, the Departments of State and Defense have led joint discussions with their counterparts in like-minded countries on the

¹ The United States supports the 2005 World Summit outcome document in this context and believe that each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

intersection between preventing atrocities and the principles for the Protection of Civilians (PoC). The Departments of State and Defense continue to work on enhancing common standards for military operationalization of PoC, which is important for efforts to prevent atrocities. This ongoing dialogue is working toward shared definitions and concepts among the participating nations, as well as an avenue towards better operationalizing PoC.

III. Consultations with Civil Society

In May and June of 2019, the Department of State, USAID, and the White House held meetings with civil society to brief on the United States Government's work on atrocity prevention to exchange information on efforts to improve and strengthen existing atrocity prevention and response efforts. The United States Government provided updates on its atrocity prevention training efforts for personnel. Civil society provided feedback on how the United States Government could improve and strengthen atrocity prevention efforts (see Section IV).

The United States Government will continue to consult with civil society to improve United States Government atrocity prevention efforts. The preparation of future reports will include atrocity risk analysis and reporting, as well as input from civil society to improve United States Government policy and programming efforts to prevent and respond to atrocities.

IV. United States Government and Civil Society Recommendations to Improve Atrocity Prevention and Mitigation Efforts

The United States Government continues to refine its toolset and build institutional capacity to prevent, mitigate, and respond to atrocities. The White House has met with key civil society groups to discuss how to implement the Act to effectively prevent and respond to atrocities and shape priorities. Civil Society discussions emphasized the importance of:

- Improved use of data analytics, qualitative analysis, and intelligence reporting to enhance early warning and forecasting of atrocity risks;
- Standardized atrocity prevention training for United States Government personnel;
- Regular information-sharing and consultations with civil society; and
- Streamlining efforts to prevent and mitigate atrocities within existing interagency policy processes.

These recommendations will help inform the approach of the Atrocity Early Warning Task Force (mentioned below).

V. Efforts by the United States Government to Respond to Atrocities

The Atrocity Early Warning Task Force

The White House will lead the Atrocity Early Warning Task Force (formerly the Atrocity Prevention Board) to enhance United States Government's efforts to prevent, mitigate, and respond to atrocities, consistent with the Act. The Atrocity Early Warning Task Force (Task Force) will seek to accomplish the following:

- Monitor developments in atrocity risk globally to alert the interagency to early warning signs;
- Improve interagency coordination on the prevention, mitigation, and response to atrocities to address gaps and lessons-learned, while leveraging expertise from civil society; and
- Facilitate the development and implementation of policies to build the capacity of the United States Government to prevent, mitigate, and respond to atrocities.

The Task Force plans to convene relevant Federal departments and agencies at the working level 4 times a year and at the leadership level once a year. The Department of State Bureau of Conflict and Stabilization Operations (State/CSO) will serve as the Task Force's Secretariat. In addition to the meetings focused on the prevention, mitigation, and response to atrocities, the White House will further strengthen the integration of interagency experts on mass atrocities with regional and country decision-making bodies in the White House to eliminate duplication of effort and improve coordination at the policy-making level. The Task Force will produce an implementation plan to guide its activities, and host biannual roundtables with civil society.

Early Warning and Analysis of Risks

The United States Government will produce an annual global assessment to identify countries at risk of atrocities, as well as analyses of at-risk countries on an ongoing basis. In addition, State/CSO will continue to produce a quarterly, quantitative, global projection of atrocity risks, and in-depth qualitative analyses focused on high-risk countries as needed.

These country analyses use the Mass Atrocity Assessment Framework, jointly created by the Department of State and USAID, to identify potential pathways to atrocities, including an overview of perpetrators and their motives and means, target groups, influential third parties, underlying grievances, resiliencies against atrocities, and circumstances in which risk might be heightened or mitigated. To address atrocity risks that have been identified through these assessments, the Department of State will coordinate across departments and agencies to identify gaps in existing diplomatic and programmatic activities and form recommendations.

Funding and Programs

The United States Government uses foreign assistance as a critical tool to prevent, mitigate, and respond to atrocities. The Department of State and USAID fund atrocity prevention programs globally.

The Department of State's programming includes developing early warning and response systems that enable vulnerable communities to alert appropriate authorities to impending civilian security threats; training local community members to foster peaceful coexistence and to promote reconciliation within their communities; and documenting and preserving evidence of human rights violations and abuses to bolster current and future efforts to pursue truth, justice, and accountability. Department of State programming also funds efforts to increase the capacity of criminal-justice institutions and actors to mitigate violence and hold perpetrators accountable through the development and reforms of police forces; improved criminal investigative, prosecutorial, and judicial capacity; and the ability of civil society to liaise with, and monitor, the professionalism of criminal justice actors.

USAID's atrocity prevention efforts consist primarily of technical assistance to USAID Field Missions; the integration of the prevention of, response to, and recovery from atrocities in USAID's programming; and risk-assessments and analyses of atrocities. USAID's Field Guide, *Helping to Prevent Mass Atrocities*, provides lessons learned for prevention of atrocities, an overview of early warning signs; guidelines for USAID field officers to report on potential atrocities; and concrete ways (including past examples) that USAID programs address atrocity early warning signs, for the prevention of, the response to, and recovery from, atrocities. USAID integrates atrocity prevention into programs that advance the rule of law

and human rights, bolster civil society, strengthen and improve the legitimacy of government institutions, provide life-saving humanitarian assistance, and contribute to transitional justice and economic recovery in post-atrocity communities.

Economic, Financial, and Prosecutorial Tools

The United States Government leverages multiple economic, financial, and prosecutorial tools to promote accountability for atrocities.

The Department of the Treasury (Treasury) uses a range of economic and financial tools to prevent, combat, and deter atrocities and violations and abuses of human rights. As part of its prevention efforts, Treasury conducts extensive outreach to foreign governments, financial institutions, civil society organizations, and standard-setting bodies like the Financial Action Task Force (FATF) and FATF-style regional bodies. This outreach highlights the risks of illicit financing that involves human rights abuses and promotes relevant legislative, regulatory, and procedural best practices.

In June 2018, Treasury issued an advisory to United States financial institutions to help them identify, mitigate, and report on the risks of the financial facilitation of human rights abuses enabled by foreign corrupt officials. This advisory continues to provide guidance to financial institutions on their obligations under the Bank Secrecy Act to report suspected illicit activity by these facilitators.

Further, Treasury, in consultation with the Department of State, uses its economic sanctions authorities to isolate, deter, and deprive foreign actors of the resources necessary to commit atrocities. Approximately half of Treasury's sanctions programs include criteria related to human rights that enable the United States Government to publicly designate any persons involved in atrocities and block their property or interests in property that are in the United States or the possession or under the control of any United States person. These sanctions programs are currently in use against individuals from Belarus, Burundi, the Central African Republic, the Democratic Republic of Congo, Iran, Libya, Nicaragua, North Korea, Somalia, South Sudan, Syria, Ukraine, Russia, Venezuela, and Zimbabwe. In December 2017, the President enhanced Treasury's tools to combat serious human rights abuses and corruption by signing Executive Order (E.O.) 13818 ("Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption"), which builds upon

and implements the 2016 Global Magnitsky Human Rights Accountability Act. Through this authority, the United States is able to target serious human rights abusers and corrupt actors globally. In total, since January 2017, Treasury has taken action against more than 680 individuals and entities engaged in activities related to, or that directly involves, human rights abuses or corruption, including more than 100 designations pursuant to E.O. 13818.

The Department of Justice and the Department of Homeland Security also enforce deterrent and accountability tools by working together to identify, investigate, and, when appropriate, prosecute human rights violators under United States law. One tool for this robust effort is the Human Rights Violators and War Crimes Center (the Center), which the Department of Homeland Security operates. The Center is an interagency team of special agents, attorneys, analysts, and subject matter experts. When possible, the Center prevents entry into the United States and in partnership with the Department of Justice, investigates, prosecutes, and removes violators found living here. In addition to the Department of Justice, Center partners include the Federal Bureau of Investigation, and the Departments of Defense and State.

The Center works to prevent the United States from becoming a safe haven for human rights abusers. The Center supports the enforcement of laws against genocide, torture, war crimes, the recruitment or use of child soldiers, and material support to commit serious human rights offenses. In addition, the Center assists in the prosecution of individuals who lie about, or misrepresent, their involvement in human rights abuses on immigration documentation. By working with partners across the law-enforcement community at home and abroad, the Center bolsters illicit-finance investigations to prevent individuals from profiting from conflict and mass atrocities.

United States Immigration and Customs Enforcement (ICE) within the Department of Homeland Security has arrested more than 400 individuals for human rights violations and facilitated the removal of more than 900 known or suspected violators from the United States. Currently, ICE officials report having more than 155 active criminal investigations into suspected human rights violators and is pursuing more than 1,750 leads on individuals from 95 different countries. ICE has placed at least 75,000 "lookouts" on known or suspected human rights violators and Department of Homeland Security investigations have prevented more than 300 suspects from gaining admission to the United

States. Through these efforts, ICE and its interagency partners support atrocity prevention through mitigation and deterrence, providing justice for victims, promoting accountability for perpetrators, and safeguarding the integrity of the immigration system of the United States.

The United States Government uses additional tools to prevent, mitigate, and respond to mass atrocities, including a range of diplomatic actions that future reports will include.

VI. Atrocity Prevention Training for United States Government Personnel

Department of State

The Department of State will develop and deliver online and in-person atrocity prevention training in the upcoming year, consistent with congressional direction. The Department of State's online course on atrocity prevention is currently under development, and will be mandatory for all Foreign Service Officers serving in designated countries that are at-risk of atrocities. In addition, select Foreign Service and Civil Service Officers (including Desk Officers and those employed in relevant functional Bureaus or interacting with relevant multi-lateral institutions) whose portfolios include countries designated as at-risk of atrocities, will be required to complete atrocity prevention training. Ensuring that United States Government personnel have the knowledge and capacity to recognize early warning signs and the risk of atrocities will improve reporting and communication to policy-makers and prompt timely interventions to avoid escalation. Office Directors will determine the appropriate participants and ensure compliance with these training requirements.

The Department of State's Foreign Service Institute also delivers an annual two-day in-person training, *Preventing Genocide and Mass Atrocities through Multilateral Diplomacy*. This course based in Washington, D.C., is designed for United States Government personnel whose current or future duties involve working on countries at risk of atrocities, or issues of civilian security, atrocity prevention, and human rights. The course teaches United States Government personnel how to identify atrocity risk factors and early warning signs of atrocities, conduct an atrocity risk-assessment, use tools to prevent and respond to atrocities, as well as teaching

international practices related to atrocity prevention, and transitional justice and accountability mechanisms.

The Department of State's Bureau of Democracy, Human Rights, and Labor will lead the development of a regional atrocity prevention in-person training for United States Government field officers in the coming year. The Department of State will pilot three-day training in South Africa in the Fall 2019 and provide embassy personnel who are working in African countries that are at risk of, or are experiencing, mass atrocities with the skills necessary to recognize, report, and respond to an emerging atrocity situation. The course will cover United States Government and international frameworks to identify risk and potential pathways to atrocities, how to report risk, and the United States Government personnel in Washington D.C. who can provide technical assistance. The Department of State plans to conduct this training annually in different regions on a rotating basis.

The Department of State's Foreign Service Institute will also continue to incorporate atrocity prevention training into its five-day *Promoting Human Rights and Democracy* course, offered three times a year in Washington, D.C. It is developing a half-day atrocity prevention multimedia simulation, which will augment the existing atrocity prevention module in this course, and will be available for use in other related classes at the Foreign Service Institute and regional atrocity prevention trainings.

USAID

USAID is designing a regional, three-day, in-person atrocity prevention course for field officers based in countries at high-risk of atrocities. The first trainings are tentatively scheduled for the West Africa region and in South Sudan in the Fall of 2019. USAID atrocity prevention experts also provide training to officers deployed with the Office of Foreign Disaster Assistance's Disaster Assistance Response Teams.

USAID will make the existing 45-minute atrocity prevention online training mandatory for select Foreign Service and Civil Service Personnel (including Desk Officers and those in functional Bureaus charged with civilian protection) whose portfolios include countries designated as at-risk of atrocities. The online training covers key concepts and definitions, a brief history of the legal and policy background that underpins the United State Government's atrocity prevention

efforts, and the risk factors and early-warning signs for atrocities.

Department of Defense

Department of Defense personnel receive mandatory instruction through live or computer-based training on the Law of War, Ethics, and Combating Trafficking in Persons. Additional training and materials exist for the Protection of Civilians and Mass-Atrocity Response Operations.

The United States Army, as the joint proponent for stabilization, is by default the focal point for training regarding atrocity issues. Before the initiation of programs under Section 333 of Title 10 of the United States Code that provide capacity-building training and equipment to the national security forces of foreign countries, the Department of Defense must certify that it (or the Department of State) is, or will be, providing human-rights training. This training must include a comprehensive curriculum on the law of armed conflict, human rights and fundamental freedoms, and the rule of law, and must enhance capacity to exercise responsible civilian control of the military.

Department of Justice

The Department of Justice, in conjunction with the Department of State, conducts formal and informal training for United States Government personnel who work on atrocity prevention as well as ad hoc training and robust capacity building for persons posted overseas and foreign counterparts, with a particular emphasis on human rights. This includes training on United States statutes for accountability efforts post-atrocity to deter potential perpetrators and prevent future atrocities by promoting the rule of law.