



Report to Congress Pursuant to Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (P.L. 115-441)

The Biden Administration is committed to promoting democratic values that underpin a stable international system critical to freedom, prosperity, and peace. This Administration will defend and protect human rights around the world, and recognizes the prevention of atrocities is a core national security interest and a core moral responsibility. This report highlights countries of concern and whole-of-government efforts undertaken by the Atrocity Early Warning Task Force¹ (Task Force) to prevent and respond to atrocities from July 2020 to May 2021.

Global Assessment of Current or Past Atrocities² and United States Response

The United States works in a wide range of countries at varying risk of atrocities. Given one of the strongest predictors of where atrocities are likely to occur is where they have occurred in the recent past, illustrative examples of countries that remain at particular risk include the following:

The U.S. government continues to coordinate with allies and partners to call on the military regime in **Burma** to return power to the democratically elected government and halt brutal killings and attacks against protestors, forced disappearances, and arbitrary detentions. Prior to the February 2021 coup, defense sales, operational training, and military education were already prohibited. Following the coup, all Department of Defense (DoD) engagements not already restricted by law were suspended. Since the President signed Executive Order (E.O.) 14014 on February 10, the Department of the Treasury (Treasury) has taken action to target the military leadership and economic revenue generators of Burma's military regime, and the Department of Commerce has instituted export controls on Burma. The U.S. government has extended Temporary Protected Status (TPS) for people from Burma in the United States for 18 months and encouraged our partners to provide

¹ The Task Force includes representatives from the National Security Council (NSC); Departments of State (State), Defense (DoD), Homeland Security (DHS), Justice (DoJ), and the Treasury; the Federal Bureau of Investigation (FBI); the United States Agency for International Development (USAID); and the Intelligence Community (IC).

² For the purposes of this report, the term "atrocities" is understood to encompass, but is not necessarily limited to, atrocity crimes defined in Section 6 of the Elie Wiesel Act, and ethnic cleansing.

similar protection. The U.S. government has helped lead strong statements by the UN Security Council, UN Human Rights Council, and G7 condemning the coup and urging an end to violence. The coup leaders include many of those responsible for atrocities against Rohingya in northern Rakhine State in 2016 and 2017, which then-Secretary of State Tillerson concluded constituted ethnic cleansing. The Department of State designated Burma as a Country of Particular Concern in 2020 for severe violations of religious freedom. State and USAID support human rights documentation to advance accountability.

Secretary Blinken affirmed in January 2021 that the **People's Republic of China (PRC)** is committing genocide and crimes against humanity against Uyghurs, who are predominantly Muslim, and members of other ethnic and religious minority groups in Xinjiang. The crimes against humanity include imprisonment, torture, enforced sterilization, and persecution. In July 2020, Treasury sanctioned two PRC government entities and six current or former government officials in connection with serious human rights abuses in Xinjiang. In March 2021, Treasury alongside the European Union, the United Kingdom, and Canada sanctioned two PRC officials in connection with serious human rights abuses. The United States in July 2020 issued the Xinjiang Supply Chain Business Advisory to highlight risks for businesses with exposure to entities engaged in human rights abuses in Xinjiang, including the use of forced labor. Then-Secretary Pompeo designated China as a Country of Particular Concern in 2020 for severe violations of religious freedom. From June 2020 to January 2021: 1) U.S. Customs and Border Protection issued six Withhold Release Orders (WRO) prohibiting imports of specified merchandise from Xinjiang, as well as additional WROs prohibiting imports of all cotton products from the Xinjiang Production and Construction Corps and all cotton and tomato products from Xinjiang, based on reasonable indication of the use of forced labor; and 2) the Department of Commerce added an additional 24 PRC entities implicated in human rights abuses in Xinjiang to its Entity List. State continued a visa restriction policy on PRC government officials believed to be responsible for, or complicit in, the detention or abuse of Uyghurs, Kazakhs, or other members of Muslim minority groups in Xinjiang. In coordination with international partners, the United States condemned the PRC's abuses in Xinjiang in the UN Human Rights Council and UN General Assembly.

In March 2021, Secretary Blinken stated that acts of ethnic cleansing have taken place in Western Tigray, **Ethiopia**, and in May 2021, USAID Administrator Power warned of impending famine and called for immediate and urgent humanitarian access. A U.S. delegation led by Senator Chris Coons met with Prime Minister Abiy in March 2021 and expressed the urgent need to end violence and human

rights violations. Since the delegation's travel, Abiy has acknowledged the presence of Eritrean troops in Tigray and stated publicly they would withdraw. Secretary Blinken continues to urge an immediate, full withdrawal of Eritrean troops and Amhara regional security forces, cessation of hostilities, a sustainable political solution, protection of civilians, and an independent, credible investigation of atrocities, including widespread sexual violence. In April 2021, Ambassador Thomas-Greenfield issued a statement condemning reports of rape and "unspeakably cruel sexual violence" in Tigray, demanding perpetrators be brought to justice. In May 2021, Secretary Blinken announced that due to the human rights situation in Tigray, the United States is restricting certain foreign assistance to, and imposing new defense trade controls on, Ethiopia.

The Secretary also approved a policy to restrict visa issuance to current and former Ethiopian and Eritrean government officials, members of the security forces, and other individuals – to include members of the Amhara regional and irregular forces and the Tigray People's Liberation Front – believed to be responsible for or complicit in undermining resolution of the crisis, including through wrongful violence or other abuses against, or by hindering access of humanitarian assistance to, people in Tigray. The U.S. government is the largest donor to the humanitarian response. USAID and State have provided more than \$305 million in humanitarian assistance in the region since the crisis began. USAID increased its assistance to the Ethiopian Human Rights Commission for investigators, strategic communications support, personal protective equipment, and training.

The U.S. government is committed to combating ISIS and the risk it poses to civilians, particularly in **Iraq** and **Syria**. State has provided nearly \$9 million to the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL. It funds organizations to collect evidence and supports the Iraqi Justice System to prosecute ISIS members. These actions respond to then-Secretary Kerry's determination in 2016 that ISIS was responsible for genocide against groups in areas under its control in Iraq and Syria, including Yezidis, Christians, and Shia Muslims. He found that ISIS was also responsible for crimes against humanity and ethnic cleansing against these same groups and in some cases against Sunni Muslims, Kurds, and other minorities. The U.S. government is committed to accountability for atrocities committed by the Assad regime, some of which amount to war crimes and crimes against humanity. State has provided over \$2.3 million to the UN International, Impartial, and Independent Mechanism for Syria, and supports the UN Commission of Inquiry and other investigations, including on chemical weapons use. Since 2020, Treasury and State have designated over 100 individuals and entities connected to the Assad regime under Syria and Syria-

related sanctions authorities, including the Caesar Syria Civilian Protection Act. State programs support Syrian-led documentation, justice, and accountability efforts and the Constitutional Committee per UN Security Council Resolution 2254. USAID and State support humanitarian assistance and facilitation of safe and voluntary returns for those displaced in Iraq and Syria and first responders such as the Syrian Civil Defense. Since July 2020, Treasury and State have designated a Turkey-based money services business (MSB) and three MSB operators, among other individuals in Syria and Turkey, who facilitated funds transfers to ISIS members in Syria and Iraq.

In **South Sudan**, State coordinated financial and political support to establish an African Union hybrid court to investigate and prosecute perpetrators of war crimes and crimes against humanity. The government has perpetrated extrajudicial killings including ethnic-based killings of civilians, widespread sexual violence, and use of food as a weapon of war. Non-government armed groups also perpetrated unlawful killings, rape, sexual slavery, and forced recruitment of children. In February 2021, Secretary Blinken stated those responsible for human rights violations in South Sudan must be held to account. The AU Commission of Inquiry and the UN Commission on Human Rights for South Sudan have documented atrocities. State continues to support civil society documentation to further truth, justice, and accountability and advocate for a robust mandate for the Commission on Human Rights in South Sudan to collect and preserve evidence. USAID supports civil society and independent media to promote political stability, peacebuilding, and citizen's participation in, and oversight of, peace agreement implementation.

Early Warning Assessments of Atrocity Risk

To conduct global horizon scanning, the Task Force utilizes State's Early Warning Assessment, the Intelligence Community's Mass Atrocities Risk Assessment, and the U.S. Holocaust Memorial Museum's Statistical Risk Assessment. In 2021, State expanded its quarterly early warning assessment to cover 153 countries, up from 99 countries. For additional countries assessed as at risk of atrocities, see the classified annex. In line with the Women, Peace, and Security Act, State integrated data on political violence targeting women in its risk and conflict analytical products and funded development of gender-sensitive early warning indicators.³

³ <https://www.state.gov/about-us-bureau-of-conflict-and-stabilization-operations/>
<https://storymaps.arcgis.com/stories/227dfad5c53c4e118d961912b33e976a>

Current U.S. Government Efforts to Prevent and Respond to Atrocities

The United States uses a wide range of programmatic, financial, diplomatic, and transitional justice actions to prevent and respond to atrocities. Utilizing Fiscal Year (FY) 2019 funding, State and USAID formally reported approximately \$6.2 million for atrocity prevention programming in FY 2020, including \$2.5 million in Economic Support Funds (ESF) and \$2.5 million in International Narcotics Control and Law Enforcement (INCLE) earmarks. Given the broad range of preventative programming, total foreign assistance expenditure on atrocity prevention exceeds this estimate. State utilized ESF to engage youth to promote justice, reconciliation, and violence prevention; enhance civil society organizations' capacity to promote social cohesion, truth-telling, and conflict mediation; support civil society and victims' participation in community and state-level transitional justice processes and mechanisms; strengthen memory sites' capacity to mitigate atrocity risk; and improve access to accountable and citizen-responsive justice institutions. State utilized INCLE to strengthen justice sector capacity to recognize and respond to atrocities and monitor law enforcement abuses. In support of the Iraq and Syria Genocide and Atrocities Accountability Act, State utilized a \$5 million Congressional directive to promote accountability for war crimes, genocide, and crimes against humanity through the UN independent investigative mechanisms for Syria and Iraq. State rapid response funding mechanisms supported: survivors or those at imminent risk of gender-based violence (GBV); victims of religious persecution; and human rights defenders under attack due to their promotion of the human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTQI+) persons. State funded the Global Initiative for Justice, Truth and Reconciliation, a rapid response mechanism that provides transitional justice assistance.

USAID funds prevention, response, and recovery programs in a wide range of countries at risk of atrocities. To prevent atrocities, USAID produces atrocity risk assessments, and funds programs to address early warning signs; strengthen institutional, civil society, and independent media capacity; promote human rights and rule of law; and support upstream efforts to address inequalities. To respond to atrocities, USAID conducts rapid response programming to document human rights violations; support human rights defenders; prevent and address disinformation and hate speech; provide physical and digital protection, including to survivors of GBV; support conflict mitigation; and bolster the justice sector. To advance recovery, USAID programs support institutional reform, trauma healing and reconciliation, transitional justice and accountability, and reparations. For example, USAID programming in Niger increases access to justice and addresses societal cleavages. USAID programs in Burkina Faso build government capacity to prevent and prosecute human rights violations, increase access to justice, and reduce the appeal

of violent extremism. USAID promotes women's participation in peacebuilding by delivering training on conflict mitigation for women in four DRC territories.

Treasury sanctioned individuals in China, Cambodia, Gambia, Haiti, Iraq, Lebanon, Russia, South Sudan, and Yemen for their connection to serious human rights abuse and corruption under E.O. 13818, which builds upon and implements the Global Magnitsky Human Rights Accountability Act. Treasury designated four entities for exporting or supporting forced labor related to the Democratic People's Republic of Korea into multiple countries, among other actions taken pursuant to country sanctions authorities. Treasury and State encouraged partners to adopt sanctions regimes; the European Union Global Human Rights Sanctions Regime was adopted in December 2020 to freeze the assets of, ban entry to, and prohibit dealings with human rights abusers and violators. Given the link between corruption, human rights abuses, and atrocity risks, Treasury hosted the 2nd Annual Partnership to Combat Human Rights Abuse and Corruption in December 2020. In FY 2020, the Department of Homeland Security (DHS) arrested 11 individuals for human rights-related violations, removed 30 known or suspected human rights violators, and stopped at least 15 human rights violators and war criminals from entering the United States. With support from the Human Rights Violators and War Crimes Center, DHS opened 24 new criminal investigations and is pursuing over 1,600 leads and removal cases involving suspected gross human rights violators from 95 different countries. The Department of Justice, including the Federal Bureau of Investigation (FBI) International Human Rights Unit and the Human Rights and Special Prosecutions Section, supports accountability for genocide, war crimes, use and recruitment of child soldiers, torture, and other human rights violations. State supported accountability processes for atrocity crime allegations against nationals from the former Yugoslavia, Rwanda, Chad, Cambodia, Sierra Leone, Guatemala, Colombia, and the Central African Republic. State facilitated the voluntary surrender of Dominic Ongwen to the International Criminal Court, where he was sentenced to 25 years in May 2021 for war crimes and crimes against humanity committed in Uganda. State has supported the Kosovo Specialist Chambers, which has begun trying individuals, including former President Hashim Thaci for crimes against humanity and war crimes. State supported transitional justice processes in Colombia, including access for victims to participate. In April 2021, former FARC commanders announced they would accept the factual findings of Colombia's Special Jurisdiction for Peace, and accept responsibility for charges of war crimes and crimes against humanity. In April 2021, President Biden recognized the Ottoman-era Armenian Genocide.

Atrocity Prevention Training for U.S. Government Personnel

State delivered its online atrocity prevention course to 365 personnel and additional courses to 88 personnel. USAID delivered its online course to 78 staff and a multi-day course to 36 staff. The U.S. Army Peacekeeping and Stability Operations Institute developed a course on atrocity response and a Military Leader Reference Guide on atrocity prevention, protection of civilians, and conflict-related sexual violence. DHS provided human rights and transitional justice training to its field offices. The FBI trained 11 field offices on prosecuting atrocity perpetrators, 39 field offices on human rights investigations, and 31 field offices on human rights violations in China.

Multilateral and External Engagement

State convened two International Atrocity Prevention Working Group principal-level meetings to explore joint response actions to mitigate atrocity risk in select countries. State supported the International Religious Freedom or Belief Alliance to combat persecution and prevent atrocities. State participates in the International Holocaust Remembrance Alliance, which adopted a Working Definition of Anti-Roma Discrimination in October 2020. The Task Force conducts regular consultations with civil society; this report reflects their analyses and recommendations. State and USAID briefed Senate Foreign Relations Committee and House Foreign Affairs Committee members and staff. In September 2020, State and the U.S. Institute for Peace hosted a joint public event on the Elie Wiesel Act, and State delivered a statement at the UN High-Level Ministerial on the Responsibility to Protect. The FBI engages with civil society on human rights accountability. DoD Defense Institute of International Legal Studies provided human rights training under train and equip programs to 628 participants from 16 countries.

Recommendations to Improve U.S. Government Capabilities

The Executive Branch has progressed on its 2020 recommendations to clarify the role of the Task Force through an interagency process, coordinated by NSC regional directorates, to produce interagency atrocity risk assessments and response plans for priority countries and to improve public messaging through external engagements. In 2021, the Executive Branch will continue to address the 2020 recommendation to define success and improve evaluation; and will: 1) integrate atrocity prevention into Global Fragility Act implementation; 2) advance gender-sensitive atrocity prevention in support of the U.S. Women, Peace, and Security agenda; and 3) utilize atrocity assessments in development of U.S. embassy and mission strategies where appropriate, pursuant to Section 5 of the Elie Wiesel Act, as amended by the 2020 National Defense Authorization Act.