

**PPWG Recommendations for the Biden-Harris Administration
on Atrocity Prevention Efforts¹**

Prepared for the United States Atrocity Early Warning Task Force

At the request of the Atrocity Early Warning Task Force (Task Force), the Prevention and Protection Working Group (PPWG) has prepared the below recommendations regarding atrocity prevention policy and objectives for the Biden-Harris Administration. At the core of the Elie Wiesel Genocide and Atrocities Prevention Act (the Act) is the belief that the U.S. Government can be a beneficial force in protecting and preventing violence against at-risk populations and that doing so serves U.S. national security interests.

Several years of effort have gone into working with the Task Force to ensure compliance with the Act. In addition, PPWG has worked diligently to provide extensive, exhaustive, and expertly informed country reports on situations in which its members observe risk for future mass atrocity events. However, the goal is to see atrocities prevented, and PPWG members believe there is still much that can be done to improve how the U.S. Government prevents, mitigates, and responds to mass atrocity events and promotes peacebuilding efforts.

Recommendations:

1. *Public Communication:* The Task Force should release the list of countries and regions designated as at-risk, as required by the Act. This list should be regularly updated, subject to classification limitations. The activities of the Task Force should be highlighted in a format that is accessible to the public, including website and social media engagement, and should include the official purpose and mission statement of the Task Force. The American public has repeatedly shown their support of efforts to prevent atrocities. Providing public information on these efforts will serve to strengthen public and congressional support and provide a measure of accountability to the civil society community, as required by the Act.
2. *Atrocity Prevention Strategy:* The Biden-Harris Administration should release the Atrocity Prevention Strategy document to the public and should engage with civil society actors in an annual evaluation of the Strategy in light of continuing research in the atrocity prevention field. This strategy should represent the intent of the Act to pursue a whole-of-government approach to atrocity prevention activities. It should include the process by which the U.S. Government determines if an atrocity crime is currently occurring, the triggering and risk factors that indicate a country or region should be monitored carefully, and the tools that exist for U.S. government officials to fulfill the goals of the Act.
3. *Atrocity Determinations:* The means by which the U.S. Government publicly calls out atrocity crimes, whether they be genocide, crimes against humanity, war crimes, or other gross human rights violations, is unacceptably politicized. The welcome designation of China's treatment of the Uyghur population only serves to highlight the failure to reach the same determination in the situation of the Rohingya in Myanmar, where far more evidence of genocide has been presented. The Task Force should be responsible for gathering evidence regarding ongoing mass atrocities, making a recommendation to the appropriate leadership, and implementing policy actions once a determination has been made. In addition, automatic limitations on current foreign aid to governments of designated countries should be considered once a determination has been made.
4. *Identifying and Addressing Root Causes:* Mass atrocity events do not arise out of the ether. Over the past several decades, researchers and civil society organizations have greatly expanded the tool kit of warning signs and triggering events, allowing for more upstream engagement on issues that could result in mass atrocity events.

¹ By D. Wes Rist, deputy executive director, American Society of International Law. All views expressed herein represent the combined input of the Prevention and Protection Working Group members and do not necessarily represent the official positions of any individual organizations.

The Task Force should make public its identifying factors and should regularly seek out new developments in the field of atrocity prevention. It is critical that the Biden-Harris Administration undertake to engage in countries at-risk prior to the actual eruption of violence.

5. *Prioritize Early Warning Responses:* When informed by its own in-country sources or by local civil society actors of the presence of triggering factors, the U.S. Government must move quickly to address these early warning signs. Communication between Task Force and regional and country desk officers is crucial, as are affirmative responses. Investing in early responses to address relatively minor risk factors is a far better, more efficient, and less costly policy choice than adopting a “wait and see” approach only to find that the U.S. must now deal with a rapidly deteriorating mass atrocity event. Effective early engagement requires a designated atrocity prevention point person at all country and regional offices included on the list of countries designated at-risk.
6. *Engagement & Empowerment of Local Actors:* Acting quickly to respond to early warning signs requires that U.S. officials have built up strong and respectful relationships with local peacebuilding and justice actors. US officials should empower youth, women's rights, and human rights advocates working on peace and reconciliation mechanisms. These preexisting relationships can be activated to allow local actors to move quickly, so long as flexible funding exist. Funding local actors will allow for a rapid response that otherwise could not be achieved by the time U.S. agencies could stand up a formal program. The Biden-Harris administration should prioritize flexible funding options to get aid into the communities where it can have the most impact as quickly as possible.
7. *Multilateral Engagement:* The U.S. government is not and should not be the sole actor working on atrocity prevention. There are numerous other allies and partners operating globally and regionally with whom the United States should pursue multilateral responses to ongoing atrocity events and prevention efforts. The Task Force should assist and support UN led efforts in peacebuilding and reconciliation, while support for transitional justice measures and mechanisms are critical to a global approach to atrocity prevention. Engagement with allies and international actors can allow the U.S. Government to aid in regions where it lacks existing infrastructure or where its direct involvement would be counterproductive.
8. *Arms Sales:* Conventional weapons represent the greatest threat to populations at-risk of an atrocity event. Yet the U.S. Government continues to conduct or permit arms sales to countries and regions where the local government's potential to cause harm to their civilian population is well known. The United States should suspend and embargo all arms sales to any country included on the at-risk country list required by the Act. While a presidential waiver or override, as is the case in the Leahy Laws, may be permitted, it should be rarely, if ever, used, and should be subject to a vote by Congress.
9. *Continued Funding:* Currently, atrocity prevention activities are lightly funded, primarily through accounts not set up for this purpose. While these accounts have been made to work, they do not represent dedicated funding support for what is supposed to be a core national security interest. The Biden-Harris Administration should increase the annual amount for the Atrocities Prevention Fund and should make sure that the panoply of foreign assistance accounts are fully funded. As noted in recommendation six, including flexible funding options to permit rapid disbursement of funds when early warning signs are identified is critical.

These recommendations represent a minimum level of engagement that PPWG members feel would advance the goal of the Elie Wiesel Act and serve to accomplish the objective of atrocity prevention.

Resources:

- [PPWG Assessment of 2020 Elie Wiesel Report](#)
- [PPWG Assessment of 2019 Elie Wiesel Report](#)
- [PPWG 2020 Civil Society Recommendations for Implementing Elie Wiesel Act](#)