

2021-2024

A PRESIDENTIAL AGENDA FOR ENDURING PEACE AND FREEDOM



HUMANITY
UNITED

ABOUT HUMANITY UNITED

Humanity United is a foundation dedicated to cultivating the conditions for enduring peace and freedom. Using a variety of tools including policy advocacy, strategic communications, and grantmaking, we support and build efforts to change the systems that contribute to violent conflict and human exploitation. Working with and supporting an array of civil society organizations, advocates, local peacebuilders, workers, businesses, and journalists, we are committed to helping create tools, policies, and norms that promote human dignity and peace. For the past 13 years, and working closely with our 501(c)(4) sister organization Humanity United Action, we have also worked to foster U.S. government attention and action on these issues.

Humanity United is part of The Omidyar Group, a diverse collection of independent organizations and initiatives that pursue different ways to improve the lives of people and societies. We were founded to address some of the most persistent global problems facing mankind, challenges such as violent conflict, mass atrocities, and human trafficking. Our work sits at the intersection of peace and justice, truth and mercy. We fight to prevent injustice and to hold accountable those perpetuating human rights abuses, while simultaneously working tirelessly to foster reconciliation and heal the divisions that drive conflict and polarization.

At Humanity United, we are guided by our value of shared humanity, which affirms the interconnectedness and intrinsic dignity of all human beings. As Archbishop Desmond Tutu said, “My humanity is bound up in yours, for we can only be human together.” Even in a time when we see the extreme violence and hatred mankind is capable of, we continue to be hopeful that humanity is also capable of coming together to ensure every person is afforded the peace and dignity they deserve. When humanity is united, we can act together to create a powerful force for human dignity.

NEED FOR U.S. LEADERSHIP ON PEACE AND FREEDOM

The U.S. government can and should play a critical role in promoting human dignity around the world by leading efforts to address violent conflict, fragility, and exploitation. Over the decade and a half that Humanity United has worked on these issues, we have seen the powerful impact that American leadership and action can have to further peace and freedom around the world. We also have seen the negative impacts on peace and freedom that result when the United States chooses to disengage or deprioritizes the work necessary to prevent violent conflict and human trafficking.

We are encouraged by the Biden-Harris Administration’s commitment to restoring America’s moral leadership in the world, including its pledge to “restore and reimagine partnerships.” We have seen the greatest progress on our issues when the United States leads from a spirit of partnership, shaping and inspiring united efforts to advance peace and freedom. The United States cannot afford to continue a foreign policy based on isolationism or going it alone. In an increasingly interconnected world, instability in one region, whether health-related, political, or economic, can have devastating impacts across the globe, including here in the United States. Tackling the myriad of issues like violence, fragility, and exploitation that contribute to instability requires robust international partnerships and alliances. Humanity United stands ready to support this Administration’s efforts to rebuild America’s global partnerships and find collective solutions to these problems.

EXECUTIVE SUMMARY

Humanity United believes that every human being deserves to live in peace and freedom. Unfortunately, for many around the world, their reality is very different. Violent conflict has displaced nearly 70 million people¹ and is estimated to cost \$14 trillion worldwide each year.² High levels of political violence persist around the globe, including many political conflicts categorized as highly violent.³ Human trafficking also remains a significant problem, with 25 million people estimated to be victims of human trafficking,⁴ and forced labor and sexual exploitation affecting every country in the world.⁵

¹<https://www.unhcr.org/globaltrends2017/>

²<https://www.visionofhumanity.org/global-peace-index/>

³<https://gho.unocha.org/global-trends/conflicts-continue-take-heavy-toll-civilians>

⁴<https://www.ilo.org/global/topics/forced-labour/lang-en/index.htm>; <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

⁵<https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

While adequately addressing violence, mass atrocities, and human trafficking will require a lot of work across the federal government, we have four specific, achievable steps the Biden-Harris Administration can take that will make important strides towards enduring peace and freedom. Humanity United is eager to work with the Administration on these critical issues.

Enduring Peace:

- **Fully implement the Global Fragility Act (GFA):** Passed in December 2019, the bipartisan GFA creates a holistic, whole-of-government approach to addressing the root causes of violence and fragility. Through full implementation, the GFA can play an important role in this Administration’s democracy and governance agenda in conflict vulnerable countries. This Administration should (1) revise and release the Global Fragility Strategy, including the list of priority countries; (2) establish a GFA Implementation Task Force chaired by senior officials in each relevant agency; (3) clearly articulate a plan to ensure local communities and experts are closely involved at all stages of the Strategy’s activities; and (4) launch the Multi-Donor Global Fragility Fund to enhance donor coordination to strengthen long-term governance and conflict resolution capacity in fragile and conflict-affected areas.
- **Improve the work of the Atrocity Early Warning Task Force (formerly the Atrocities Prevention Board):** The Obama-Biden Administration rightly elevated atrocity prevention as a key focus of U.S. foreign policy. The Biden-Harris Administration has an important opportunity to reestablish U.S. leadership to address mass atrocities by improving the Atrocity Early Warning Task Force, including through (1) publicly releasing the list of at-risk countries and regions; (2) requiring Task Force consultations with local actors; and (3) proactively engaging with local, regional, and international organizations to support transitional justice and accountability.

Enduring Freedom:

- **Enforce Section 307 of the Tariff Act to ensure no goods made by forced labor are imported into the United States:** During the Obama-Biden Administration, the Tariff Act of 1930 was updated to fully ban goods made by forced labor from being imported into the United States. The Biden-Harris Administration should continue this legacy of combatting human trafficking and forced labor by ensuring Customs and Border Protection (CBP) aggressively enforces this law. This Administration should initiate a rulemaking to modernize the standards, procedures, and practices of enforcement to provide greater transparency and clarity on enforcement, and it should establish a clear interagency process to better coordinate enforcement across related issue areas.
- **Empower the State Department’s Office of Trafficking in Persons (J/TIP) to ensure the U.S. government is leading the fight to prevent and address human trafficking:** J/TIP is a critical leader in the U.S. government’s work to combat human trafficking, leading global counter-trafficking efforts, interagency coordination, and survivor engagement. It is also responsible for compiling the annual Trafficking in Persons (TIP) Report, a key centerpiece of U.S. foreign policy related to human trafficking. The Biden-Harris Administration should prioritize filling the J/TIP Ambassador position to lead the office and ensure that whoever is nominated is fully committed to all three of the “P’s”- prevention, protection, and prosecution. This Administration should also commit to ensuring the integrity of the TIP Report.

FULL RECOMMENDATIONS

1. Fully implement the Global Fragility Act (GFA) to create a whole-of-government approach to addressing violent conflict and fragility

Passed with strong bipartisan support in December 2019, the GFA takes critical steps to reshape how the U.S. government addresses violent conflict. The legislation establishes an interagency initiative to refocus U.S. foreign policy and assistance on preventing violent conflict by addressing the root causes of violence and fragility. The GFA ensures that U.S. diplomatic, development, and defense agencies, working in partnership with civil society and local communities, collaborate to reduce violence in at least five high-priority, fragile countries or regions over a 10-year period. This law also authorizes three separate funds – the Prevention and Stabilization Fund, the Complex Crisis Fund, and the Multi-Donor Global Fragility Fund – to support the implementation of the law.

By fully implementing the GFA, the Biden-Harris Administration has an unprecedented opportunity to test and learn from new approaches to prevent conflict and build stability in fragile states where the United States already invests heavily in development

and humanitarian aid. The GFA will be critical to advancing President-elect Biden's democracy and governance (D&G) agenda in conflict vulnerable countries, targeting conflict drivers and authoritarian backsliding through fit-for-purpose D&G programs that are specifically tailored to conflict situations. The GFA builds on hard-earned lessons regarding what works in conflict settings and on Obama-Biden Administration prevention initiatives.

In order to achieve the full promise of the GFA in preventing and mitigating violence globally, the Biden-Harris Administration should:

- **Finalize and release the Global Fragility Strategy, including the list of priority countries or regions:** The U.S. government should revise its initial report⁶ as quickly as possible and ensure the updated version responds to each of the requirements set out in the Global Fragility Act. The law provides a list of criteria to guide country selection that the Administration should closely follow in determining priority countries or regions.
- **Establish a GFA Implementation Task Force chaired by senior officials in each agency:** The Global Fragility Act calls for a whole-of-government strategy and a multisectoral approach. Instead of assigning implementation responsibilities to one office or bureau within each agency, the Administration should designate a Deputy or Under Secretary-level official as the GFA coordinator in each Department, who will chair a GFA Task Force of relevant assistant secretaries. This internal structure will foster strong collaboration across bureaus and ensure better alignment of diplomatic and programmatic work.
- **Consult with experts and local communities:** The GFA mandates consultations to guide the development of the Global Fragility Strategy, and the Administration should organize a thorough, transparent consultation process. The Administration should articulate how U.S. government agencies plan to identify, partner, and seek input and evaluation from the communities where the strategy activities take place.
- **Launch the Multi-Donor Global Fragility Fund:** The Administration should consider using President-elect Biden's Democracy Summit as an opportunity to launch the Multi-Donor Global Fragility Fund and seek contributions from donor governments committed to conflict prevention and stabilization. The Multi-Donor Global Fragility Fund is an opportunity to leverage public and private contributions to enhance donor coordination to strengthen long-term governance and conflict resolution capacity in fragile and conflict-affected areas. This funding mechanism's strategy should also incorporate input from local communities to ensure more effective programming.

2. Improve the work of the Atrocity Early Warning Task Force to fully meet the requirements and intent of the Elie Wiesel Genocide and Atrocities Prevention Act

In January 2019, the bipartisan Elie Wiesel Genocide and Atrocities Prevention Act (EWGAPA) was signed into law, requiring a U.S. government atrocity prevention strategy and mandating atrocity and conflict prevention training for U.S. foreign service officers in at-risk contexts. Atrocities destabilize countries, trigger mass displacement and humanitarian crises, and create generational grievances and division that violent extremists exploit for their own ends. In 2012, the Obama-Biden Administration established the Atrocities Prevention Board (APB), an interagency coordination body that met monthly to develop and implement an atrocity prevention and response policy. The APB rightly elevated atrocity prevention as a key focus of U.S. foreign policy.

However, under the current administration, the APB was downgraded to become the Atrocity Early Warning Task Force (the Task Force), and it now meets only five times per year instead of monthly. Moreover, other actions by the Trump Administration, including sanctions on International Criminal Court officials, signaled hostility towards working multilaterally to prevent mass atrocities and hold accountable the perpetrators of atrocity crimes.

In order to reassert U.S. leadership on atrocity prevention, the Biden-Harris Administration should:

- **Publicly release the list of at-risk countries and regions and create a formal monitoring process:** The Task Force should publicly release, either in whole or in part, the list of countries and regions designated as at-risk. This list should be regularly updated, and any changes should be announced publicly, subject to intelligence and classification limitations. Each annual

⁶<https://static1.squarespace.com/static/5db70e83fc0a966cf4cc42ea/t/5f620c84c456f529e2da40c2/1600261252894/Global+Fragility+Act+Report+-+9.15.2020.pdf>

report should include the most current list at the time of filing. The Task Force should also create a formal process to monitor the risk or presence of a mass atrocity event and serve as the coordinating body for the U.S. government response.

- **Consult with local actors and increase multilateral engagement:** The Task Force should engage directly with in-country actors from civil society and non-governmental organizations in countries and regions identified as experiencing or being at risk for an atrocity event prior to making decisions on which actions to pursue to mitigate or prevent atrocities in that community. The Task Force should increase its engagement with international organizations and international financial institutions on atrocity prevention efforts.
- **Support transitional justice and accountability:** The Task Force should examine ways that it or U.S. agencies and departments can support transitional justice measures and mechanisms as an important aspect of atrocity prevention, including supporting individual criminal accountability for atrocities. The Task Force should proactively engage with local, regional, and international organizations to support transitional justice and accountability. These efforts should be detailed in future reports. Additionally, the Biden-Harris Administration should rescind Executive Order 13928, which authorizes sanctions targeting International Criminal Court officials.

3. Enforce Section 307 of the Tariff Act to ensure no goods made by forced labor are imported into the United States

Under the Obama-Biden Administration, the Tariff Act of 1930 was updated to fully ban goods made by forced labor from being imported into the United States. The Biden-Harris Administration should continue the legacy of combatting human trafficking and forced labor by ensuring Customs and Border Protection (CBP) aggressively enforces this law.

Specifically, the Biden-Harris Administration should:

- **Immediately initiate a much-needed rulemaking to modernize the standards, procedures, and practices for enforcement, including at a minimum:**
 - Greater required transparency on the status of the petition processes, requiring a detailed update on status to petitioners at three-month intervals, including public explanations of the reasoning behind decisions not to pursue a matter further;
 - Clear timelines requiring expeditious processing of petitions, including timely decisions on both the initial determinations of whether to pursue a matter and the outcomes; and
 - Clarifying the standards for Withhold Release Orders to align with the statute, removing requirements for enterprise level evidence.
- **Lead a comprehensive interagency process, through the National Security Action Plan and the Senior Policy Operating Group, to better coordinate enforcement across related issue areas, including ensuring that CBP:**
 - Self-initiates investigations;
 - Provides for robust consultation with civil society, including on remediation practices for impacted workers;
 - Coordinates with Immigration and Customs Enforcement on forced labor criminal investigations;
 - Makes actions against goods made with forced labor a priority; and
 - Coordinates with the International Labor Affairs Bureau on training for CBP staff on the definition and indicators of forced labor.

4. Empower the State Department's Office of Trafficking in Persons (J/TIP) to ensure the U.S. government is leading the fight to prevent and address human trafficking

J/TIP is a critical leader in the U.S. government's work to combat human trafficking. In addition to leading the U.S. government's global efforts to address and prevent human trafficking, J/TIP also plays a key coordinating role within the interagency process. J/TIP works closely with the Secretary of State to lead the President's Interagency Task Force to Monitor and Combat Trafficking in

Persons, and it supports the U.S. Advisory Council on Human Trafficking, which is comprised of trafficking survivors who provide recommendations to inform federal anti-trafficking policy.

Additionally, J/TIP is responsible for compiling the annual Trafficking in Persons (TIP) Report, which provides a detailed analysis of each country's efforts to combat trafficking over the previous year and is a key centerpiece of U.S. foreign policy related to human trafficking. The Biden-Harris Administration has a critical opportunity to reset how the TIP Report is perceived by ensuring the report's integrity, transparency, and credibility. J/TIP should be empowered to ensure the narratives and country rankings within the TIP Report are based on an objective analysis and not swayed by outside political pressure. While the U.S. government needs to balance a range of interests and equities, the credibility and strength of the TIP Report is a foundation on which other U.S. government anti-trafficking interventions can be based, interventions which serve this country's national security interests.

To ensure the U.S. is once again seen as a true leader in the fight to combat human trafficking, the Biden-Harris Administration should:

- **Prioritize the nomination of the J/TIP Ambassador to lead the office:** Understanding there are many positions this Administration must fill, it is vitally important to fill the J/TIP Ambassador position as quickly as possible. Given the tremendous role that J/TIP plays both abroad and within the interagency process, the J/TIP Ambassador is critical to ensuring the U.S. government is able to continue robustly addressing human trafficking and to support the J/TIP staff for the upcoming 2021 TIP Report. Additionally, it is vitally important that whoever is nominated for this position fully embraces all three "P's" - prevention, protection, and prosecution. While it is necessary to maintain focus on prosecutions, there is a significant need to increase efforts towards prevention and protection.
- **Commit to ensuring the integrity and independence of the annual TIP Report:** The Biden-Harris Administration should make clear the TIP Report will not be influenced by outside political pressure, and the narratives and country rankings will be based on an objective analysis of the concrete actions taken by a country, including the United States itself, during the TIP Report's reporting period.

CONCLUSION

The Biden-Harris Administration has a tremendous opportunity to reestablish U.S. global leadership on peace, democracy, and human rights. Success, both of the priorities identified here and of the many other recommendations from our partners and allies across civil society, will depend significantly on the ability of your Administration to restore our international partnerships and lead united efforts to tackle violence and human trafficking. However, as the Administration increases these critical efforts to reengage on the world stage, it is vital that critical human rights and peacebuilding priorities are not undermined by excusing allies and partners in the name of global partnership. Particularly after the last four years, the United States has much work to do in rebuilding our reputation as a country that not only elevates the importance of policies that create and nurture enduring peace and freedom, but also is unwilling to sacrifice those important values in the name of political expediency.

President-elect Biden has shown a steadfast commitment to the importance of peace and human rights throughout his career and has demonstrated time and again that it is possible to lead without sacrificing or ignoring those very principles that the United States holds so dear. We look forward to President-elect Biden continuing to carry this mantle in his new office. Humanity United stands ready to support the hard yet vital work that lies ahead for the Biden-Harris Administration.