



Department of Homeland Security Efforts To Prevent Atrocities Abroad

Overview:

Four years ago, President Obama issued Presidential Study Directive 10 (PSD-10) establishing an interagency board designed to coordinate a whole-of-government approach to prevent mass atrocities and genocide. PSD-10 established prevention of mass atrocities and genocide as a core national security interest and moral responsibility of the United States.

PSD-10 ensures:

- That the U.S. Government's national security apparatus recognizes and is responsive to early indicators of potential atrocities
- That departments and agencies develop and implement comprehensive atrocity prevention and response strategies
- That the U.S. Government increases the capacity and develops doctrine for the foreign service, armed services, development professionals, and other actors to engage in the full spectrum of smart prevention activities
- That the U.S. Government is optimally positioned to work with our allies in order to ensure that atrocity prevention is regarded as a shared responsibility

In support of the U.S. Government's commitment to prevent mass atrocities and genocide abroad, the Department of Homeland Security (DHS) engages in several efforts to prevent human rights violators from seeking safe haven in the United States and, in coordination with other law enforcement agencies, ensures that such individuals are brought to justice.

Significant successes include:

Denying Entry into the United States for Human Rights Violators

U.S. Citizenship and Immigration Services (USCIS) adjudicates immigration benefit applications for refugees, asylum seekers, and other victims of war crimes and atrocities. In an effort to prevent human rights violators from entering the United States through legal channels, USCIS, in coordination with the Department of Justice (DOJ), added detailed and clear questions related to human rights violations to naturalization and refugee processing forms. Similar revisions to additional forms are ongoing. USCIS released the revised Form N-400, Application for Naturalization, on February 14, 2014 and, with assistance from DOJ, has provided training to adjudicators on implementation of the new form. Immigration and Customs Enforcement (ICE), working with the U.S. Department of State, identifies individuals who should be denied entry for human rights violations and war crimes.

Bringing Human Rights Violators to Justice

ICE's Human Rights Violators War Crimes Center (HRVWCC), staffed by ICE Homeland Security Investigations (HSI), ICE's Office of the Principal Legal Advisor Human Rights Law Section (HRLS), the FBI International Human Rights Unit (IHRU) and others, leads U.S. Government efforts to investigate persons in the United States or U.S. citizens abroad who carried out genocide, torture, war crimes, and other serious human rights violations. The HRVWCC also works to ensure human rights violators abroad are identified and to the extent permitted by law, barred from entering the United States.

The ability to use historical information to prevent human rights violators and war criminals from entering the United States and bring them to justice remains the focal point of the HRVWCC work. The HRVWCC has expanded its identification efforts focusing on modern day atrocities.

Violators often gain entry into the United States by providing false information on immigration paperwork and hiding among legitimate refugee populations. The HRVWCC investigates potential violations of immigration laws including fraud and misuse of visas, permits, or other documents; unlawful procurement of citizenship or naturalization; false statements or fraudulent entries; perjury; and, re-entry after prior removal.

The HRVWCC has a long track record of investigations that led to the arrest and eventual removal of war criminals and human rights violators from the United States. Accomplishments include:

- Conviction and loss of citizenship of Keefelegn Alemu Worku in 2014 for torture and murder of people in Ethiopia during the Red Terror
- Removal of George Saigbe Boley from the U.S. in 2012 for extrajudicial killings and the use of child soldiers in Liberia
- Removal of Dejan Radojkovic from the U.S. in 2012 for war crimes committed in Bosnia



Significant Successes Towards Preventing Atrocities Abroad

Recent Success:

On April 8, 2015, the United States deported General Carlos Eugenio Vides Casanova, who led the National Guard and Defense Ministry during the Salvadoran Civil War. Following an ICE/HRVWCC investigation and litigation, the Board of Immigration Appeals found Gen. Vides Casanova guilty of assisting in the torture and extrajudicial killing of civilians, including four Americans in El Salvador, by troops under his command. He is the highest ranking foreign official repatriated under laws enacted in 2004 to prevent human rights violators from using the United States as a safe haven.

Operational Responses to Mass Atrocities:

The U.S. Coast Guard, in partnership with the Department of State and Department of Defense, has unique and broad ranging capabilities and resources to support other nations during humanitarian crises.

Pending funding, ICE plans to pilot a Human Rights Violator Rapid Response Team with the capability to deploy to evolving and post-atrocity situations. This team would provide investigative support, crime scene forensics, intelligence analysis, victim-witness protection, and immigration expertise to assist U.S. prosecution of perpetrators of mass atrocities.

Cooperating with International Partners to Investigate and Share Information

DHS works with foreign governments to investigate individuals living in the United States who may have committed atrocities abroad. This includes joint investigations by ICE/HSI special agents and international counterparts. DHS also cooperates with foreign law enforcement regarding removal procedures. ICE Enforcement and Removal Operations (ERO) works with foreign counterparts to remove human rights violators from the United States back to their home country.

DHS also participates in information sharing efforts with international partners. In 2014, members of the HRVWCC traveled to Kigali, Rwanda to participate in the 6th International Expert Meeting on Genocide, War Crimes, and Crimes Against Humanity. The HRVWCC met with other investigators from countries around the world, emphasizing the need to share information, where possible, on cases and crime scenes in an effort to close the impunity gap. Additionally, the HRVWCC shares fingerprints and other biometric data with partner countries.

The U.S. Government actively works with foreign governments' war crimes units and non-governmental organizations active within the regions of the world where there are concerns for the commissions of atrocities. ICE is working to develop means to establish a secure communication platform, which will allow foreign partners to store and share information in a timely manner.

Managing Trade from Areas Involved in Genocide and Mass Atrocities

U.S. Customs and Border Protection (CBP) works with ICE and the Department of the Treasury's Office of Foreign Assets Control (OFAC) to collect information on cargo coming to the U.S. from areas affected by genocide or mass atrocities. CBP's National Targeting Center also works with OFAC to gather and share information on sanctioned individuals and cargo, while enhancing information sharing on OFAC blocking designations.

CBP also analyzes historical trade data from public and private sources in attempt to identify trends related to mass atrocities and genocide. To date, CBP has identified patterns that preceded specific instances of genocide. CBP continues to examine trade-related indicators to identify those that may be precursors to atrocity-related activities.

ICE's Atrocities Prevention Targeting Program is a pilot program that harnesses existing HSI investigative and intelligence expertise to identify U.S.-based support for foreign entities involved in mass atrocities. Once identified, field and attaché offices apply traditional investigative practices to degrade these networks and disrupt their activity abroad. For example, HSI New Orleans used information from the HSI Human Rights Target Tracking Team to focus its activities on specific grey-arms market dealers who facilitate the sale of weapons to designated pilot countries, including a case involving a Serbian arms dealer.

Coordinating with the U.S. Interagency

In support of the whole-of-government effort to prevent and respond to atrocities abroad, DHS works with the FBI International Human Rights Unit, the Department of State and others to prevent suspected human rights violators from entering the United States and to investigate, detain, and prosecute those individuals who are found in the United States. USCIS also coordinates with the Department of State to prevent human rights violators from using legal immigration processes to gain entry to the United States.