



441 G St. N.W.
Washington, DC 20548

October 2, 2020

The Honorable Raúl M. Grijalva
Chairman
The Honorable Rob Bishop
Republican Leader
Committee on Natural Resources
House of Representatives

Combating Wildlife Trafficking: Agencies Work to Address Human Rights Abuse Allegations in Overseas Conservation Programs

Wildlife trafficking—the poaching and illegal trade of wild animals—is a multibillion-dollar, global criminal activity that is both a conservation issue and a security threat, according to the Department of State (State). Estimates place wildlife trafficking among the leading types of illicit trade. According to a 2014 report from the United Nations Environment Programme, different sources have estimated the illegal trade in wildlife to be worth between \$7 billion and \$23 billion annually.¹ Wildlife trafficking undermines conservation efforts, fuels corruption, and destabilizes communities that depend on wildlife for biodiversity and ecotourism. Wildlife trafficking also is pushing some protected and endangered species to the brink of extinction. In response, the U.S. government has taken steps to combat wildlife trafficking across the globe. From fiscal years 2014 through 2020, the U.S. government provided approximately \$554 million to undertake a range of activities to combat wildlife trafficking through federal agencies and in cooperation with partner organizations in the field.

According to international and non-governmental organization (NGO) reports, an estimated 1,000 park rangers were killed in the line of duty worldwide from 2004 to 2014. On average, one ranger died every 4 days during that period.² However, NGO and media reports, including a series of articles from *BuzzFeed News*, have recently alleged that organizations that received U.S. funding have supported park rangers who have themselves committed human rights violations while combatting wildlife trafficking, including sexual assault and extrajudicial killings.³ Among the victims of these alleged abuses are indigenous and other people living near protected wildlife areas in Africa and Asia.

You asked us to review human rights protection mechanisms and monitoring, among other things, related to U.S. efforts to combat wildlife trafficking. Because of impacts to government operations related to coronavirus disease (COVID-19), including inability to travel, we were

¹C. Nellemann et al., eds., *The Environmental Crime Crisis—Threats to Sustainable Development from Illegal Exploitation and Trade in Wildlife and Forest Resources* (Nairobi: United Nations Environment Programme, 2014). See also GAO, *Combating Wildlife Trafficking: Agencies Are Taking a Range of Actions, but the Task Force Lacks Performance Targets for Assessing Progress*, [GAO-16-717](#) (Washington, D.C.: Sept. 22, 2016).

²United Nations Environment Programme, *The Environmental Crime Crisis*, “Our Story,” The Thin Green Line Foundation, accessed July 13, 2016, at <https://www.thingreenline.org.au/story/>. See also [GAO-16-717](#)

³“[WWF Funds Guards Who Have Tortured and Killed People](#),” *BuzzFeed News*, March 4, 2019. The article does not specifically say that the rangers were in units that directly received U.S. funds.

unable to assess monitoring and focused on two objectives. As discussed with your staff, this report examines 1) what enforcement mechanisms agencies have to prevent U.S. funded efforts to combat wildlife trafficking from supporting human rights abuses and how they implement them, and 2) how agencies and implementing partners address allegations of human rights abuses.

To address our objectives, we spoke with agency officials and implementing partner representatives in person in Washington D.C. and overseas by phone, and collected and analyzed information related to agency and implementing partner program implementation. Our work focused on State, Department of the Interior (Interior) Fish and Wildlife Service (FWS), and U.S. Agency for International Development (USAID) activities in Central Africa and Nepal. We also spoke with key implementing partners: the World Wildlife Fund (WWF), the Wildlife Conservation Society (WCS), and African Parks (AP).

We conducted this performance audit from September 2019 to October 2020 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

U.S. Agencies Support Park Ranger Activities Overseas

U.S. agencies provide training and equipment for park rangers overseas to combat wildlife trafficking and protect natural landscapes.

- **State:** The International Narcotics and Law Enforcement Affairs Bureau (INL) has provided a range of grants that support park rangers overseas. These include, for example, a 2017 grant of approximately \$940,000 for uniforms, equipment, and training for 450 rangers in several countries, such as Zambia and Malawi, and a 2019 grant of approximately \$1.6 million for similar purposes in Central Africa. From fiscal years 2014 through 2019, INL funding for awards that include park ranger support overseas was approximately \$55 million, according to an INL officials.
- **USAID:** From fiscal years 2014 through 2017, USAID provided approximately \$89 million globally for park ranger-related activities, according to a USAID official. USAID provides support equipment, such as rations or GPS units, and skills training on law enforcement, wildlife ecology, navigation, and first aid.
- **FWS:** For fiscal years 2013 to 2018, FWS gave us data indicating that its International Affairs program provided \$117 million, about half of which came from USAID's Central Africa Regional Program for the Environment (CARPE), to overseas projects that included a component for park rangers. For example, in fiscal year 2017, FWS provided an estimated \$5.5 million in funding to park ranger activities under the CARPE program, according to FWS officials. An FWS official told us that this funding supports capacity building of foreign partners, including support for park rangers, in protected areas in Central Africa. The FWS official estimates that the agency supported about 1,900 park rangers through CARPE funds in fiscal year 2018 and told us that support to park ranger activities includes training on the Spatial Monitoring and Reporting Tool (SMART), used

to track information from patrols in real time, which improves surveillance. FWS park ranger training may also include combat techniques.⁴

Multiple Sources Have Reported Allegations of Human Rights Abuse by Park Rangers

Multiple sources have documented allegations of human rights abuses by park rangers occurring since the mid-2000s in Cameroon, the Democratic Republic of the Congo (DRC), Gabon, India, Nepal, and the Republic of Congo, including in areas where the U.S. operates programs such as CARPE. We did not independently review or corroborate these allegations.

NGOs and news media have collected testimonies and carried out investigations that allege these human rights abuses occurred in or near national parks in these countries. These reports include allegations against park rangers, who have received support from WWF, WCS, and AP, which receive funding through CARPE and other sources. These allegations claim that park rangers have committed rape, including gang rape and rape of a minor, murder, torture, forced labor, arbitrary detention, destruction of property, and illegal house searches. For example, multiple sources have alleged that human rights abuses occurred at Salonga National Park, DRC. One NGO conducted 231 interviews in 2018 with locals near the park and found that 56 of the interviewees reported that park rangers had physically abused them, and 58 reported that rangers had destroyed their property. Multiple sources report that locals at Chitwan National Park, Nepal, also claimed human rights abuses, including park rangers allegedly torturing and killing a man in 2006 and beating pregnant women in 2011.

Some sources allege that the existence and management of conservation areas have detrimental effects on the self-determination and livelihoods of locals and indigenous peoples. They also allege that some implementing partners have forcibly relocated locals and indigenous peoples, which would contradict some of their stated principles to uphold the rights of indigenous peoples and secure free, prior, and informed consent before relocating people or creating a park.⁵ Other sources state that conservation restrictions due to the creation and management of national parks prevent local people from accessing traditional lands and carrying out subsistence activities, such as hunting, fishing, and farming, contributing to their malnutrition.

U.S. Agencies Vet Park Rangers for Violations of Human Rights before Providing U.S. Support

Statutory provisions commonly referred to as “Leahy Laws” prohibit the U.S. government from using certain funds to assist units of foreign security forces where there is credible information that the unit has committed a gross violation of human rights.⁶ The Foreign Assistance Act of 1961 defines gross violations of internationally recognized human rights to include torture or cruel, inhuman, or degrading treatment or punishment; prolonged detention without charges;

⁴According to FWS, “combat techniques” refer to applying non-lethal techniques of self-defense and learning how to diffuse a combative situation, such as an aggressive and armed attack by a poaching gang.

⁵For example, WWF recognizes that indigenous peoples have the right to determine priorities and strategies for the development or use of their lands, territories, and other resources, including the right to require that states obtain their free and informed consent prior to the approval of any project affecting those lands, territories, and resources. See *Indigenous Peoples and Conservation: WWF Statement of Principles*, WWF, 2008.

⁶See 22 U.S.C. § 2378d (applicable to assistance furnished under the Foreign assistance Act of 1961 and the Arms Export Control Act) and 10 U.S.C. § 362 (applicable to amounts made available to the Department of Defense).

causing the disappearance of persons by the abduction and clandestine detention of those persons; or other flagrant denial of the right to life, liberty, and the security of persons.⁷ State and USAID generally consider park rangers to operate within units of a foreign security force—authorized to use force, search, detain, or arrest—and therefore subject to Leahy vetting, according to agency officials.

State does not vet every unit that patrols a park for human rights abuses prior to providing U.S. support to park rangers. For example, some park rangers who receive U.S. support work alongside armed authorities of the host government, such as the military. State, however, does not vet the armed authorities of the host government if they do not receive U.S. funds. According to FWS officials, Interior may administer funds appropriated under the Foreign Assistance Act through interagency agreements with State or USAID, and the Leahy Laws may therefore be applicable to these funds depending on the type of interagency agreement and the authorities that apply. Funds directly appropriated to FWS for similar conservation efforts internationally but not provided under the Foreign Assistance Act are not subject to Leahy vetting, according to those officials. When State or USAID provides funding to FWS that it then uses to support park rangers activities, FWS submits the candidates' applications to State for vetting. According to a State official, Leahy approval of a security force unit is good for 1 year, and State must vet individuals again if their unit continues to receive support from State or USAID funding sources.

U.S. Agencies and Implementing Partners Took Steps to Respond to Allegations of Human Rights Abuses

U.S. Agencies Responded to Allegations of Human Rights Abuses in Different Ways

U.S. agencies responded to allegations of human rights abuses in a number of ways. State officials at headquarters told us that they were surprised to hear of the allegations in articles from the news organization *BuzzFeed News*, especially because they expected embassies and NGOs to have reported these allegations directly to them even though State was not operating programs in areas where allegations surfaced. A State INL official told GAO in July 2020 that State had not given any grants to WWF since October 2019 and that State is awaiting results of a WWF internal investigation. A State official in the Central Africa region told GAO that INL is not aware of allegations of human rights abuse committed by INL-supported park rangers in the DRC, and that the embassy's vetting program has very strict control mechanisms. In addition, INL in the DRC requested quarterly reports to facilitate a review of all assistance to park rangers to ensure that any reported activities were vetted according to Leahy Laws.

USAID officials told us that they were unaware of the breadth of allegations made by *BuzzFeed News*. According to USAID officials, staff in Central Africa had previously heard about accusations related to other sites in Tumba Lediima, a park in DRC. Officials we spoke with at the USAID Mission in Nepal said they were aware of the 2006 Chitwan National Park incident, specifically described in a *Buzzfeed News* article, but had not heard of any human rights abuses in the park since.⁸

⁷See 22 U.S.C. § 2151n(a) and 22 U.S.C. § 2304(a)(4). While these definitions do not apply to the Leahy provision codified at 22 U.S.C. § 2378d, the State Department has adopted them in implementing its Leahy vetting program.

⁸In March 2019, *BuzzFeed News* reported allegations that park rangers at Chitwan National Park in Nepal had tortured a farmer to death in 2006, and that as a result three park officials, including the chief warden, were arrested

USAID officials told us that in addition to continuing Leahy vetting, USAID took steps in response to the allegations, including strengthening awareness and training related to human rights and conducting a site visit. USAID worked to increase awareness of Leahy vetting and human rights issues across its programs by providing additional training and guidance, according to an official. For example, USAID Central Africa implemented refresher trainings for park rangers with an emphasis on human rights and added mandatory training modules on human rights to the curriculum. Based on an assessment of engagement with indigenous peoples, USAID also developed and disseminated a guide to facilitate compliance with policy issued in March 2020. USAID designed the policy to ensure that staff and implementing partners respect the rights of indigenous peoples and engage them as meaningful partners in the development process.⁹

In response to a 2016 NGO report that alleged rangers in Tumba Lediima committed human rights abuses, including torture and rape, USAID conducted a site visit to the park. According to officials, the visit involved speaking with beneficiaries to further understand the allegations and efforts to assess root causes, mitigate impacts, and stop future occurrences, including making referrals to appropriate law enforcement authorities if warranted. USAID concluded that not all of the allegations were accurate and WWF had sufficiently addressed the ones that were. According to USAID officials, the site report made recommendations that included clarifying legally allowable activities in the park, informing communities of their rights, marking park boundaries, zoning land for agricultural use, and adding human rights curricula to park ranger training. A USAID official who was part of the site visit told GAO that the park fired two rangers. In addition, USAID officials told us that one ranger had been charged with a crime under DRC law and the case is in judicial proceedings.

Although an FWS official in the field told us FWS was unaware of any human rights abuses by park rangers, and headquarters officials told us that they were unaware of some of the allegations raised by *BuzzFeed News*, FWS officials stated that they are taking the allegations seriously. Since June 2019, Interior has approved no new awards to WWF, according to FWS officials. As of September 2019, the International Affairs program put all new funding on hold pending a Departmental review and, as of July 2020, this status remains, according to FWS officials. In addition, FWS in 2019 conducted a site visit to the Congo region in response to allegations that WWF was not following best practices in consulting communities in the area. Due to the site visit, FWS made several recommendations to WWF, including that it should provide human rights training for park rangers and all staff.

Agencies are also implementing various changes in response to congressional directives on safeguarding human rights. For example, the committee of conference considering the Further Consolidated Appropriations Act, 2020 directed Interior, State, and USAID to include provisions in agreements related to community consent, land impact, training and monitoring rangers, and grievance mechanisms.¹⁰

and charged with murder. See "WWF Funds Guards Who Have Tortured and Killed People," *BuzzFeed News*, March 4, 2019.

⁹[Policy](#) on Promoting the Rights of the Indigenous Peoples, USAID, March 2020. See also *Engaging Indigenous Peoples and Local Communities, A Guide for CARPE Staff and Partners*, USAID.

¹⁰See House Appropriations Committee Print 38-679 at 591, 1056. This committee print was incorporated by reference as an explanatory statement of a committee of conference pursuant to section 4 of Pub. L. No. 116-94.

- State officials told us that, among other things, they have added language to all notices for countering wildlife trafficking awards that requires implementing partners to include social safeguards plans. These plans will articulate an understanding of how the work outlined in the proposal could negatively impact local communities, including human rights considerations. In addition, these officials said they plan to consult with partner agencies and organizations on best practices for training park rangers, mitigating social risks, and monitoring implementation.
- USAID officials told us they will consult with implementing partners and indigenous peoples, review risks to inform analyses of potential adverse impacts on existing land and resource claims, compile best practices for training park rangers, and examine approaches to grievance and redress mechanisms. USAID officials also told us that as of July 2020, USAID has begun to draft award language that reflects the congressional directives; has plans to support the field by developing a training and monitoring expectations statement, among other things; and included provisions in new agreements with FWS that require adherence to the congressional directives.
- FWS officials told us they are cooperating with USAID and are developing standardized terms that address the provisions for implementation in fiscal year 2021. Officials also told us that they have integrated this joint approach into the pending interagency agreements for USAID funds for fiscal years 2019 and 2020. They are also proposing to integrate similar standardized terms for CARPE program funding for fiscal years 2018 and 2019, now on hold.

Implementing Partners Conducted Investigations and Established Grievance Mechanisms in Response to Allegations

Implementing partners—WWF, WCS, and AP—have all conducted investigations as well as established grievance mechanisms to address allegations of human rights abuses, according to officials from these organizations. These officials stated that sources such as NGOs and direct reports from locals made them aware of some human rights abuse allegations prior to the *BuzzFeed News* articles.

- After local NGOs informed WWF of abuse allegations in national parks in Cameroon in 2015, WWF commissioned two reports that concluded park rangers had committed human rights abuses against indigenous peoples in Cameroon. Another report concluded that indigenous peoples had objected to the creation of a new park, Messok Dja, in the Republic of Congo, due to park rangers committing human rights violations.
- Over the last 10 years, various sources alerted WCS to eight instances of alleged human rights abuses, including one in which a government park ranger killed an indigenous man in the DRC, according to WCS officials. These officials stated that WCS investigated these allegations and either found them to be false or concluded the allegations were appropriately resolved.
- AP investigated three allegations of human rights abuses by park rangers in Odzala-Kokoua National Park in the Republic of Congo. AP reported these allegations, which included claims that park rangers had committed killings and torture, to FWS and ultimately determined there was no evidence to support them.

Implementing partners have also developed grievance mechanisms for complainants to report human rights abuses.

- WWF has a grievance mechanism based on an Environmental and Social Safeguards Framework, which it designed to manage the risks WWF's work has on local communities. WWF is developing this mechanism internationally including in parks where allegations of abuse have been reported, such as Salonga National Park in the DRC, according to WWF representatives. In roughly the past year, WWF has received 50 complaints with a connection to WWF's project work, according to WWF representatives. Moreover, they said that the Framework should, where possible, support or supplement existing community complaints mechanisms. For example, WWF officials told us that when a situation involves violence or other legal matters in the Central African Republic, they refer the case to WWF's Human Rights Center for a lawyer to advocate for legal action through the host country's legal system. WWF officials stated that WWF has responded to complaints of human rights abuses through this mechanism by reporting the allegations to relevant authorities and meeting with community representatives. In January 2019, an NGO stated that WWF needed to improve its grievance mechanism at Salonga National Park in several ways, including by making locals aware of it and addressing linguistic, technological, and security issues to make it more accessible. WWF reported that it is continuing to improve the grievance mechanism.
- WCS implemented a formal grievance mechanism to report human rights abuses in 2019, although it had informal complaint mechanisms in place for years prior, according to WCS. A WCS official stated that WCS has not yet received any allegations of human rights abuses through this formal mechanism, but would investigate them and respond if it did. WCS also reported that it is continually improving its systems and procedures for protecting human rights.
- AP implemented a grievance mechanism in 2003 in which complainants submit issues to a Complaints Officer, and a Complaints Committee reviews them, according to AP representatives. AP representatives stated they set up the grievance mechanism at the establishment of any new agreement for park management. AP added a specific human rights component to the mechanism in 2020. AP told us that complaints submitted through the grievance mechanism have alerted the organization to allegations of human rights abuses, such as one in which a man accused park rangers at Odzala-Kokoua National Park in the Republic of Congo of forcing him to drink gasoline in 2019. AP investigated this allegation and concluded that the man had voluntarily drunk the gasoline.

Agency Comments

We provided a draft of this report for review and comment to the Departments of State and the Interior, and USAID. In their comments, reproduced in the attached enclosures, the Department of the Interior and USAID generally concurred. All three agencies also provided technical comments, which we incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees and to the Secretaries of State and the Interior, and the Administrator of USAID. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-8612 or gianopoulosk@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. In addition to the contact named above, Judith Williams (Assistant Director), Marc Castellano (Analyst in Charge), and Emily Weisenberger made key contributions to this report. Other staff who contributed to this report were Jonathan Dent, Mark Dowling, Anne-Marie Fennell, Justin Fisher, Alyssa Hundrup, and Aldo Salerno.

A handwritten signature in black ink that reads "Kimberly M. Gianopoulos". The signature is written in a cursive, flowing style.

Kimberly M. Gianopoulos
Director, International Affairs and Trade

Enclosures

Enclosure I: Comments from the Department of the Interior



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

September 25, 2020

Ms. Kimberly Gianopoulos
Director, International Affairs & Trade
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Gianopoulos:

Thank you for providing the U.S. Department of the Interior (Department) the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled *Combating Wildlife Trafficking: Agencies Work to Address Human Rights Abuse Allegations in Overseas Conservation Programs* (GAO-21-139R). Our comments reflect both technical comments from the U.S. Fish and Wildlife Service (FWS) as well as other interested components of the Department. We appreciate GAO's review of U.S. agencies' efforts to combat wildlife trafficking and address human rights abuses although we are disappointed that limitations stemming from the COVID-19 pandemic prevented GAO from comprehensively conducting its review. Several important questions and areas of concern remain unresolved.

Illegal trade in wildlife, also known as wildlife trafficking, continues to push some protected and endangered animal species to the brink of extinction. Extensive media reports have alleged the organizations that received U.S. funding have supported park rangers who have themselves committed human rights violations while combatting wildlife trafficking. During a programmatic review, FWS requested information from grantees and human rights organizations who received funding from multiple sources, including federal agencies. Based upon this information, some of the responses appear to substantiate the concerns of Department officials regarding allegations of murder, rape, torture, and abuse. Despite our extensive investigation, without access to privately held records, it remains unclear the extent of direct allocation of taxpayer resources to these specific activities and bad actors. We understand GAO decided that reviewing these allegations was outside the scope of its investigation. They nonetheless remain quite relevant to understanding the existing deficiencies in oversight controls for international conservation grants, specifically those supporting law enforcement activities.

The draft report transmitted for agency comment on August 14, 2020 primarily addresses FWS policy and reaction to these allegations and some actions taken by both federal agencies and awardees to safeguard against future abuses being supported by federal taxpayer dollars.

The draft report does not make any recommendations for the FWS. However, the report includes some inaccurate information incorrectly attributed to FWS sources. FWS offers the following technical comments on the draft report:

Corrections for Consideration #1:

1

The August 14, 2020 draft report incorrectly attributes certain statements to “FWS officials.” In the draft report, a statement on page 5 reports:

*“State does not vet every unit that patrols a park for human rights abuses prior to providing U.S. support to park rangers. For example, **according to FWS officials**, some park rangers who receive U.S. support work alongside armed authorities of the host government, such as the military. **FWS officials stated** that State does not need to vet the armed authorities of the host government, because they do not receive U.S. funds” (emphasis added).*

In contrast, the Statement of Facts received by the FWS for review on July 22, 2020, page 5, lines 14-18 stated:

“State is not required to vet every unit that patrols a park for human rights abuses prior to providing U.S. support to park rangers. For example, some park rangers who receive U.S. support work alongside armed authorities of the host government, such as the military. State must vet the park rangers, but it does not need to vet the armed authorities of the host government, because they do not receive U.S. funds.”

It is unclear why the draft report is different than the Statement of Facts prepared by GAO and sent to the FWS on July 22, 2020. FWS does not believe these statements in the draft report accurately reflect our responses during the interviews which took place on April 16, 2020 and April 22, 2020. We ask that these references to “FWS officials” be removed or clarified. FWS makes determinations of *Leahy* vetting based on grantee descriptions of activities. It then submits eligible projects to the State Department which conducts *Leahy* vetting of foreign security forces. The process by which the State Department conducts *Leahy* vetting is outlined on page 5 of the report and in the *Leahy* Law Factsheet published on the State Department website (<https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet/>).

Corrections for Consideration #2:

In addition, in the August 14, 2020 draft report, the discussion regarding *Leahy* vetting on page 5 also includes the statement:

“According to FWS officials, Leahy vetting applies to funds appropriated to implement the Foreign Assistance Act and allocated to FWS, but generally does not apply to funds provided in Department of Interior and related agencies appropriations measures to implement other provisions of law”.

As drafted, we believe this statement does not accurately reflect the FWS official’s description of the process and provides an incorrect posture that implies there is administrative discretion in the application of *Leahy* vetting for those grants received under the Foreign Assistance Act (FAA) which support law enforcement activities. Of course, grants for activities not involving law enforcement activities but provided under the FAA may not require *Leahy* vetting. We will additionally note that other funds that FWS receives through direct appropriations for similar purposes in Africa, South America, Asia, and the Caribbean, which are not provided under the FAA, are also not subject to *Leahy* vetting. We would suggest this sentence be corrected as follows:

According to FWS officials, the Leahy laws, also referred to as Leahy amendments, are included in section 620M of the Foreign Assistance Act of 1961(FAA), as amended. As such, the Leahy laws apply to funds appropriated under the FAA. The Department of the Interior may administer funds appropriated under the FAA through interagency agreements with the Department of State/USAID, etc. The Leahy laws may therefore be applicable to these funds depending on the type of interagency agreement and the authorities that apply. Funds that are directly appropriated to FWS for similar conservation efforts internationally but not provided under the FAA are not subject to Leahy vetting. Similarly, funds provided under FAA but not involving law enforcement activities may also not require or receive Leahy vetting.

Also, FWS understands that *Leahy* vetting applies to individuals and/or units of host governments classified as foreign security forces by the State Department that receive funding appropriated under the Foreign Assistance Act. This includes military personnel, police units, etc. The explanation of the vetting process provided by the FWS official pertained to a specific project in Gabon. However, the statement in the draft report incorrectly applies this explanation to more broadly describe FWS’s understanding of the *Leahy* vetting process as a whole rather than one limited to this project.

The Department has expended considerable time and effort to assess this FWS program and determine how it can fully execute Congress’s multiple statutory mandates in a lawful and responsible manner. While we have a near-term responsible path forward that we believe will soon lead to award of USAID’s FY18/19 funds, we intend to take a more comprehensive approach with USAID’s active involvement as we address USAID’s subsequent appropriations that rely on the expertise and capabilities of the FWS.

Thank you again for the opportunity to review this material and to provide you with our feedback.

Sincerely,



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Date: 2020.09.25
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Scott J. Cameron
Acting Assistant Secretary
Policy, Management and Budget

Enclosure II: Comments from the U.S. Agency for International Development



Kimberly M. Gianopoulos
Director, International Affairs and Trade
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20226

Re: Combating Wildlife Trafficking: Agencies Work to Address Human Rights Abuse Allegations in Overseas Conservation Programs (GAO-21-139R)

Dear Ms. Gianopoulos,

I am pleased to provide the formal response of the U.S. Agency for International Development (USAID) to the draft report produced by the U.S. Government Accountability Office (GAO) titled *Combating Wildlife Trafficking: Agencies Work to Address Human Rights Abuse Allegations in Overseas Conservation Programs* (GAO-21-139R).

USAID has zero tolerance for violations of human rights in its programs, and is appalled by reports of intimidation and violence. We remain vigilant against the potential of human rights violations in the context of our programming and continually seek to reduce those risks. The recent approval of the Policy Promoting the Rights of Indigenous Peoples (PRO-IP) showcases our strong commitment to reducing the risks inherent in international development programming. In addition, USAID takes its responsibilities to fulfill the four new safeguards requirements outlined on page 61 of the Joint Explanatory Statement (JES) accompanying Public Law 116-94, Division G, the Department of State, Foreign Operations, and Related Programs Appropriations Act (SFOAA), 2020 very seriously. Our response consists of three primary areas: helping the field by developing model solicitation and awards language and outlining the responsibilities for USAID award recipients pursuant to the JES requirements; developing additional guidance material to assist the field; and clearly articulating the JES requirements to our Missions and in our interagency agreements.

To further increase oversight and accountability, USAID and the U.S. Fish and Wildlife Service (FWS) agreed to convert the E3 Bureau and CARPE interagency agreements from 632(a) transfers to 632(b) participating agency program agreements (PAPA) in FY19, rather than waiting for FY20 funds (when this change is required by the appropriations bill). This change will allow USAID to increase its oversight and accountability with respect to social risk, and work more closely with FWS to ensure its sub-awardees apply safeguards against abuse of power and human rights.

Lastly, USAID intends to communicate clearly that the Agency expects Missions and partners to report any human rights abuses to USAID/Washington. USAID intends to do so via

an upcoming Global Mission Director call, an Agency notice that will go out at the beginning of the new fiscal year, and establishing new channels of reporting.

We appreciate the professionalism of the GAO team who worked on this engagement and are in concurrence with and support the facts outlined in this report.

I am transmitting this letter and the enclosed USAID comments for inclusion in the GAO's final report. Thank you for the opportunity to respond to the draft report, and for the courtesies extended by your staff while conducting this engagement. We appreciate the opportunity to participate in the complete and thorough evaluation of the abuse allegations in overseas conservation programming.

Sincerely,

Frederick M. Nutt

Frederick Nutt *Sept. 23, 2020*
Assistant Administrator
Bureau for Management

Enclosure: a/s

**COMMENTS BY THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT ON
THE DRAFT REPORT PRODUCED BY THE U.S. GOVERNMENT
ACCOUNTABILITY OFFICE (GAO) TITLED *COMBATING WILDLIFE
TRAFFICKING: AGENCIES WORK TO ADDRESS HUMAN RIGHTS ABUSE
ALLEGATIONS IN OVERSEAS CONSERVATION PROGRAMS (GAO-21-139R)***

The U.S. Agency for International Development (USAID) would like to thank the U.S. Government Accountability Office (GAO) for the opportunity to respond to this draft report. We appreciate the extensive work of the GAO engagement team.

While there are no recommendations for USAID action, USAID is in concurrence with and supports the facts as outlined in this report.

USAID has zero tolerance for violations of human rights in its programs, and is appalled by reports of intimidation and violence. The recent approval of the Policy Promoting the Rights of Indigenous Peoples (PRO-IP) showcases our strong commitment to reducing the risks inherent in international development programming. As noted in the draft report, we remain vigilant against the potential of human rights violations in the context of combating wildlife trafficking programming in parks and protected areas and will continue to seek ways to reduce these risks now and into the future.

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