

July 2006

SECURITY ASSISTANCE

Lapses in Human Rights Screening in North African Countries Indicate Need for Further Oversight



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Highlights

Highlights of [GAO-06-850](#), a report to congressional requesters

Why GAO Did This Study

Algeria, Morocco, and Tunisia are important U.S. allies in the war on terrorism. The United States provides these countries with security assistance, however, Congress restricts funding when credible evidence exists that foreign security units have committed gross human rights violations. GAO (1) describes the goals of U.S. security assistance to these countries and examines U.S. agencies' assessment of this assistance, (2) assesses U.S. agencies' implementation in Morocco and Tunisia of State's policy to screen foreign security forces to ensure compliance with congressional human rights funding restrictions, and (3) examines agencies' efforts to monitor the use of U.S.-origin defense articles provided through U.S. security assistance programs in the three countries, including Western Sahara, to ensure that they are not misused or diverted. GAO visited U.S. posts in Morocco and Tunisia and analyzed trainee files to determine compliance with human rights vetting policy.

What GAO Recommends

GAO recommends that the Secretary of State, in consultation with the Secretary of Defense, strengthen the process for human rights vetting of foreign security forces by establishing a systematic monitoring mechanism that will ensure that State's vetting procedures are carried out at overseas posts. State concurred with our recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-06-850.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Joseph Christoff at (202) 512-8979 or christoffj@gao.gov.

SECURITY ASSISTANCE

Lapses in Human Rights Screening in North African Countries Indicate Need for Further Oversight

What GAO Found

The goals of the U.S. security assistance programs in Algeria, Morocco, and Tunisia are to support counterterrorism and broader security cooperation goals, such as maintaining regional stability and security, building the military capacity of foreign partners, and promoting interoperability with U.S. forces. To support these goals, the Departments of State (State) and Defense (DOD) have allocated approximately \$146.6 million, from fiscal years 2002 to 2005, to train and equip security forces in these countries. DOD and State assess these programs together with other related activities through evaluations of security cooperation, counterterrorism, and other country goals.

State policy requires human rights vetting of individuals and units of foreign security forces receiving U.S.-provided training. In Morocco and Tunisia, GAO found lapses in the vetting of trainees during fiscal years 2004 and 2005. These lapses include more than 400 trainees for whom no vetting files existed at the posts. In addition, even though posts maintained vetting files on 468 trainees, GAO estimates that 27 percent of these files did not have evidence of vetting. The lapses in vetting trainees resulted from unclear guidance on vetting procedures, undefined roles and responsibilities for vetting, and the lack of a systematic monitoring mechanism to ensure that procedures were followed. Although State has issued a guide to clarify procedures and has required posts to assign an official responsible for vetting, it does not monitor whether posts are following vetting procedures.

Algeria, Morocco, and Tunisia do not have any sensitive U.S.-origin defense articles subject to DOD's systematic monitoring requirements, such as physical inventory and inspection requirements. According to DOD officials and human rights organizations, no allegations of unauthorized use of U.S.-origin equipment have been made that would call for greater scrutiny of end use by these countries.

The United States Provides Excess Defense Articles to Morocco and Tunisia



Source: DOD.

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Abbreviations

ACES	Abuse Case Evaluation System
ALP	Aviation Leadership Program
ATA	Antiterrorism Assistance
CTFP	Regional Defense Counterterrorism Fellowship Program
DOD	Department of Defense
DSCA	Defense Security Cooperation Agency
EDA	Excess Defense Articles
EUCOM	U.S. European Command
FMF	Foreign Military Financing
IMET	International Military Education and Training
INCLE	International Narcotics Control and Law Enforcement
JCET	Joint Combined Exchange Training
OIG	Office of Inspector General
PART	Program Assessment Rating Tool
UN	United Nations

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United States Government Accountability Office
Washington, DC 20548

July 28, 2006

The Honorable Tom Coburn
Chairman
Subcommittee on Federal Financial Management, Government
Information, and International Security
Committee on Homeland Security and Governmental Affairs
United States Senate

The Honorable Ileana Ros-Lehtinen
Chairwoman
Subcommittee on the Middle East and Central Asia
Committee on International Relations
House of Representatives

The Honorable Ted Poe
House of Representatives

The U.S. government views Algeria, Morocco, and Tunisia as stable Islamic countries that are key partners in the war on terrorism. These countries are adjacent to vast expanses of ungoverned desert and have porous borders vulnerable to exploitation by terrorist organizations. The Department of State (State) and the Department of Defense (DOD) provide these countries with security assistance¹ to further U.S. foreign policy and security goals, such as supporting counterterrorism, promoting stronger bilateral relationships, strengthening self-defense capabilities, and promoting greater respect for democracy and human rights. To further human rights goals, Congress restricts certain security assistance funds from being provided to any units of foreign security forces when credible evidence exists that such units have committed gross violations of human

¹For the purposes of this report, we defined security assistance as U.S. government assistance aimed at training or equipping foreign security forces (military and police).

rights.² However, we recently found lapses in State's process for human rights screening, or vetting,³ of foreign candidates for U.S.-funded training in other countries.⁴ Additionally, an unresolved territorial dispute in the Western Sahara is viewed as an impediment to regional cooperation and contributes to concerns about human rights abuses.

In response to your request, this report (1) describes the goals of U.S. security assistance to Algeria, Morocco, and Tunisia and examines U.S. agencies' assessment of this assistance; (2) assesses U.S. agencies' implementation in Morocco and Tunisia of State's policy to screen foreign security forces to ensure compliance with congressional human rights funding restrictions; and (3) examines U.S. agencies' efforts to monitor the use of U.S.-origin defense articles provided through U.S. security assistance programs in the three countries, including in Western Sahara, to ensure that they are not misused or diverted for unauthorized uses.

To address these objectives, we reviewed relevant State and DOD planning, funding, and evaluation documents, and the agencies' policies and procedures. We spoke with State and DOD officials in Washington, D.C.; Rabat, Morocco; and Tunis, Tunisia. We also interviewed DOD officials at the U.S. European Command (EUCOM) in Stuttgart, Germany. In addition, we met with government officials from Morocco to discuss U.S.-provided security assistance and spoke with the commander of the United Nations (UN) peacekeeping force in Western Sahara regarding Morocco's military presence there. In Rabat and Tunis, we analyzed a stratified random probability sample of 273 out of 468 available human rights vetting case files to determine U.S. agencies' compliance with State's human rights vetting policy. These State and DOD files were

²This restriction, commonly referred to as the "Leahy Amendment," first appeared in the 1997 Foreign Operations Export Financing and Related Appropriations Act (P.L. 104-208) and only applied to funds appropriated to State's International Narcotics Control program. It was broadened in fiscal year 1998 to apply to all funds appropriated under the 1998 Foreign Operations Export Financing and Related Appropriations Act (P.L. 105-118). In fiscal year 1999, a similar provision appeared in the Department of Defense Appropriations Act, 1999 (P.L. 105-262), which applied to funds appropriated under the act. The two provisions have appeared each year since in the annual Foreign Operations Appropriations Acts and the Department of Defense Appropriations Acts, respectively.

³Human rights vetting involves checking the names of individuals or units proposed for training against files, databases, and other sources of information to ensure that they do not have records of gross human rights violations.

⁴GAO, *Southeast Asia: Better Human Rights Reviews and Strategic Planning Needed for U.S. Assistance to Foreign Security Forces*, [GAO-05-793](#) (Washington, D.C.: July 2005).

maintained for nominees for U.S.-provided training during fiscal years 2004 and 2005. We did not collect data on whether any individual or unit trained by the United States, whether vetted or not, had committed human rights violations. We did not visit Algeria because the United States provides much less security assistance to Algeria than it does to Morocco and Tunisia. Appendix I contains a more detailed description of our scope and methodology. We performed our work from October 2005 to July 2006 in accordance with generally accepted government auditing standards.

Results in Brief

The goals of the U.S. security assistance programs in Algeria, Morocco, and Tunisia are to support counterterrorism and broader security cooperation goals, such as maintaining regional stability and security, building the military capacity of foreign partners, and promoting interoperability with U.S. forces. To support these goals, State and DOD have allocated⁵ approximately \$146.6 million to train and equip security forces in these countries from fiscal year 2002 through fiscal year 2005. All three countries participated in a variety of U.S.-provided training programs for their domestic and military security forces. The U.S. government also provided Morocco and Tunisia with excess military equipment from U.S. stockpiles, such as used transport vehicles and 1960s-era helicopters. The government also provided Foreign Military Financing grants, which were used to purchase spare parts to refurbish and maintain the equipment. State and DOD assess whether and how these security assistance programs, in addition to other activities such as humanitarian assistance and military-to-military events, support U.S. foreign policy and security goals through evaluations of security cooperation and counterterrorism goals.

In Morocco and Tunisia, we found lapses in the human rights vetting of foreign security forces receiving U.S.-funded training in fiscal years 2004 and 2005. We found that the lapses in vetting took two forms: (1) no files existed to determine whether vetting occurred for approximately 438 trainees and (2) for the 468 trainees for whom posts maintained files, we estimate that 27 percent of the files (127 trainees)⁶ lacked evidence of

⁵We use the terms allocated and allocations to include appropriations, expenditures, or estimated values dependent upon the data available for each program.

⁶We are 95 percent confident that the percentage of total files with no evidence of vetting is between 24 and 31 percent and that the total number of files with no evidence of vetting is between 110 and 143.

vetting. These lapses in vetting trainees resulted from unclear guidance on vetting policies and procedures, undefined roles and responsibilities for vetting, and a lack of a systematic monitoring mechanism to ensure that procedures were followed. In July 2005, we found similar lapses at U.S. posts in Indonesia, the Philippines, and Thailand. Since then, State has taken steps to address two of the three weaknesses. State has clarified vetting policies and procedures by issuing a guide to human rights vetting for posts. State has also defined roles and responsibilities by requiring each post to assign a single point of contact with responsibility for oversight of vetting procedures. However, State has not established a systematic monitoring mechanism. In Morocco and Tunisia, we found that the assigned points of contact did not routinely monitor whether vetting procedures were followed at the posts. In addition, State headquarters does not monitor whether posts are following procedures for vetting foreign security forces.

Algeria, Morocco, and Tunisia do not have any sensitive U.S.-origin equipment subject to DOD's systematic monitoring requirements, which include physical inventory and inspection requirements. U.S. law generally limits the transfer of defense articles and services to countries for purposes of internal security, legitimate self-defense, or regional or collective arrangements. To ensure compliance with these limitations, DOD employs an end-use monitoring program, which requires systematic monitoring only for the most sensitive defense articles, such as stinger missiles and night vision devices. For nonsensitive articles, DOD guidance directs security assistance officers at overseas posts to conduct monitoring in conjunction with other routine visits with host country officials. According to DOD officials and human rights organizations, there have been no allegations of unauthorized use of U.S.-origin equipment in Tunisia, Morocco and Western Sahara that would require greater scrutiny. Because there are no sensitive U.S.-origin defense articles or allegations of unauthorized use, DOD officials have not conducted end-use monitoring activities involving Morocco's use of equipment in Western Sahara.

We are recommending that the Secretary of State, in consultation with the Secretary of Defense, further strengthen the process of human rights vetting of foreign security forces by establishing a systematic monitoring mechanism that will ensure that State's vetting procedures are carried out at overseas posts. Specifically, we recommend the following two actions:

-
- The point of contact responsible for human rights vetting at each post should verify that the various offices implementing U.S. training at the post comply with State's vetting policy.
 - Posts should report the results of their monitoring efforts to a designated State headquarters unit to provide State with assurance of posts' compliance with its human rights vetting policy.

We provided a draft of this report to the Secretaries of Defense and State for their review and comment. DOD did not comment on our draft. State provided a written response that is reprinted in appendix IV and technical comments, which we incorporated in the report as appropriate. In commenting on our draft and in a subsequent e-mail, State concurred with our recommendations and indicated that they are taking steps to implement them. State also noted that our review did not uncover any evidence that the U.S. government has trained any individual or unit that has committed gross violations of human rights. However, our review only focused on whether State and the posts in Rabat and Tunis vetted trainees. We did not collect data on whether any individual or unit trained by the United States, whether vetted or not, had committed human rights violations.

Background

State and DOD provide a variety of security assistance programs to train and equip security forces (military and police) in North Africa. Many of these programs are funded by State and implemented by DOD. DOD manages security assistance under its Theater Security Cooperation umbrella along with a variety of other activities.⁷ The European Command, which is the U.S. military entity responsible for these countries' programs, focuses its security cooperation activities on assisting allies and partner countries to develop the capabilities to conduct peacekeeping, participate in the war on terrorism, and perform contingency operations with U.S. forces.

State funds the following programs to train and equip foreign security forces:

⁷These activities include multinational exercises, military-to-military contacts, and humanitarian assistance.

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- Antiterrorism Assistance (ATA) provides strategic, operational, and technical training and equipment to foreign law enforcement agencies to assist them in detecting and eliminating terrorist threats and in protecting facilities, individuals, and infrastructure. State implements this program.
 - Foreign Military Financing (FMF) provides grants and loans for the acquisition of U.S. defense equipment, services, and training by foreign governments. The goal of these grants is to enable key allies to improve their defense capabilities and to foster closer military relationships between the United States and recipient nations. DOD implements the program.
 - International Military Education and Training (IMET) provides training to foreign military and related civilian personnel. IMET training is intended to promote professional militaries around the world and strengthen U.S. military alliances. DOD implements the program.
 - International Narcotics Control and Law Enforcement (INCLE) seeks to enhance the law enforcement capabilities of foreign governments in combating criminal, drug, and terrorist threats. INCLE programs support counternarcotics, intelligence, border patrol, and interdiction activities. State implements the program through interagency agreements with other U.S. government agencies, including the Departments of Justice and Homeland Security.

DOD funds and implements several programs to train foreign security forces.

- The Regional Defense Counterterrorism Fellowship Program (CTFP) provides education and training on counterterrorism activities to foreign military and related civilian officials. This training is intended to bolster the capacity of friendly foreign nations to detect, monitor, and interdict or disrupt the activities of terrorist networks.
- Joint Combined Exchange Training (JCET) permits U.S. special operations forces to train with foreign military forces to enhance readiness through language proficiency, cultural immersion, knowledge of foreign environments, and instructor skills. The training primarily benefits U.S. forces. Benefits to the host nation's security forces are incidental.
- The Aviation Leadership Program (ALP) is a U.S. Air Force-funded program that provides undergraduate pilot training to a small number of international students from friendly, less developed countries.

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- Regional Centers for Security Studies provide a forum for bilateral and multilateral communication, and military and civilian exchanges within a region. Activities at five regional centers range from extended academic programs to conferences on topics such as regional security issues, defense planning, and civilian-military relations.
 - DOD's three service academies conduct traditional academic exchange programs of varying length and content. Up to 60 foreign students may attend one of the service academies as members of an academy class. The goal of the program is to expose future foreign leaders to their U.S. peers and to promote military professionalism.

State and DOD also coordinate to provide nonappropriated assistance for foreign security forces.

- Excess Defense Articles (EDA) is nonappropriated assistance to help build the defense capabilities of friendly countries in the form of excess U.S. defense articles drawn from DOD stocks. Defense articles declared as excess by the military departments can be transferred in an "as-is, where-is" condition to the recipient.
- Drawdown is nonappropriated assistance that transfers in-stock defense articles and services from DOD's inventory, as well as from any other U.S. agency of the U.S. government, to foreign countries and international organizations in response to unforeseen military emergencies, humanitarian catastrophes, peacekeeping needs, or counternarcotics requirements.

The governments of Algeria, Morocco, and Tunisia are considered stable, although State has reported problems with their human rights practices.⁸

- **Algeria.** Algeria has emerged from a period of terrorist and related violence during the 1990s when more than 100,000 lives were lost, according to State. Since then, as Algeria has made progress toward democratization, casualties have declined sharply. Although Algerian government actions have weakened terrorist groups domestically, Algerians have been found among suicide bombers and terrorists captured in Iraq. Terrorist cells operate in the Algerian east and far south and in the Sahel, the area bordering southern Algeria. State's most recent human

⁸See State's 2005 country reports on human rights practices, <http://www.state.gov/g/drl/rls/hrrpt/2005>.

rights report stated that the Algerian government had several human rights problems, including impunity of security forces, allegations of abuse and torture of detainees, and arbitrary arrest and prolonged pretrial detention. State also credited the Algerian government for taking steps to strengthen human rights, which resulted in fewer such incidents than in the past.

- **Morocco.** The United States views Morocco as a stable, moderate Arab regime; an ally against terrorism; and a free trade partner. King Mohammed VI retains ultimate power, including over the military. In May 2003, Moroccan suicide bombers attacked several sites in Casablanca. In response, the government arrested an estimated 3,000 people and sentenced at least 900 for crimes under counterterrorism laws, according to State. Moroccan-born extremists associated with al Qaeda affiliates were implicated in the March 2004 train blasts in Madrid. According to State's human rights report, Morocco's human rights record "remained poor in many areas." The report highlighted accusations of excessive force and harsh sentences against demonstrators in Western Sahara and torture of human rights activists in that region. Also included among the human rights problems were reports of police impunity, arbitrary arrest, and incommunicado detention.
- **Western Sahara.** Morocco and the independence-seeking Popular Front for the Liberation of Saqiat al-Hamra and Rio de Oro (Polisario) have disputed the independence of Western Sahara since the 1970s, when Spain decolonized the territory.⁹ Following a long war in Western Sahara between Morocco and the Polisario, the UN brokered a ceasefire that went into effect in 1991, and a UN peacekeeping force remains in the region. Morocco currently occupies 80 percent of Western Sahara. The United States, which does not recognize Moroccan sovereignty over Western Sahara, supports efforts to reach a mutually acceptable resolution under UN auspices; however, the situation remains at an impasse. This issue is the main impediment to improving bilateral relations between Morocco and Algeria, as Algeria backs the Polisario.
- **Tunisia.** Tunisia has a stable yet authoritarian government with a dominant majority political party and a president who has been in power since 1987. The Tunisian government harshly suppressed an Islamist opposition movement in the late 1980s and early 1990s. More recently,

⁹Western Sahara, a Spanish possession from the 1880s until the 1970s, is a desert area that has a population of approximately 267,000, bordering the Atlantic Ocean between Mauritania and Morocco. It has valuable phosphate resources and fishing grounds and the possibility of off-shore oil reserves.

suspected terrorists bombed a synagogue on the Tunisian island of Djerba in 2002 and Tunisian expatriates have been arrested in Europe and North America on terrorism-related charges. State's human rights report stated that Tunisia's human rights record remained poor. Among the human rights problems reported were incidents of torture and abuse of prisoners and detainees, police impunity, and sanctioned attacks by police on citizens who criticize the government.

U.S.-Provided Security Assistance Is Intended to Support Counterterrorism and Other Security Cooperation Goals and Is Assessed Collectively with Other Activities

The United States uses security assistance to Algeria, Morocco, and Tunisia to support the broad goals of security cooperation and counterterrorism. Security assistance programs provide these countries a mixture of training and equipment through programs such as IMET, FMF, EDA for foreign military forces, and counterterrorism and other training for domestic security forces. To carry out these security assistance programs, State and DOD have allocated¹⁰ the equivalent of approximately \$146.6 million from fiscal years 2002 to 2005. The contributions of these security assistance programs to achieving security cooperation and counterterrorism goals are assessed collectively with those of other activities, such as military-to-military events and economic and humanitarian assistance.

U.S. Security Assistance Programs Are to Support Counterterrorism and Security Cooperation Goals

In Algeria, Morocco, and Tunisia, the goals for U.S.-provided security assistance programs are to enhance security and political relationships, fight terrorism, improve foreign military capabilities and interoperability, and increase U.S. access for overflight rights and port visits. The security assistance programs in each of these countries may support one or more of these goals. Security assistance programs attempt to achieve these goals by training and equipping foreign security forces.

State has a mission performance process in which the posts outline goals for their countries and identify the security assistance and other programs that would support those goals. For example, State has a goal to increase

¹⁰We use the terms allocated and allocations to describe a broad mix of appropriated and nonappropriated assistance provided to foreign security forces in Algeria, Morocco, and Tunisia. For State's FMF, IMET, and INCLE programs, we used appropriations as allocated by State to these countries' programs. For State's ATA program and DOD's CTFP, JCET, and other funded programs, we used expenditure data because no separate appropriation and country allocation data existed. The EDA and Drawdown programs are nonappropriated equipment transfers.

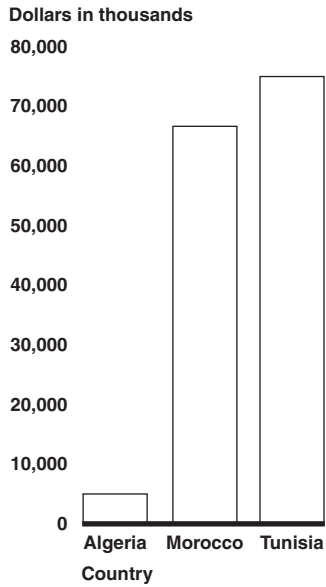
Tunisia's antiterrorism capabilities. State planning documents list the ATA program, which provides training in airport security and crisis management, as one of the resources it will employ to meet its goal. Additionally, State has a goal to cooperate with Morocco on counterterrorism and provides communications equipment and intelligence officer training, under the FMF and IMET programs, as a means to achieve this goal.

Similarly, DOD develops country campaign plans that include country security cooperation goals and implementation activities, which encompass security assistance programs. For example, DOD's goals in Algeria are to increase military professionalization and interoperability. To achieve these goals, DOD uses security assistance programs, such as IMET and JCET. Additionally, DOD links its goals to State's mission planning documents.

State and DOD Provided Security Assistance to Train and Equip Security Forces in Algeria, Morocco, and Tunisia

State and DOD collectively allocated approximately \$146.6 million through their security assistance programs to Algeria, Morocco, and Tunisia from fiscal years 2002 to 2005. Tunisia was the largest recipient of U.S.-provided security assistance in this region, receiving \$74.8 million, although about 40 percent of this came from the estimated value of excess U.S. equipment delivered in fiscal year 2002 under the EDA program. Morocco received approximately \$66.9 million, and Algeria received \$5 million. Figure 1 illustrates a breakdown of total assistance to each North African country.

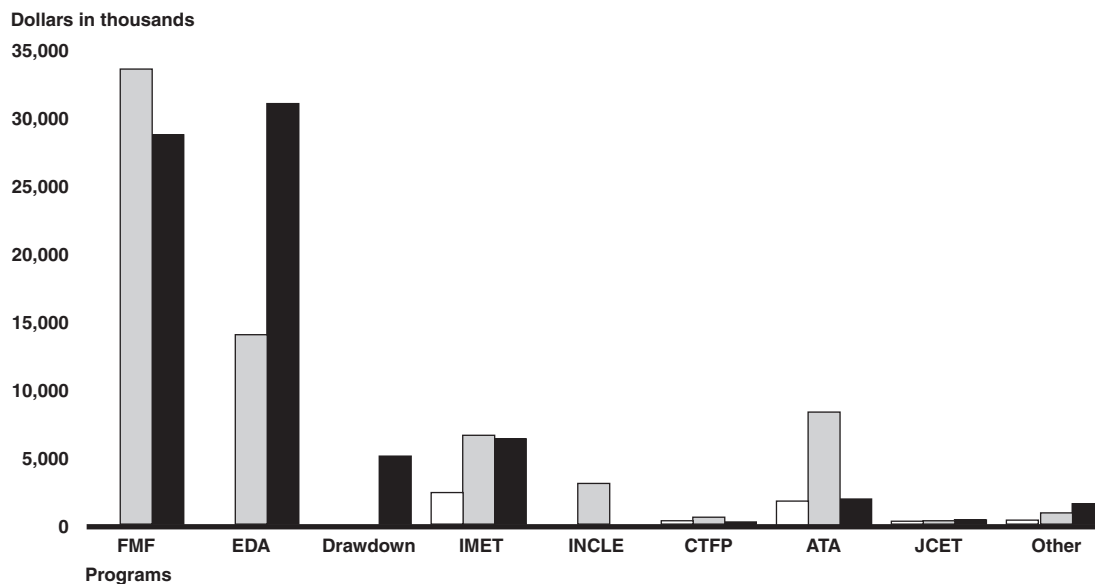
Figure 1: Total Security Assistance Allocations to Algeria, Morocco, and Tunisia, Fiscal Years 2002–2005



Source: GAO analysis of State and DOD agency data.

Figure 2 shows the total allocations by program that Algeria, Morocco, and Tunisia received from fiscal years 2002 to 2005.

Figure 2: Total Security Assistance Allocations by Program to Algeria, Morocco, and Tunisia, Fiscal Years 2002–2005



Programs	Algeria	Morocco	Tunisia
FMF	0	33,468	28,634
EDA	0	13,931	30,929
Drawdown	0	0	5,000
IMET	2,321	6,533	6,272
INCLE	0	2,992	0
CTFP	247.5	508.2	158.3
ATA	1,847.5	8,394.1	1,999.8
JCET	212.8	246	311
Other	293.1	836.3	1,480.7

Source: GAO analysis of State and DOD agency data.

Security Assistance to Algeria Primarily Funded Training for Military Forces

State and DOD allocated approximately \$5 million to Algeria in security assistance from fiscal year 2002 to fiscal year 2005. The IMET and ATA programs were the principal security assistance programs (85 percent of funding) in Algeria. IMET was used to train approximately 263 Algerian security force personnel during this period.¹¹ Unlike Morocco and Tunisia, Algeria does not receive FMF funding or EDA equipment transfers. Table 1 shows the U.S. agency, program, allocations, and examples of U.S.-provided security assistance.

¹¹The data provided for Algeria, Morocco, and Tunisia did not allow us to determine if some individuals received training in more than one fiscal year. Therefore, there may be some over-counting of trainees in the numbers reported from 2002 to 2005.

Table 1: U.S. Allocations to Security Forces in Algeria, Fiscal Years 2002–2005

Dollars in thousands

Funding agency	Program	Allocation	Examples of assistance provided
State	IMET	\$2,321.0	Trained approximately 263 Algerian security personnel in courses such as intelligence, English, and basic officer training.
	ATA	1,847.5	Trained Algerian security personnel in hostage negotiation and incident management.
DOD	CTFP	247.5	Trained 25 Algerian security personnel in counterterrorism.
	JCET	212.8	Provided joint training for U.S. Special Operations Forces and Algerian security forces.
	Other	\$293.1	Provided training for 182 Algerian security personnel at Regional Centers for Strategic Studies.

Source: GAO analysis of State and DOD agency data.

Security Assistance to Morocco Funded a Mixture of Training and Equipment Programs for Security Forces

State and DOD allocated approximately \$66.9 million in security assistance to Morocco for training and equipment from fiscal years 2002 to 2005. Of U.S. security assistance programs in Morocco, FMF and EDA are the largest, accounting for about \$47 million (71 percent) of the total. IMET trained approximately 458 Moroccan security forces. Also, State-funded training was provided in fiscal year 2005 through the INCLE program for border security at ports-of-entry. Morocco is an active user of the EDA program, acquiring hundreds of used U.S. 5-ton and 2.5-ton trucks, which they use for spare parts. Additionally, Morocco uses the FMF program to obtain spare parts to sustain aging equipment. According to DOD officials in Morocco, as the equipment continues to age, it will become unsustainable, and Morocco will need to find resources to replace this equipment. Table 2 shows the U.S. agency, program, allocations, and examples of U.S.-provided security assistance.

Table 2: U.S. Allocations to Security Forces in Morocco, Fiscal Years 2002–2005

Dollars in thousands

Funding agency	Program	Allocation	Examples of assistance provided
State	FMF	\$33,468.0	Purchased spare parts for aircraft and other vehicles, radio equipment, and packaging and shipping charges for EDA transfers.
	IMET	6,533.0	Trained approximately 458 Moroccan security personnel in logistics readiness, munitions inspections, and command and general staff training.
	INCLE	2,992.0	Trained Moroccans in border interdiction and border control.
	ATA	8,394.1	Funded hostage negotiation, management of mass casualty, and cyberterrorism training.
DOD	EDA	13,931	Provided several hundred 2.5-ton-cargo and other truck acquisitions.
	CTFP	508.2	Trained 19 Moroccan security personnel in counterterrorism.
	JCET	246.0	Provided joint training for U.S. Special Operations Forces and Moroccan security forces.
	Other	\$836.3	Provided one slot for Morocco at the U.S. Air Force Academy in fiscal years 2003 and 2004. Provided training at Regional Centers for Strategic Studies.

Source: GAO analysis of State and DOD agency data.

**Security Assistance to Tunisia
Primarily Funded Equipment
Procurement Programs**

State and DOD allocated approximately \$74.8 million for training and equipment to Tunisia from fiscal years 2002 to 2005. FMF and EDA were the largest security assistance programs in Tunisia, accounting for 80 percent of the country’s total security assistance. EDA value is based on DOD’s estimated value of the equipment at the time of delivery. Tunisia received EDA in fiscal year 2002 only. The United States offered Tunisia 15 UH-1H 1960s-era helicopters in fiscal year 2005, 7 of which are being refurbished as of April 2006 and will be delivered thereafter, according to DOD officials. DOD would like to refurbish one or two additional helicopters, if additional funds can be found. As in Morocco, the equipment becomes unsustainable as it ages, and Tunisia will need to find resources to replace it, according to State and DOD officials. IMET funding was used to train approximately 406 Tunisian security personnel from fiscal year 2002 to fiscal year 2005. State provided ATA training in

fiscal years 2003 and 2004, but not in 2005. Table 3 shows the U.S. agency, program, allocations, and examples of U.S.-provided security assistance.

Table 3: U.S. Allocations to Security Forces in Tunisia, Fiscal Years 2002–2005

Dollars in thousands

Funding agency	Program	Allocation	Examples of assistance provided
State	FMF	\$28,634.0	Purchased spare parts for vehicles and radios, helicopter refurbishment, and miscellaneous equipment.
	IMET	6,272.0	Trained approximately 406 Tunisian security personnel in English language skills, crisis command and control, and water treatment.
	ATA	1,999.8	Provided training in crisis management and airport security.
DOD	EDA	30,929.0	Provided surplus guided chaparral missiles, guided missile system, and tool kits.
	CTFP	158.3	Trained 19 Tunisian security personnel in counterterrorism.
	JCET	311.0	Provided joint training for U.S. Special Operations Forces and Tunisian security forces.
	Drawdown	5,000.0	Provided maintenance of C-130 aircraft to Tunisia in fiscal year 2002.
	Other	\$1,480.7	ALP provided two scholarships to two cadets at the Tunisian Air Force Academy in fiscal year 2003. The United States also provided several slots for Tunisians to attend U.S. service academies in fiscal years 2004 and 2005.

Source: GAO analysis of State and DOD agency data.

State and DOD Assess the Broader Goals of Security Cooperation and Counterterrorism

For these countries, State and DOD assess whether and how security assistance programs support U.S. foreign policy and security goals through their evaluation of how broad goals, such as counterterrorism, regional stability goals, and security cooperation goals, are being achieved. State assesses these goals in its annual mission planning process. While the goals are rated for the degree to which they are being achieved, the effectiveness of specific programs, such as FMF or IMET, is not assessed. State officials in Tunis and Rabat said that the assessments of goals in country planning documents are qualitative and that the outcomes or

results are difficult to measure, requiring professional judgment to determine the progress made from one year to the next.

DOD assesses the collective effectiveness of its programs, which include security assistance and other activities. DOD's unified command for the region, EUCOM, is developing a new evaluation tool to assess how they are achieving their country goals. This tool will attempt to measure the degree to which desired outcomes, such as reduction in terrorist activities, are achieved. EUCOM plans to use these assessments to allocate its resources and set priorities.

Although neither State nor DOD conducts assessments for specific security assistance programs, results from some programs are periodically reported to Congress, and some results indicators are monitored for other programs.¹² The ATA program annually reports to Congress on program activities and provides some examples of how these activities were implemented worldwide. For example, the ATA fiscal year 2005 report states that Morocco's use of ATA cyberterrorism training supported U.S. efforts to arrest a primary terrorism suspect. The IMET program tracks individuals trained through IMET if they rise to important positions within their government. IMET program officials are also developing a survey tool to be administered to foreign trainees to measure whether the training has affected their preparedness for joint military activities with the United States and has instilled respect for U.S. values of democracy, human rights, rule of law, and civilian control of the military.

¹²The Office of Management and Budget assesses government programs using the Program Assessment Rating Tool (PART), which is intended to help form conclusions about program benefits and whether the program is meeting its annual and long-term goals. The ATA program was included in a PART assessment of State and international assistance programs, in which the worldwide ATA program was rated effective. In addition, State officials expect a PART review of security assistance to the Middle East and North African countries in August 2006.

Lapses in Human Rights Vetting of Foreign Trainees Resulted from Unclear Procedures and the Lack of Monitoring to Ensure Posts' Compliance with State Policy

In Morocco and Tunisia, lapses in vetting trainees for human rights abuses occurred in fiscal years 2004 and 2005. We found that these lapses consisted of (1) the absence of vetting files at posts for approximately 438 trainees¹³ and (2) the absence of vetting evidence in an estimated 27 percent¹⁴ (127 of 468 trainees¹⁵) of the vetting files maintained at posts.¹⁶ These lapses resulted from unclear vetting procedures, undefined roles for vetting, and the lack of a monitoring mechanism to ensure posts' compliance with vetting procedures. State took steps in December 2005 to address the need for clear procedures and defined vetting roles. However, we found that responsible officials at the posts in Morocco and Tunisia did not monitor whether offices within each post were following vetting procedures, and State headquarters did not monitor the efforts of the posts to vet trainees.

¹³We were unable to determine if specific individuals in this set of training instances participated in more than one course; consequently, there may be fewer than 438 unique individuals.

¹⁴We are 95 percent confident that the percentage of total files with no evidence of vetting is between 24 and 31 percent.

¹⁵We are 95 percent confident that the total number of files with no evidence of vetting is between 110 and 143.

¹⁶In this report, we determined no evidence of vetting to mean that a post could not locate at least some documentation or indication that the post or State headquarters responded to the sponsoring office with vetting results, which would demonstrate that training candidates had been screened for human rights abuses.

To Comply with U.S. Laws, State Policy Calls for Human Rights Vetting of Foreign Security Forces Receiving U.S. Assistance

Each of the annual Foreign Operations Appropriations Acts since 1998 has included a provision, commonly referred to as the Leahy Amendment, that restricts the provision of assistance appropriated in these acts to any foreign security unit when the Secretary of State has credible evidence that the unit has committed gross violations of human rights.¹⁷ DOD's appropriations acts have contained a similar restriction on DOD-funded training since fiscal year 1999.¹⁸ While the legal provisions restrict funding to "any unit of the security forces of a foreign country," State policy applies the restrictions to individual members of security forces, as well.

To implement these legislative restrictions, State's guidance calls for posts and State headquarters units to vet individuals or units proposed for training or assistance to determine whether these foreign security forces have committed gross human rights violations. The various State or DOD offices that implement different training programs at each post initiate the vetting process by submitting names of training candidates for vetting by post officials. These offices also receive the results of human rights vetting conducted at each post and State headquarters, and they maintain vetting files for trainees. See table 4 for various offices implementing training in Morocco and Tunisia. See app. II for details on the description of the human rights vetting process.

¹⁷Specifically, the most recent provision in the Foreign Operations Export Financing and Related Appropriations Act for 2006 (P.L. 109-102, §551) states, "None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice." The provision has also appeared in prior Foreign Operations Appropriations Acts. See P.L. 105-118, §570 (FY1998); P.L. 105-277, §568 (FY1999); P.L. 106-113, § 564 (FY2000); P.L. 106-429, §563 (FY2001); P.L. 107-115, §556 (FY2002); P.L. 108-7, § 553 (FY2003); P.L. 108-199, § 553 (FY2004); P.L. 108-447, §551 (FY 2005).

¹⁸The most recent provision in the DOD Appropriations Act for 2006 states, "None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken." (P.L. 109-148 §8069) Similar provisions have also appeared in prior DOD appropriations acts. See P.L. 105-262, §8130 (FY1999); P.L. 106-79, §8098 (FY2000); P.L. 106-259, §8092 (FY2001); P.L. 107-117, §8093 (FY2003); P.L. 107-248, §8080 (FY2003); P.L. 108-087, §8077 (FY2004); P.L. 108-287, §8076 (FY 2005).

Table 4: Offices Implementing Training Programs in Morocco and Tunisia

Office implementing training at posts	Applicable training program
Office of Defense Cooperation (DOD)	IMET, CTFP, FMF, ALP
Defense Attaché Office (DOD)	Regional centers, service academies
Office of Regional Security (State)	ATA, INCLE

Source: GAO analysis of State and DOD agency data.

Lapses in Human Rights Vetting Existed at Posts Due to Unclear Guidance

In Morocco and Tunisia, we found two categories of lapses in human rights vetting in fiscal years 2004 and 2005. The first category consisted of approximately 438 trainees¹⁹ for whom posts did not maintain vetting files. The second category consisted of files that were maintained at the posts but lacked evidence of vetting. Based on our review of 273 out of 468 files, we estimate that 27 percent (127 trainees)²⁰ lacked evidence of vetting.²¹

Of the 438 trainees for whom posts maintained no vetting files, post officials stated that no vetting occurred for approximately 148 Moroccan and Tunisian trainees.²² These trainees included those who attended DOD-implemented IMET and CTFP training courses outside of the United States, as well as attendees of regional centers and service academies. In addition, we found that the two posts did not maintain vetting documentation on approximately 290 trainees and were, therefore, unable to determine whether vetting occurred. These trainees, who may not have been vetted for human rights abuses, attended State-provided training, including all 168 trainees who attended fiscal year 2004 INCLE courses in Morocco, all 42 trainees who attended fiscal year 2004 ATA courses in Tunisia, and some (80) of the trainees who attended fiscal year 2005 ATA

¹⁹We were unable to determine if specific individuals in this set of training instances participated in more than one course; consequently, there may be fewer than 438 unique individuals.

²⁰We are 95 percent confident that the percentage of total files with no evidence of vetting is between 24 and 31 percent and that the total number of files with no evidence of vetting is between 110 and 143.

²¹In this report, we determined no evidence of vetting to mean that post could not locate at least some documentation or indication that the post or State headquarters responded to the implementing office with vetting results, which would demonstrate that training candidates have been screened for human rights abuses.

²²We identified the approximate number of trainees for whom no vetting files existed by using trainee data provided by State and DOD reports and officials.

courses in Morocco. See table 5 in app. III for more information on the number of trainees and types of training for which no vetting files existed at the two posts.

The two posts did maintain vetting files for 468 trainees. However, we estimated that 27 percent (127 trainees) of the files did not contain evidence of human rights vetting. This estimate is based on a stratified random sample of 273 of 468 available files at the two posts. For these files lacking vetting evidence, posts could not locate any documentation indicating that either the posts or State headquarters provided the implementing office with results on vetting. Based on the results of our sample, we estimate that 100 percent of the files for DOD-implemented training in Tunisia had evidence of vetting. In Morocco, however, we estimate that about two-thirds of the files for DOD-implemented training contained no evidence of vetting. We also reviewed all the available files of State-implemented training in Morocco and found that about one-sixth of them contained no evidence of vetting. Table 6 in app. III shows the results of the sample of trainees we reviewed at each post for evidence of human rights vetting.

According to agency officials at both posts, lapses in vetting candidates in fiscal years 2004 and 2005 were generally attributable to unclear guidance that had been provided over the past decade. The guidance did not clearly identify all types of training to which the vetting requirement applied. Until December 2005, the guidance had been issued through multiple cables from headquarters to posts dating from January 1994 through February 2005. Moreover, in Tunisia, State officials stated that, in keeping with their understanding of standard State record retention policies, which were distinct from human rights vetting guidance on record retention, they destroyed files that may have contained evidence of vetting for attendees of ATA training courses. Additionally, in Morocco, a State official stated that he did not know if past vetting occurred because staff responsible for implementing training at that time had rotated to a new post.

State Has Clarified Procedures and Responsibilities for Human Rights Vetting, but Lacks a Monitoring System to Ensure that Posts Comply with Vetting Procedures

Lapses in vetting occurred in prior years because of weaknesses in agencies' management controls: lack of clear and consistent vetting procedures at departments and posts; lack of clear roles and responsibilities for vetting foreign officials; and lack of an established system to monitor compliance with these procedures at State and posts.²³ Although State has taken steps to correct the first two weaknesses, State still lacks a mechanism to monitor compliance.

State Has Taken Steps to Clarify Procedures and Responsibilities for Vetting

To address our prior recommendation for State to establish clear and consistent vetting procedures, State drafted a standard guide to human rights vetting and distributed it to overseas posts in December 2005. This guide clarifies the vetting procedures, outlines key steps in the vetting process, requires each post to assign a single point of contact with responsibility for vetting procedures, and provides required vetting documentation and record retention policy. Moreover, the guide suggests that each post develop standard vetting operating procedures that take into consideration its needs and circumstances. In Morocco and Tunisia, State officials established post-specific vetting procedures. For example, the procedures at both posts require that the office implementing training prepare a standard memorandum and send it to other offices within the post to request vetting of training candidates. According to these officials, the issuance of a written guide has clarified post officials' understanding of vetting requirements under State's policy. For example, the two posts did not always maintain the records of completed vetting results in fiscal years 2004 and 2005. The new State guidance and posts' standard operating procedures now specify a requirement to maintain these records for 3 years.

State Has Required Points of Contact at Posts

Furthermore, in response to our prior recommendation that State establish clear roles and responsibilities at posts for human rights vetting, State has required that each post assign a point of contact with responsibility over human rights vetting. Specifically, State's December 2005 guide specified that this official would have responsibility for

²³In the July 2005 report reviewing human rights vetting in Southeast Asia, we recommended that State establish clear and consistent vetting procedures, clear roles and responsibilities for human rights vetting, and monitoring mechanisms to verify that vetting procedures are carried out properly. See GAO, *Southeast Asia: Better Human Rights Reviews and Strategic Planning Needed for U.S. Assistance to Foreign Security Forces*, [GAO-05-793](#) (Washington, D.C.: July 2005).

State Lacks a Monitoring
Mechanism to Ensure Posts'
Compliance with State Policies

oversight of vetting procedures. At the posts in Morocco and Tunisia, an official from the political affairs section serves as the designated point of contact responsible for human rights vetting.

As we found in Southeast Asian countries, post officials in Morocco and Tunisia, along with officials from State headquarters office, do not monitor posts' compliance with State's human rights vetting procedures. However, our internal control standards state that an organization should ensure that ongoing monitoring occurs as part of normal operations to assess the quality of performance over time. State's December 2005 guide states that each post's point of contact should have oversight of vetting procedures, with the Chief of Mission responsible for ensuring that vetting procedures are in place and being followed. However, neither post had established specific activities to carry out this oversight responsibility. For example, the points of contact did not regularly verify with the State and DOD offices implementing training at posts that all relevant trainees were vetted. Also, they did not monitor whether these offices were following vetting procedures, such as maintaining documentation of completed vetting of trainees.

Furthermore, as of June 2006, no headquarters office within State is charged with monitoring posts' compliance with State's human rights vetting procedures. State's December 2005 guide specifically states that no single bureau is tasked with monitoring human rights vetting procedures. According to State, some oversight is provided through the established channel of periodic post inspections conducted by the Office of the Inspector General (OIG). However, as of May 2006, assessments of posts' compliance with State's human rights vetting process were not part of State OIG's post inspections. In March 2006, State officials requested the OIG to include reviews of human rights vetting procedures in post inspections. In May 2006, a State OIG official stated that the OIG workplan for inspection would incorporate a check that posts are vetting candidates appropriately. However, inspections of a post would be conducted approximately once every 5 or 6 years, according to a State OIG official. This periodic inspection of posts' compliance does not meet our standard for ongoing monitoring.

Without a monitoring system in place, State has no means of determining whether posts are complying with required procedures intended to ensure that trainees do not have records of human rights abuses. Consequently, State lacks the information it needs to ensure that all posts are following procedures to prevent foreign security forces with suspected human rights records from receiving U.S. assistance.

Morocco and Tunisia Do Not Have U.S.- Origin Defense Articles that Require Systematic Monitoring

To comply with the Arms Export Control Act, DOD established the Golden Sentry program to monitor countries' use of U.S.-origin defense articles provided through government-to-government transfers. This program requires systematic monitoring, such as conducting physical inventories, of only the most sensitive defense articles. Morocco and Tunisia do not have any sensitive U.S.-origin equipment subject to this systematic monitoring, and Algeria does not participate in any programs involving government transfers of U.S.-origin equipment, such as foreign military sales or EDA. Monitoring of non-sensitive defense articles is done in conjunction with other assigned duties with no reporting requirements or additional resources. DOD officials in Rabat have not conducted any end-use monitoring in Western Sahara. Additionally, according to State and based on our work, there have been no allegations of unauthorized use of U.S.-origin equipment in Tunisia, Morocco, and the Western Sahara that would trigger greater scrutiny of end use.

End-Use Monitoring Program Established to Comply with Arms Export Control Act

In compliance with the Arms Export Control Act of 1976, as amended,²⁴ DOD established an end-use monitoring program called Golden Sentry to ensure the proper end-use monitoring of government-to-government transfers.²⁵ To make optimum use of the limited resources available for such monitoring purposes, the Golden Sentry program requires different levels of monitoring for different types of defense articles. For those articles deemed sensitive by Golden Sentry such as man-portable air defense systems and night vision devices, systematic monitoring, including physical inventory and inspection procedures, is required. In addition, other conditions or events can affect the level of monitoring that may occur. For example, allegations of a country's misuse, a country's development of ties with countries prohibited from receiving U.S. exports, or unusual political or military upheaval can result in greater scrutiny.

The monitoring of nonsensitive defense articles and services, such as trucks and spare parts, is referred to as routine end-use monitoring. This routine end-use monitoring is performed by DOD officials in conjunction with other assigned duties. Because DOD applies its resources to end-use monitoring of sensitive items, it does not expend additional resources nor

²⁴In 1996, P.L. 104-164, Title 1, section 150(a), amended the Arms Export Control Act (22 U.S.C. 2751 *et seq.*) to require the President to establish an end-use monitoring program for defense articles and services sold, leased, or exported under the act or the Foreign Assistance Act of 1961. The provision requires that, to the extent practicable, such a program shall be designed to provide reasonable assurances that the recipient is complying with the requirements imposed by the U.S. government with respect to the use, transfer, and security of defense articles and services, and that such articles and services are being used for the purposes for which they are provided. 22 U.S.C. 2785.

²⁵Section 4 of the Arms Export Control Act, as amended, provides that defense articles and defense services shall be sold or leased to friendly countries solely for internal security, legitimate self-defense, preventing or hindering the proliferation of weapons of mass destruction, participation in regional or collective arrangements or measures consistent with the Charter of the United Nations, or otherwise to permit the recipient country to participate in collective measures requested by the United Nations for the purpose of maintaining or restoring international peace or security, or for the purpose of enabling foreign military forces in less-developed friendly countries to construct public works or engage in other activities helpful to the economic and social development of friendly countries. 22 U.S.C. 2754. The Arms Export Control Act does not provide any further standards or definitions to apply in determining whether these eligibility criteria are met. The Act does provide that either the President, by a report to Congress, or Congress by joint resolution, may determine whether a violation has occurred that will render a country ineligible for further assistance. 22 U.S.C. 2753(c)(3)(A). Under the statute the President is required to report promptly to Congress upon receipt of information that a substantial violation of an agreement entered into under the Arms Export Control Act may have occurred. 22 U.S.C. Sec. 2753(c)(2).

require specific reporting on routine monitoring that is performed incidental to its normal business contacts in these countries.

Only routine end-use monitoring is required in Morocco and Tunisia because these countries do not have any sensitive U.S.-origin equipment. The U.S. government gives these countries excess equipment through the EDA program and sells them material to sustain their aging stocks of U.S.-origin equipment with the help of FMF grants. Algeria does not obtain any defense articles from the U.S. government. In accordance with DOD and EUROM guidelines for routine end-use monitoring, DOD officials at the posts in Morocco and Tunisia stated that they visit a sample of host country bases while conducting other business, such as meetings, exercises, or exchange events, at those locations. These visits help DOD officials confirm the proper use and condition of non-sensitive U.S.-origin equipment. Additionally, according to DOD officials from EUROM, DSCA, and at the posts in Rabat and Tunis, there have been no allegations of unauthorized use of U.S.-origin equipment, including in Western Sahara, that would trigger greater scrutiny.

Morocco's Use of Equipment in Western Sahara

According to State, the United States has not placed any special restrictions on Morocco's use of equipment in Western Sahara beyond those provided for in the Arms Export Control Act and the Foreign Assistance Act.²⁶ Since DOD officials in Morocco do not generally conduct other business in the Western Sahara, they have not conducted end-use monitoring activities involving Morocco's use of equipment in Western Sahara, according to a DOD official in Rabat. This official and a DSCA official responsible for DOD's end-use monitoring program noted that, given the absence of sensitive defense articles or allegations of misuse, DOD has no reason to commit resources to inspections there. According to State and other officials, State representatives do, however, visit Western Sahara on other business including fact finding and humanitarian activities. In addition, a State official stated and DOD guidance indicate

²⁶In congressional testimony in 1980, State and DOD articulated the U. S. position that the use of U.S.-origin defense articles by Morocco in Western Sahara was consistent with the Arms Export Control Act's criteria. State officials told us that this position has not changed and noted that it does not imply U.S. recognition of Moroccan sovereignty over Western Sahara. See testimonies of Harold Saunders, Assistant Secretary of State for Near Eastern and South Asian Affairs, Department of State; and Lieutenant General Ernest Graves, Director, Defense Security Assistance Agency before the U.S. House of Representatives Committee on Foreign Affairs, Subcommittees on International Security and Scientific Affairs and on Africa (Washington, D.C.: Jan. 24, 1980).

that, should an allegation of misuse arise, procedures exist for investigation. In addition, the commanding general of the UN peacekeeping mission in Western Sahara stated that there had been no allegations of Moroccan military misuse of U.S.-origin equipment in the Western Sahara. Representatives of the human rights organizations we spoke with also reported that they had no reports of misuse.

Conclusion

Security assistance is used as a tool to advance U.S. foreign policy and security goals, including respect for human rights. In 2005, we reported that U.S. agencies did not have adequate assurance that U.S. training funds were used to train and equip only foreign security forces with no violations of human rights. Although State has taken steps to ensure more consistent human rights vetting of foreign security forces receiving U.S.-provided training, it still lacks a mechanism to monitor whether or not posts are following its guidance, which is intended to ensure that trainees do not have records of human rights abuses. State's guide, issued in December 2005, assigned responsibility for monitoring the vetting process to points of contact at U.S. posts but did not provide them with guidance in carrying out this responsibility. Posts' points of contact in Morocco and Tunisia were not monitoring posts' compliance with vetting procedures, and State headquarters lacks assurance that posts are following its vetting policy. This suggests that additional action is needed to strengthen the monitoring element of internal controls. Although State OIG inspections of posts once every 5 years may be a means of monitoring whether posts follow vetting guidelines, internal control standards recommend ongoing monitoring in the course of normal operations. A routine monitoring mechanism would provide greater assurance that all individuals are properly vetted for human rights issues before receiving U.S. assistance and that any lapses in the proper screening of recipients of U.S. assistance could be corrected.

Recommendations for Executive Action

To provide assurance that foreign candidates of U.S. security assistance programs comply with existing legislative restrictions and State policies on human rights, we recommend that the Secretary of State, in consultation with the Secretary of Defense, further strengthen the process of human rights vetting of foreign security forces by establishing a systematic monitoring mechanism that will ensure that State's vetting procedures are carried out at overseas posts. Specifically, we recommend the following two actions:

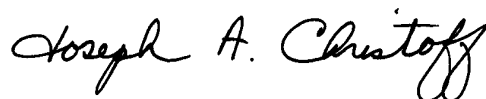
-
- The point of contact responsible for human rights vetting at each post should verify that the various offices implementing U.S. training at the post comply with State's vetting policy.
 - Posts should report the results of their monitoring efforts to a designated State headquarters unit to provide State with assurance of posts' compliance with its human rights vetting policy.

Agency Comments and Our Evaluation

We provided a draft of this report to the Secretaries of Defense and State for their review and comment. DOD did not comment on our draft. State provided a written response that is reprinted in appendix IV and technical comments, which we incorporated in the report as appropriate. In commenting on our draft and in a subsequent e-mail, State concurred with our recommendations and indicated that they are taking steps to implement them. State also noted that our review did not uncover any evidence that the U.S. government has trained any individual or unit that has committed gross violations of human rights. However, our review only focused on whether State and the posts in Rabat and Tunis vetted trainees. We did not collect data on whether any individual or unit trained by the United States, whether vetted or not, had committed human rights violations.

We are providing copies of this report to the Secretaries of Defense and State and interested congressional committees. We will also make copies available to others upon request. In addition, this report will be available on the GAO Web site at <http://www.gao.gov>.

If you or your staff have any questions concerning this report, please contact me at (202) 512-8979 or christoffj@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix V.



Joseph A. Christoff
Director, International Affairs and Trade

Appendix I: Scope and Methodology

To determine the goals of U.S. security assistance and how these goals are assessed, we interviewed officials from the Department of Defense (DOD) and the Department of State (State) in Washington, D.C., responsible for overseeing security assistance programs. We also interviewed DOD officials at the U.S. European Command in Stuttgart, Germany; U.S. Embassy officials in Rabat, Morocco, and Tunis, Tunisia; and foreign government officials in Rabat. We did not include Algeria in our site visits because its level of participation in U.S. security assistance programs was significantly lower than Morocco's and Tunisia's. Additionally, we reviewed State's Mission Performance Plans and DOD's Country Campaign Plans for Algeria, Morocco, and Tunisia, as well as a variety of other State and DOD documents to determine how U.S. security assistance programs were linked to State and DOD goals. We obtained data on the nature and extent of the activities funded by these programs in Algeria, Morocco, and Tunisia from program officials and State and DOD documents. We reviewed the reliability of funding data provided by State and DOD by comparing it with similar data obtained from other sources to check for completeness, consistency, and reasonableness. We also interviewed program officials responsible for managing the data to assess how it was developed and maintained. We found the data sufficiently reliable for representing the nature and extent of program funding and activities.

To assess U.S. agencies' implementation in Morocco and Tunisia of State's policy to screen foreign security forces to ensure compliance with congressional human rights funding restrictions, we reviewed relevant statutes and implementing guidelines. These include the fiscal years 2004 through 2006 Foreign Operations Appropriations Acts and the DOD Appropriations Acts, and the DOD Security Assistance Management Manual. We also reviewed program policy and procedures issued by State and DOD officials in Washington, D.C., and at the posts in Rabat and Tunis. To understand human rights vetting requirements and processes, we interviewed relevant officials in Washington, D.C., the U.S. European Command, and the two posts to discuss vetting requirements and processes. We also reviewed the recommendations made in our July 2005 report on human rights vetting in Southeast Asia. Furthermore, we communicated with a State Office of Inspector General (OIG) official to determine the extent to which State OIG has oversight of human rights vetting at posts. To obtain a general understanding of the human rights situation in Morocco and Tunisia, we met with State human rights officers and representatives of nongovernmental organizations involved with human rights issues.

To determine the extent to which the two posts complied with human rights vetting policy in fiscal years 2004 and 2005, we asked the relevant State and DOD officials in Washington, D.C., and at each post to determine the number of foreign security force personnel receiving training implemented at the posts in fiscal years 2004 and 2005. We further asked post officials to identify the total number of vetting files maintained at the post for trainees in this time frame. To identify the approximate number of trainees for whom posts did not maintain vetting files and, therefore, who may not have been vetted, we used training data provided by agency reports as well as State and DOD officials. For vetting files that were available at the posts, we drew a stratified random probability sample of 273 of 468 trainee vetting files available at the U.S. posts in Morocco and Tunisia. With our probability sample, each member of the study population had a nonzero probability of being included, and that probability could be computed for any member. We stratified the population by country and by agency implementing training into the Morocco DOD, Morocco State, and Tunisia DOD case files. Each sample case file was subsequently weighted in the analysis to account statistically for all the case files in the population, including those who were not selected. We reviewed the files for compliance with State human rights vetting policy. To conduct the file review, we used a data collection instrument to systematically capture whether key steps in the post's human rights vetting process occurred, such as whether the political affairs office at each post was involved. We did not collect data on whether any individual or unit trained by the United States, whether vetted or not, had committed human rights violations.

Because we followed a probability procedure based on random selections, our sample is only one of a large number of samples that we might have drawn. Since each sample could have provided different estimates, we express our confidence in the precision of our particular sample's results as 95 percent confidence intervals (e.g., plus or minus 7 percentage points). These are intervals that would contain the actual population values for 95 percent of the samples we could have drawn. As a result, we are 95 percent confident that each of the confidence intervals in this report will include the true values in the study population.

To examine U.S. agencies' efforts to monitor the use of U.S.-origin defense articles provided to these countries, we reviewed relevant federal laws governing the use of arms exports, including the Arms Export Control Act of 1976, as amended, and the Foreign Assistance Act of 1961, as amended, and reviewed DOD end-use monitoring guidance. We interviewed DOD officials responsible for end-use monitoring at the Defense Security

Cooperation Agency (DSCA), EUCOM, and the posts in Rabat and Tunis to determine what monitoring activities took place in these countries, whether these countries have any sensitive defense articles requiring systematic monitoring under DOD guidelines, and whether there have been any allegations of misuse of U.S.-origin equipment. Algeria does not receive U.S.-origin defense articles from the U.S. government. We also interviewed State human rights officers in Rabat, Tunis and Washington, D.C. as well as representatives of Human Rights Watch and Amnesty International to determine if there have been any allegations of misuse involving U.S.-origin defense articles. Furthermore, we spoke with the commander of the United Nations peacekeeping force in Western Sahara regarding Morocco's military presence there. We also received intelligence briefings from EUCOM and DIA officials. To determine U.S. policy on the use of U.S.-origin equipment by Morocco in Western Sahara, we interviewed State and DOD officials in Washington, D.C., and at the post in Morocco and reviewed relevant State and DOD congressional testimony regarding Western Sahara.

We conducted this review from October 2005 to July 2006 in accordance with generally accepted government auditing standards.

Appendix II: Human Rights Vetting Process in Morocco and Tunisia as of February 2006

Agency vetting of candidates for human rights concerns in Morocco and Tunisia typically includes the following steps. First, the office at the post implementing the training programs receives names of training candidates and reviews background information from the host government.

Second, the implementing office forwards the names of training candidates to the point of contact at State's political affairs office at the post for screening, which includes searches using paper and electronic files, for evidence of the candidates' involvement in human rights violations. The political office may also consult human rights nongovernmental organizations for any information they have on the candidates. The implementing office also circulates the candidates' names to other relevant offices within the post, such as State's regional security office and consular affairs office, for vetting. These offices respond to the implementing office with their vetting results.

The point of contact in the post's political affairs office sends the training candidates' names via cable to the relevant regional bureau, such as the Bureau of Near Eastern Affairs, to request human rights screening by State headquarters. The regional bureau checks candidates' names against bureau files, and then forwards these names to other bureaus at State headquarters for further vetting. These bureaus—including the Bureaus of Democracy, Human Rights, and Labor; Intelligence and Research; and Political-Military Affairs—screen candidates' names using paper and electronic files available to them and then report vetting results to the regional bureau.

Finally, the regional bureau communicates State headquarters' vetting results via cable to the post to inform the point of contact and the implementing office whether credible evidence of gross human rights violations existed for training candidates.

When vetting candidates' names, the political affairs office at posts and the Bureau of Democracy, Human Rights, and Labor access State's Abuse Case Evaluation System (ACES), a database that contains information on alleged human rights abuses. Data in the system come from post reporting, the press, nongovernmental organizations, national human rights commissions, and other sources. Users at posts and State headquarters enter comments on allegations, and the Bureau of Democracy, Human Rights, and Labor validates information for completeness and accuracy. In screening training candidates, post officials use ACES to conduct vetting checks by entering names into the database to determine whether it contains derogatory information on an individual. Although State

implemented ACES in February 2005, officials at posts and State headquarters informed us that ACES does not contain entries for Morocco and Tunisia because they had no derogatory information on specific individuals to report as of June 2006.

Appendix III: Tables on Number of Trainees with No Evidence of Vetting in Morocco and Tunisia, Fiscal Years 2004-2005

We obtained the estimated number of trainees for whom posts lacked vetting files using data provided by State and DOD training reports and agency officials. See Table 5 for more information on the types of training which lacked vetting files.

Table 5: Estimated Number of Trainees with No Vetting Files, Fiscal Years 2004-2005

Implementing agency and country	Number of trainees with no files maintained at posts
DOD	
International Military Education and Training, Morocco	29
International Military Education and Training, Tunisia	25
Regional Defense Counterterrorism Fellowship Program, Morocco	6
Regional Defense Counterterrorism Fellowship Program, Tunisia	10
Regional centers, Morocco	29
Regional centers, Tunisia	35
Service academies, Morocco	1
Service academies, Tunisia	13
DOD subtotal	148
State	
Antiterrorism Assistance, Morocco	80
Antiterrorism Assistance, Tunisia	42
International Narcotics Control and Law Enforcement, Morocco	168
State subtotal	290
Total	438

Source: GAO analysis of State and DOD agency data.

Our review of a sample of human rights vetting files showed that an estimated 27 percent had no evidence of vetting. Details by the implementing office and country are shown in Table 6.

Appendix III: Tables on Number of Trainees with No Evidence of Vetting in Morocco and Tunisia, Fiscal Years 2004-2005

Table 6: GAO Sample of Files Maintained on Training Nominees in Morocco and Tunisia, Fiscal Years 2004–2005

Implementing agency and country	Number of trainees with files maintained at posts	GAO sample size by agency/ country	Estimated percentage of files with no evidence of vetting
DOD			
Morocco ^a	148	49	65%
Tunisia ^b	143	47	0%
State			
Morocco ^c	177	177	17%
Morocco subtotal^d	325	226	39%
Tunisia subtotal^e	143	47	0%
Total^f	468	273	27%

Source: GAO.

^aThis number is composed of training nominees for International Military Education and Training (IMET), the Regional Defense Counterterrorism Fellowship Program (CTFP), and Foreign Military Financing. We are 95 percent confident that the percentage of DOD Morocco files with no evidence of vetting is between 53 percent and 76 percent.

^bThis number is composed of training nominees for IMET, CTFP, and the Aviation Leadership Program. We are 95 percent confident that the percentage of DOD Tunisia files with no evidence of vetting is between 0 percent and 6 percent.

^cThis number is composed of Antiterrorism Assistance (ATA) training nominees for whom State maintained vetting files. Some training nominees may not have attended the training course due to cancellations. State's data indicated that Morocco held additional ATA courses; however, we did not find vetting files for training nominees for these courses. The sample size represents the entire population of available State-provided training courses with vetting files.

^dWe are 95 percent confident that the percentage of Morocco files with no evidence of vetting is between 34 and 44 percent.

^eSee table note b.

^fWe are 95 percent confident that the percentage of total files with no evidence of vetting is between 24 and 31 percent.

Appendix IV: Comments from the Department of State



United States Department of State

Assistant Secretary for Resource Management
and Chief Financial Officer

Washington, D.C. 20520

APR 19 2006

Ms. Jacquelyn Williams-Bridgers
Managing Director
International Affairs and Trade
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548-0001

Dear Ms. Williams-Bridgers:

We appreciate the opportunity to review your draft report, "SECURITY ASSISTANCE: Lapses in Human Rights Screening in North African Countries Indicate Need for Further Oversight," GAO Job Code 320382.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact Ellen Germain, Deputy Director, Bureau of Near Eastern Affairs, at (202) 647-4679.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradford R. Higgins".

Bradford R. Higgins

cc: GAO – Muriel Forster
NEA – C. David Welch
State/OIG – Mark Duda

Department of State Comments on GAO Draft Report

**SECURITY ASSISTANCE: Lapses in Human Rights Screening in
North African Countries Indicate Need for Further Oversight
(GAO-06-850, GAO Code 320382)**

We are grateful for the opportunity to comment on the GAO's report on USG security assistance to North Africa. We are concerned that the audit found lapses in the vetting procedure for members of Moroccan and Tunisian security forces who receive USG training, and are taking steps to correct that. However, we are pleased that the GAO review did not uncover any evidence that the USG has trained any individual or unit that has committed gross violations of human rights.

The report's first recommendation is that a single point of contact at post be responsible for verifying that all offices comply with the vetting process. We have already taken steps to implement this recommendation. As the report notes, in December 2005 the State Department issued a guide to vetting procedures: "Compliance with the State Leahy Amendment: A Guide to the Vetting Process." This guide directs posts to assign a single point of contact in the mission with responsibility for oversight of, and compliance with, vetting procedures.

The report also recommends that posts report the results of their monitoring to the State Department, so that State can monitor posts' compliance with vetting requirements. We believe that this recommendation complements the efforts we have already initiated to improve our compliance with the Leahy vetting requirements.

We have provided technical comments on the report separately.

Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact

Joseph Christoff (202) 512-8979 or christoffj@gao.gov

Staff Acknowledgments

In addition, Muriel Forster, Assistant Director; Lynn Cothorn; Howard Cott; David Dornisch; James Krustapentus; Victoria Lin; Mary Moutsos; and Sidney Schwartz made key contributions to this report.

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