



August 2019

SECURITY ASSISTANCE

U.S. Agencies Should Improve Oversight of Human Rights Training for Foreign Security Forces

GAO Highlights

Highlights of [GAO-19-554](#), a report to congressional committees

Why GAO Did This Study

The U.S. government seeks to advance human rights when it provides security assistance to foreign countries. Such assistance includes DOD- and State-supported human rights and international humanitarian law training for foreign security forces. The NDAA for Fiscal Year 2017 consolidated multiple capacity building authorities, now codified at 10 U.S.C. § 333. DOD implements most U.S. human rights training for foreign security forces.

Congress included a provision in the NDAA for Fiscal Year 2018 for GAO to review human rights training for foreign security forces. This report, among other objectives, (1) describes the entities through which DOD and State provide such training, (2) assesses the extent to which DOD and State track the provision of and funding for such training, and (3) examines the extent to which DOD and State have evaluated the effectiveness of the training. GAO reviewed laws, regulations, guidance, agency training and funding data, and course catalogs, and interviewed agency officials.

What GAO Recommends

GAO is making three recommendations, including that the Secretary of Defense establish a process to systematically track mandated human rights training and develop a timeline for implementing monitoring and evaluation. DOD agreed. GAO also recommends that the Secretary of State develop a plan with a timeline to monitor and evaluate such training. State disagreed. GAO continues to believe the recommendation is valid as discussed in the report.

View [GAO-19-554](#). For more information, contact Jennifer Grover at (202) 512-7141 or groverj@gao.gov.

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What GAO Found

Several entities within the Departments of Defense (DOD) and State (State) are involved in human rights training. DOD's Defense Security Cooperation Agency (DSCA) conducts program management for DOD's efforts to build the capacity of foreign security forces. The human rights training required by 10 U.S.C § 333 is provided exclusively by the Defense Institute of International Legal Studies (DIILS), a DOD entity. DOD operates a number of other educational entities that provide training to foreign security forces, and many include human rights-related material in their curriculum or through operational exercises. (See figure.)

Figure: Foreign Military Students Practice a Simulated Raid at the Western Hemisphere Institute for Security Cooperation in Fort Benning, Georgia



Source: Provided by the Western Hemisphere Institute for Security Cooperation. | GAO-19-554

DOD does not systematically track human rights training and, as a result, only limited information is available on the provision of and funding for these activities. Without a process to ensure systematic and accurate tracking of human rights training data, DSCA is limited in its ability to monitor its compliance with the training-related provision of the National Defense Authorization Act (NDAA) for Fiscal Year 2017. State relies on DOD to track human rights training for military forces and tracks some training and funding data for police.

DOD and State have not assessed the effectiveness of human rights training for foreign security forces, according to agency officials. The NDAA for Fiscal Year 2017 required DOD to conduct monitoring and evaluation of its security assistance programs. DOD has taken initial steps to develop monitoring and evaluation policies but officials stated that they have not yet determined when DOD will evaluate human rights training. State officials said they do not know when the agency will begin monitoring and evaluating human rights training provided under the International Military Education and Training program, a large source of funding for such training. Monitoring and evaluation would enable DOD and State to determine the effectiveness of U.S.-provided human rights training for foreign security forces.

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Abbreviations

AFRICOM	U.S. Africa Command
CCMR	Center for Civil–Military Relations
DIILS	Defense Institute of International Legal Studies
DISCS	Defense Institute of Security Cooperation Studies
DRL	Bureau of Democracy, Human Rights, and Labor
DSCA	Defense Security Cooperation Agency
DOD	Department of Defense
E-IMET	Expanded International Military Education and Training
ILEA	International Law Enforcement Academies
IMET	International Military Education and Training
INL	Bureau of International Narcotics and Law Enforcement Affairs
JAG	Judge Advocate General
M&E	monitoring and evaluation
NDAA	National Defense Authorization Act
OUSD/P	Office of the Under Secretary of Defense for Policy
PM	Bureau of Political–Military Affairs
SC-TMS	Security Cooperation Training Management System
Section 333	10 U.S.C. § 333
SOUTHCOM	U.S. Southern Command
State	Department of State
WHINSEC	Western Hemisphere Institute for Security Cooperation

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August 12, 2019

Congressional Committees

Congress has articulated the importance of human rights in U.S. assistance to partner nations' security forces. Thus, numerous U.S. government efforts to build the capacity of foreign partners' security forces incorporate training on the importance of human rights and international humanitarian law. The Department of Defense (DOD) and the Department of State (State) share responsibility for developing, managing, and implementing this training.

The National Defense Authorization Act (NDAA) for Fiscal Year 2018 includes a provision for us to submit to Congress a report on human rights training for foreign security forces.¹ This report (1) describes the entities through which DOD and State provide training for foreign security forces on human rights and international humanitarian law; (2) assesses the extent to which DOD and State track the provision of and funding for such training; (3) examines the extent to which DOD and State have evaluated the effectiveness of the training; and (4) provides DOD, State, and outside expert views on human rights training.

To address these objectives, we reviewed laws, guidance, budget documents, course catalogs, and agency data on human rights training and funding for fiscal years 2015 through 2017. We also interviewed agency officials in Washington, D.C., and at DOD geographic combatant commands. In addition, we conducted site visits at three facilities that provide human rights training: the Center for Civil–Military Relations (CCMR)² in Monterey, California; the Defense Institute of International Legal Studies (DIILS) in Newport, Rhode Island; and the Western Hemisphere Institute for Security Cooperation (WHINSEC) in Fort Benning, Georgia. We also interviewed outside experts to obtain additional perspectives on the effectiveness of human rights training for foreign security forces. We selected the experts through interviews with government and nongovernment officials. For more detail on our scope and methodology, see appendix I.

¹Pub. L. No. 115-91, § 1207(d).

²As of April 2019, the Center for Civil Military–Relations became the Institute for Security Governance.

We conducted this performance audit from February 2018 to August 2019 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

Promotion of Human Rights Is a U.S. National Security Goal

Promoting respect for human rights is a goal of U.S. foreign policy. The United States considers the advancement of human rights when providing security assistance to foreign countries. Providing training on human rights issues and international humanitarian law to foreign security forces can further U.S. credibility and interests.³ For example, such training could help maintain local populations' cooperation with U.S. security efforts by curbing potential abuses by partner country forces. Human rights abuses by U.S.-backed forces can damage the local population's support for the United States' strategic aims, according to guidance from the U.S. Army.

Human Rights Training Is Provided through Multiple Authorities

The United States provides military equipment and training, including human rights training, to partner countries through a variety of security cooperation and assistance programs authorized by statutes, some of which are codified within Title 10 and Title 22 of the U.S. Code.⁴ Human rights training is incorporated into broader security cooperation and assistance efforts. DOD and State share responsibility for developing policy for, managing, and implementing human rights training. Title 10 programs are generally overseen by DOD. Title 22 programs primarily fall under State. According to DOD and State officials, most Title 22 human rights training is implemented by DOD.

³For the purposes of this report, we refer to all such training as "human rights training."

⁴DOD uses the term "security cooperation" to refer to its efforts while State uses the term "security assistance." For the purposes of this report, we will refer to all such activity by both agencies as security assistance. For more information about these programs, see GAO, *Building Partner Capacity: Inventory of Department of Defense Security Cooperation and Department of State Security Assistance Efforts*, [GAO-17-255R](#) (Washington, D.C.: Mar. 24, 2017).

DOD integrates human rights concepts into various types of training and assistance, including “train and equip” programs and defense institution building. Train and equip programs provide training, equipment, and small-scale military construction activities intended to build the capacity of partner nations’ military forces. Defense institution building activities are security assistance programs intended to empower partner nation defense institutions to establish or re-orient their policies and structures to make their defense sector more accountable, effective, and responsive to civilian control, among other things.

Some of the authorities under which DOD and State provide human rights training to partner countries require such training when security assistance is provided. For example, one of the more recent and significant changes to security assistance legislation was the 2017 NDAA, which enacted a new chapter in Title 10 of the U.S. Code containing authorities related to security cooperation. Among other things, the 2017 NDAA replaced multiple capacity building authorities with a new statute codified at 10 U.S.C. § 333 (Section 333).⁵ All Section 333 programs are required to include elements that promote observance of and respect for human rights and fundamental freedoms, rule of law, and the law of armed conflict, as well as respect for civilian control of the military. Prior to the 2017 NDAA, a similar requirement was mandated for security assistance delivered under the Global Train and Equip program (then codified at 10 U.S.C. § 2282), which required that U.S. assistance pursuant to this authority include “elements to promote observance of and respect for human rights and fundamental freedoms and respect for legitimate civilian authority.” Section 333 covers a greater range of

⁵See Pub. L. No. 114-328, § 1241. For the purposes of this report, we refer to programs executed under 10 U.S.C. 333 as Section 333 programs.

security assistance programs—for example, counternarcotics assistance—than did Section 2282.⁶

Other authorities include human rights considerations in their authorizing language.⁷ For example, in 1976, Congress established the International Military Education and Training (IMET) program codified within Title 22. The program provides education and training to foreign military personnel with the objectives of professionalizing military forces and increasing respect for democratic values and human rights. In 1990, Congress expanded the objectives of the IMET program to include fostering greater understanding of and respect for civilian control of the military, contributing to responsible defense resource management, and improving military justice systems and procedures in accordance with internationally recognized human rights. State and DOD refer to the expanded IMET objectives as Expanded IMET (E-IMET). Table 1 lists key authorities through which DOD and State provide human rights training to foreign security forces.

⁶The Global Train and Equip Program has previously been called the “Section 1206” program, as it was originally authorized by section 1206 of the 2006 NDAA; see Pub. L. No. 109-163, § 1206, 119 Stat. 3456, Jan. 6, 2006. The 2015 NDAA authorized a permanent program codified at 10 U.S.C § 2282, and the program was often referred to as “Section 2282.” See Pub. L. No. 113-291, § 1205(a)(1), 128 Stat. 3533, Dec. 19, 2014. The 2017 NDAA repealed Section 2282 and replaced it with 10 U.S.C. § 333, which authorizes the same activities that were carried out under Section 2282, including mandated human rights training, among other things. This report covers periods of time during which “Section 1206,” “Section 2282,” and “Section 333” were common nomenclature. Throughout this report, we refer to the activities carried out under Sections 1206 and 2282 as “Global Train and Equip” activities and activities under Section 333 as Section 333 activities.

⁷As discussed later in this report, DOD and State have used many different authorities to fund human rights training, regardless of whether the authority legally requires human rights training when assistance is provided or mentions human rights training in its statutory language but does not explicitly require it.

Table 1: Key Authorities That Require Human Rights Training or Mention Human Rights Training in Statutory Language

Title of authority	Citation of authority	Language mentioning human rights training
Capacity Building for Foreign Security Forces	10 U.S.C. § 333	Requirement: "A program under [section 333] shall include elements that promote the following . . . Observance of and respect for the law of armed conflict, human rights and fundamental freedoms, the rule of law, and civilian control of the military."
Southeast Asia Maritime Security Initiative	Pub. L. No. 114-92, § 1263	Requirement: "Assistance and training shall include elements that promote observance of and respect for human rights and fundamental freedoms."
Western Hemisphere Institute for Security Cooperation	10 U.S.C. § 343	Requirement: "The curriculum of the Institute shall include mandatory instruction for each student, for at least 8 hours, on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society."
Training with Friendly Foreign Countries	10 U.S.C. § 321	Mention: "Any training conducted shall, to the maximum extent practicable, include elements that promote observance of and respect for human rights and fundamental freedoms; and respect for legitimate civilian authority within the foreign country concerned."
International Military Education and Training	22 U.S.C. § 2347 et seq	Mention: "The military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, (iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv) improve military justice systems and procedures in accordance with internationally recognized human rights.
Training of Security Forces and Associated Security Ministries of Foreign Countries to Promote Respect for the Rule of Law and Human Rights	Pub. L. No. 113-291, § 1206	Mention: "The Secretary of Defense is authorized to conduct human rights training of security forces and associated security ministries of foreign countries."

Source: GAO analysis of legislation | GAO-19-554.

The United States Undertakes Additional Efforts to Further Human Rights Goals

In addition to human rights training, U.S. agencies consider human rights records when providing certain assistance. The Foreign Assistance Act of 1961, as amended, prohibits assistance to a unit of a foreign government's security forces if the Secretary of State has credible information that such unit has committed a gross violation of human

rights.⁸ DOD-funded training programs are covered by a similar provision.⁹ These requirements are commonly referred to as Leahy laws.

As we have previously reported, these laws and the corresponding policies developed to enforce and supplement these laws are intended to leverage U.S. assistance to encourage foreign governments to prevent their security forces from committing human rights violations and to hold their forces accountable when violations occur.¹⁰ To address requirements under both the State and DOD Leahy laws, State has established a process for vetting potential recipients of U.S. security assistance training. State's Bureau of Democracy, Human Rights, and Labor (DRL) is responsible for overseeing this vetting process and for developing human rights vetting policies, among other duties.

Human Rights Training Involves Multiple DOD and State Entities and Is Delivered by a Number of Training Providers

Multiple DOD and State Entities Are Involved with Human Rights Training

DOD incorporates human rights training as part of a wide range of assistance programs that involve a number of DOD entities in different capacities. (See table 2).

⁸See 22 U.S.C. § 2378d.

⁹See 10 U.S.C. § 362. Previously, similar language had been incorporated into another section of Title 10 (10 U.S.C. § 2249e) or in DOD's annual appropriations measures.

¹⁰GAO, *Human Rights: Additional Guidance, Monitoring, and Training Could Improve Implementation of the Leahy Laws*, [GAO-13-866](#) (Washington, D.C.: Sept. 25, 2013).

Table 2: Department of Defense Entities Involved with Human Rights Training

Office of the Under Secretary of Defense for Policy (OUSD/P)^a	OUSD/P establishes policy guidance for and oversees assessment, monitoring, and evaluation of security cooperation activities, including human rights and related training.
Defense Security Cooperation Agency (DSCA)	DSCA administers the Title 10 and 22 programs, for which DSCA has responsibility, including aspects related to human rights training. For example, DSCA oversees the development and implementation of Section 333 activities, including ensuring that the human rights training component of those activities is sufficient. DSCA also reviews training courses to determine whether they meet expanded International Military Education and Training (E-IMET) objectives and may be certified as E-IMET courses. These courses are certified as such if DSCA determines that at least 51 percent of their content addresses E-IMET objectives, including respect for and understanding of civilian control of the military, military justice systems, and internationally recognized human rights.
Geographic Combatant Commands and Security Cooperation Offices	<p>Geographic Combatant Commands and Security Cooperation Offices develop training plans under IMET and other authorities and propose and plan security assistance activities.</p> <p>Some Combatant Commands also provide human rights–related engagements within their areas of responsibility. Although not necessarily considered trainings, these activities are designed to strengthen the promotion of and respect for human rights. For example, the U.S. Africa Command (AFRICOM) Office of Legal Counsel has a division dedicated to Legal Engagements, which aims to advance the AFRICOM Theater Strategy and promote military operations subject to the rule of law. According to DOD officials, the division designs, implements, and manages legal capacity building activities and exercises with African military legal professionals and commanders. The U.S. Southern Command (SOUTHCOM) has integrated respect for human rights as part of the SOUTHCOM mission since 1990. SOUTHCOM’s commander established a Human Rights Office in the command in 1995 to promote greater observance of human rights in the Western Hemisphere and to directly advise the commander on these issues.</p>

Source: GAO analysis of Department of Defense (DOD) information | GAO-19-554.

^aThe Office of the Deputy Assistant Secretary of Defense for Stability and Humanitarian Affairs (SHA), under OUSD/P, also plays a role in human rights issues for DOD. SHA oversees human rights issues related to civilian casualties, gross violations of human rights, and Leahy vetting. SHA also handles human rights training authorized through Section 1206 of the National Defense Authorization Act (NDAA) (hereafter “section 1206”) but according to agency officials, is not involved in broader human rights training. Section 1206 authorizes the DOD to conduct human rights training of security forces and associated security ministries of foreign countries. This human rights training may be conducted for foreign security forces otherwise prohibited from receiving such training under any provision of law, but only if: (1) such training is conducted in the country of origin of the security forces; (2) such training is withheld from any individual of a unit when there is credible information that such individual has committed a gross violation of human rights or has commanded a unit that has committed a gross violation of human rights; (3) such training may be considered a corrective step, but is not sufficient for meeting the accountability requirement under the exception established in 10 U.S.C. § 362(b); and (4) reasonable efforts have been made to assist the foreign country to take all necessary corrective steps regarding a gross violation of human rights with respect to the unit, including using funds authorized by this act to provide technical assistance or other types of support for accountability.

State incorporates rule of law assistance and human rights training as part of a wide range of assistance programs that involve a number of State entities in different capacities. (See table 3).

Table 3: State Department Entities Involved with Human Rights Training

Bureau of Political–Military Affairs	State’s Bureau of Political–Military Affairs (PM) is State’s principal link to the Department of Defense (DOD). PM provides concurrence to DOD on security cooperation projects developed under the Section 333 authority. Additionally, PM sets the budget requirements for the amount of funding a country must dedicate to training that adheres to expanded International Military Education and Training (E-IMET) objectives.
Bureau of Democracy, Human Rights, and Labor	State’s Bureau of Democracy, Human Rights, and Labor (DRL) leads the U.S. government efforts to promote democracy and protect human rights and international religious freedom globally. DRL develops State’s annual Human Rights Report and provides input on E-IMET requirements to PM. ^a According to officials, DRL uses the annual Human Rights Report to help determine which countries to prioritize for E-IMET requirements.
Bureau of International Narcotics and Law Enforcement	State’s Bureau of International Narcotics and Law Enforcement Affairs (INL) helps foreign governments build law enforcement institutions and supports governments and civil society to build transparent and accountable public institutions. As part of these efforts, INL funds training for law enforcement forces, which can include human rights training.

Source: GAO analysis of Department of State (State) information | GAO-19-554.

^aState, in response to congressional mandates, issues its annual Country Reports on Human Rights Practices. The country reports—collectively known as the Human Rights Report—cover internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights and other international agreements. DRL oversees the production of the report.

Numerous Training Providers Deliver Human Rights Training for Foreign Security Forces but a Few Deliver the Majority

DOD operates a number of education facilities that provide training to foreign security forces and many include human rights–related material in their curriculum. However, there are a few training providers that deliver the majority of human rights training through courses explicitly focused on such topics as well as in courses and residential programs that include related material. In addition, State provides some human rights training through the International Law Enforcement Academies (ILEA).



Source: GAO. | GAO-19-554

Defense Institute of International Legal Studies (DIILS): DIILS is housed under DSCA and is DOD’s lead resource for providing legal education and rule of law engagement training to foreign military personnel and civilian defense officials. DIILS delivers its training primarily through either in-residence courses—for which members of foreign security forces attend trainings at the DIILS campus—or through mobile education training that is delivered to foreign military forces overseas. DIILS provides three types of training: (1) core rule of law training in the United States and abroad, (2) defense institution building, and (3) mandated human rights training delivered under Section 333.¹¹ DIILS is the only institute to provide the mandated human rights training delivered under Section 333. DOD officials said there are no plans for other facilities to be certified to meet these training requirements.¹²

Mandated Human Rights Training Provided by DIILS: In response to the increased demand for mandated human rights training, DIILS created a three-tiered training model to deliver mandated human rights training, according to DIILS officials, who also noted that DIILS is in the early stages of applying the model. The three-tiered training model categorizes mandated human rights training according to basic, intermediate, and advanced trainings. Basic training includes a 2-hour block of scripted coursework which is dedicated to general topics covering human rights and is appropriate when providing training to military units who are not dealing with a combat environment, for example. Military officials without legal training or nonattorney civilian personnel—including contractors—may conduct this training. Intermediate and advanced training is typically 8 or 16 hours of training, respectively, and instruction is provided by DIILS staff and other military attorneys. According to DIILS officials, each intermediate or advanced training is intended to be tailored for the

¹¹DIILS officials said they provide human rights training for additional authorities that include similar requirements for mandated human rights training, including the Southeast Asia Maritime Security Initiative and Global Security Contingency Fund.

¹²In 2016, we reported that DIILS’s efforts to train foreign partners in respect for human rights, among other rule of law concepts, is an essential element of U.S. efforts to build stronger coalitions to combat international threats but that DOD had not assessed the extent to which the size of DIILS’s workforce aligns with the scope of its mission. We recommended DOD conduct such an assessment. DOD concurred with the recommendation, and in October 2018, DSCA provided Congress with a comprehensive review of DIILS. See GAO, *Rule of Law Assistance: DOD Should Assess Workforce Size of Defense Institute of International Legal Studies*, [GAO-17-118](#) (Washington, D.C.: Dec. 14, 2016).

recipient military unit based on an assessment of its duties and the lethality of any equipment provided through the security assistance.



Source: GAO. | GAO-19-554

Western Hemisphere Institute for Security Cooperation (WHINSEC): WHINSEC, also operated by DOD, provides professional education and training, including human rights training, for military and law enforcement personnel from countries in the Western Hemisphere. The Institute's Center for Human Rights and Democracy promotes human rights education and training through international programs and partnerships. Curriculum developed by the Center includes topics such as the lawful use of lethal force, due process under international human rights law, and violence against women and vulnerable groups.

Examples of WHINSEC's Human Rights Training: To meet its statutory requirement to provide human rights training,¹³ WHINSEC provides a mandatory, 10-hour training on human rights for every student. This training covers five objectives: (1) human rights, (2) the rule of law, (3) due process (4) civilian control of the military, and (5) the role of the military in a democratic society. Additionally, WHINSEC students are required to take an ethics course that builds on the material covered in the human rights and democracy classes. WHINSEC also includes human rights-related material in a number of other courses. For example, the Counter Transnational Threats course focuses on threat interdiction activities using simulated exercises and scenarios. WHINSEC officials explained that one such scenario involves students conducting a simulated raid of a drug lab. (See fig. 1). During the exercise, students encounter armed and unarmed criminals, along with civilians. The simulation is intended to create real-world human rights scenarios for students to assess and apply lessons learned from classroom-based human rights training.

¹³See 10 U.S.C. § 343(d).

Figure 1: Foreign Military Students Practice a Simulated Raid at the Western Hemisphere Institute for Security Cooperation in Fort Benning, Georgia



Source: Provided by the Western Hemisphere Institute for Security Cooperation. | GAO-19-554



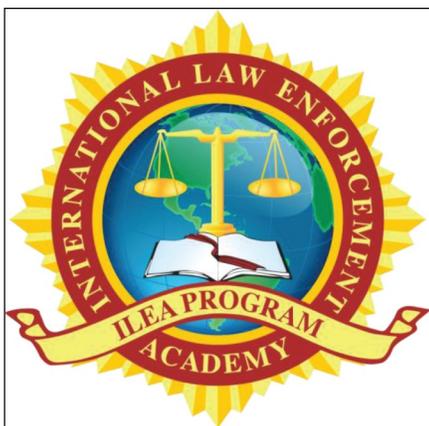
Source: GAO. | GAO-19-554

Center for Civil-Military Relations (CCMR): CCMR is a DOD organization within the Naval Postgraduate School. CCMR was designed to support the goals of E-IMET and strengthen civil-military relationships through a variety of education and training programs. Additionally, CCMR focuses on defense institution building activities provided under DOD's Title 10 authority. Like DIILS, CCMR delivers in-residence programs and mobile education training.

Examples of CCMR's Human Rights Training: CCMR officials said that human rights-related material is included in many CCMR programs, although it is not always an explicit focus. For example, although the Maritime Security Program does not explicitly focus on human rights, CCMR staff said that human rights-related topics are integrated into various aspects of the program. One of the program's modules focuses on how to apply the appropriate use of force when enforcing international and maritime law. CCMR staff said they use practical scenarios to prompt discussion among classroom participants on techniques to avoid use of lethal force. Participants might discuss how to respond if a potential suicide vessel is approaching a ship, including the use of barriers or other deterrents to prevent potential terrorist activity without use of lethal force.

Additional DOD Training Providers: A number of other DOD facilities provide training to eligible foreign security forces that includes human rights–related material. These facilities include:

- **Regional Centers:** DOD operates five regional centers of strategic studies, whose main purpose is to engage senior leaders in partner countries. A common topic taught at Regional Centers includes civil–military relations, which generally contains information related to human rights.
- **Judge Advocate General (JAG) schools:** JAG schools train students on the rules of armed conflict and international humanitarian law; international students may attend these schools, according to DOD officials.
- **Service War Colleges:** The service war colleges educate representatives of foreign security forces at a general level about U.S. laws and policies. Human rights–related material may be included, although DOD officials acknowledged such material is peripheral to the main mission.
- **Defense Institute of Security Cooperation Studies (DISCS):** International partners who are interested in Foreign Military Sales management participate in human rights training at DISCS. According to DOD officials, DISCS trains hundreds of foreign partners each year on military sales.



Source: GAO. | GAO-19-554

State’s Bureau of International Narcotics and Law Enforcement Affairs (INL): State INL funds human rights–related training that is delivered by ILEAs. The ILEAs are a global network of training centers with a mission to support emerging democracies; help promote U.S. interests through international cooperation; and promote social, political, and economic stability by combating crime. According to State, this mission is met through strengthening the rule of law and stressing respect for human dignity in law enforcement. ILEAs represent a major component of training provided to foreign law enforcement entities, but do

not represent all human rights–related law enforcement training supported by State.¹⁴

DOD Does Not Systematically Track the Provision of Human Rights Training for Foreign Security Forces, but DOD and State Have Some Data on Funding

DOD Does Not Systematically Track Human Rights Training for Foreign Security Forces

DOD was unable to provide aggregate data on the extent of human rights training for foreign security forces. According to agency officials, DOD does not systematically track all human rights training in DOD systems. As a result, DOD officials noted they were unaware of the full scope of the agency’s human rights training. DOD officials said it is challenging to track human rights training because many courses and training activities might include human rights content. DOD training activities are tracked in the Security Cooperation Training Management System (SC-TMS). However, the tracking is focused on the training overall rather than on any one component of the training conducted, such as human rights. For example, a course at a Regional Center might include human rights–related topics in a civil–military relations class but DOD is not able to identify such a course in SC-TMS or elsewhere as one that could be

¹⁴In a September 2018 report on Central America police training, we found that State has few formal mechanisms to ensure human rights content is appropriately included in police training provided to El Salvador, Guatemala, and Honduras—three countries with notable histories of human rights violations by security forces. As a result, we recommended that the Secretary of State ensure that INL design internal control mechanisms to ensure human rights content is included in INL–funded police training for El Salvador, Guatemala, and Honduras as appropriate. State agreed with the recommendation and said that it intends to amend templates for relevant implementing documents to address human rights as appropriate. See GAO, *Central America Police Training: State and USAID Should Ensure Human Rights Content Is Included as Appropriate, and State Should Improve Data*, [GAO-18-618](#) (Washington, D.C.: Sept. 5, 2018).

considered human rights training. DOD officials noted that while DOD is not required to track all human rights training, DSCA and DIILS have systems in place intended to track the provision of human rights training mandated by Section 333, as described below.

DSCA uses a case management system to track the mandated human rights training that DIILS provides under Section 333. However, limitations in the implementation of this system have led to questions about the completeness of the data. The case management system is used across DOD to track and manage a range of security assistance programs, in addition to DIILS training. The system is designed so that the implementing entity enters information into the case management system about the training or other security assistance programming provided. However, DOD has not designated DIILS as an implementing agency with authority to enter or edit data in the case management system. As a result, for many years DIILS has relied on a different entity to enter human rights training data into the system. DIILS officials said the U.S. Navy's agent for international education and training acted as the implementing agency and entered data in the system for DIILS.¹⁵ Due to DIILS' inability to enter data or make changes in the case management system, DIILS officials told us they have been unable to ensure that data on DIILS training are properly entered.

In addition, although DSCA is the DOD entity with oversight responsibilities for ensuring that Section 333 human rights training is provided as appropriate, DSCA officials acknowledged that they did not consistently take steps to monitor the accuracy and completeness of data on the DIILS-provided Section 333 human rights training. DSCA officials said that most of the DIILS trainings likely were entered into DOD's data system because policy and procedures for capturing training records require it, such as the requirements spelled out in DOD's Security Assistance Management Manual. However, DSCA officials said they do not have assurance that all trainings were entered as a matter of practice because they lack a process to regularly review whether the training data were captured as required.

¹⁵DIILS is located on a naval base, and the Navy's agent for international education and training was assigned as the implementing agency for DIILS. The Navy agent, an entity known as Naval Education and Training Security Assistance Field Activity, has direct access to enter data in the case management system.

DOD officials said as of fiscal year 2019, DSCA and DIILS are taking steps to enable DIILS to enter human rights training data directly into the case management system as an implementing agency, but this is still an ongoing effort and not yet operational.¹⁶ In addition, as part of broader changes implemented in 2019 related to how DIILS is funded, the Navy agent is no longer entering information into the case management system about training DIILS provides under Section 333.¹⁷ In the meantime, DIILS continues to track the provision of training using an internal spreadsheet, according to officials, and plans to enter training data into the case management system when they get access as an implementing agency.

Federal standards for internal control state that management should use quality information and design appropriate types of control activities in the entity's information systems to achieve objectives and ensure quality external reporting.¹⁸ In the case of human rights training, DOD officials acknowledged that they do not have a process to ensure that information on mandated human rights training is systematically and accurately entered into its tracking systems. Without such a process, DOD is limited in its ability to monitor compliance with the statutory requirement that Section 333 assistance include a human rights training component.

DOD Has Some Data on Funding for Mandated Human Rights Training

DOD tracks and reports funding for mandated human rights training at a global level, but not by country and program, although DOD is taking steps to do so. DSCA has published periodic reports that include global funding information for Section 333 activities, including the mandated human rights training. In 2016, Congress required the Director of DSCA to publish quarterly monitoring reports on the status of funding allocated

¹⁶According to DOD officials, implementing agencies are determined by an internal working group within DSCA that includes the Office of General Counsel. The DIILS effort is to create some of the functions of the implementing agency role which, according to DOD officials, will enable DIILS to better track the provision of required human rights training.

¹⁷In fiscal year 2019, DOD changed DIILS to a direct funding model, with DSCA allocating funding directly to DIILS, through the DSCA accounting system for Title 10 programs. Prior to that, DIILS was funded entirely on a reimbursement basis, receiving reimbursements from DOD and State for Title 10 and Title 22 programs, respectively. DIILS continues to operate on a reimbursement basis for Title 22 programs, including IMET.

¹⁸GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

for Section 333 activities.¹⁹ DSCA published three quarterly monitoring reports in fiscal year 2018, which identified the amount of unobligated funds, disbursements, and unliquidated obligations for Section 333 activities. According to the monitoring report from the third quarter of fiscal year 2018, year-to-date unobligated funds for human rights training totaled over \$2 million dollars, disbursements totaled about \$17,000, and unliquidated obligations totaled about \$200,000. The funding data for human rights training is generally reported globally in these reports, not by a specific program or country.

DOD could not provide the information we requested on funds obligated and disbursed for mandated human rights training, by program and country, for fiscal years 2015 through 2018. DSCA officials said they could not provide these data because it was challenging to pull this type of information from their systems in a usable way. Further, DOD officials noted that their previous accounting system made it challenging to obtain funding data easily.

DSCA and DIILS transitioned to a new accounting system in 2017 which, according to DSCA officials, was expected to provide more detailed information on the status of funding for human rights training. However, DOD officials said that the transition to the new accounting system introduced errors in the data and DIILS staff are still working through a learning curve in adopting the new system. Under the new accounting system, DIILS is to enter information using a unique program and task-naming convention. DSCA officials said the new accounting system, when fully implemented, is expected to allow both DSCA and DIILS to track funds according to the specific recipient country and Section 333 security assistance program, which would better enable DOD and others to effectively monitor the status of funds dedicated to these efforts.

¹⁹See 10 U.S.C. § 333(f).

State Relies on DOD to Track Training for Military Forces and Tracks Some Human Rights Training and Funding Data for Police

State officials said they rely on DOD to track funding and information on the Title 22 authorities that DOD implements, including IMET, which State officials said is its most substantial source of human rights–related training for foreign military forces. DOD provided information on the funding for certified E-IMET courses in recent years.²⁰ However, according to DOD officials, not all E-IMET courses are related to human rights.

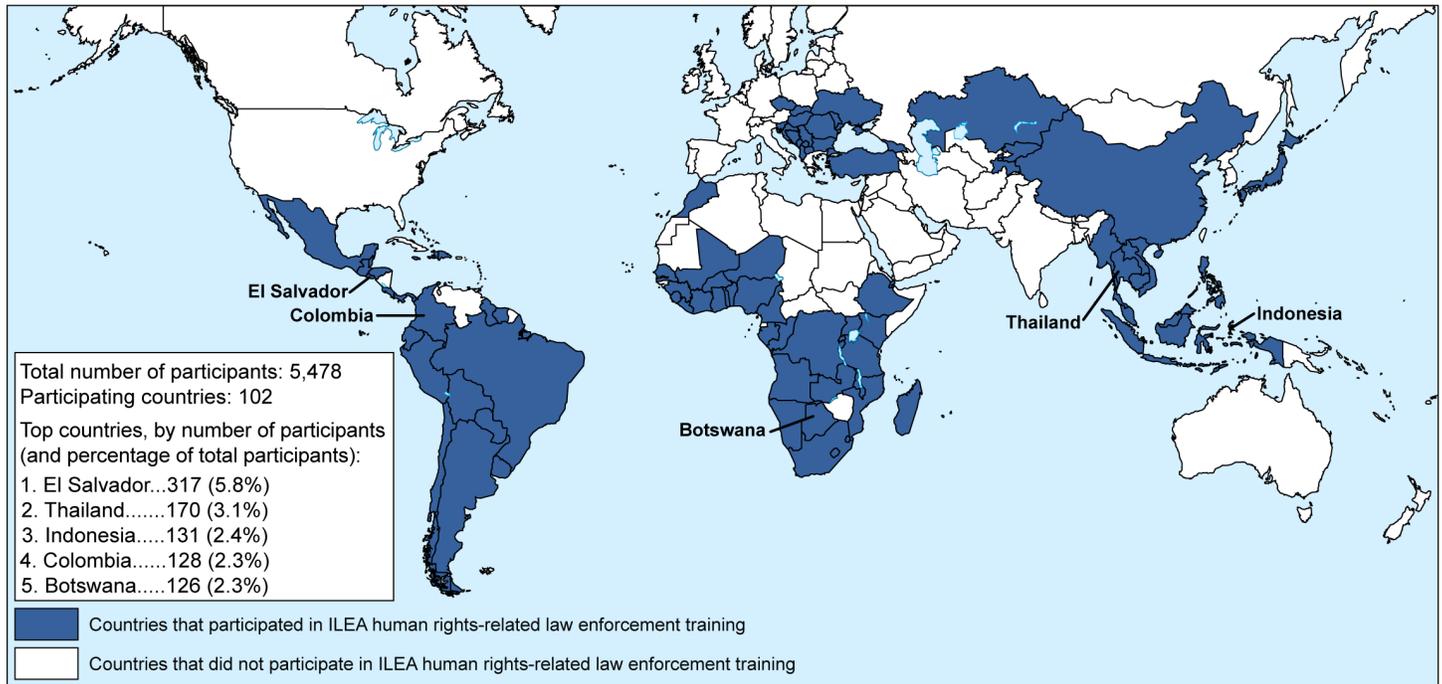
State INL maintains data on human rights–related training delivered by ILEAs, which is a major component of training provided to foreign law enforcement entities. In September 2018, we reported that while INL collects data for certain types of police training, such as training provided through the ILEA program, they do not have reliable information readily available on police trained through INL–funded projects.²¹ We recommended that State develop and implement a process to collect more reliable data on the number of police trained in El Salvador, Guatemala, and Honduras, the geographic focus of that review. State concurred with our recommendation and stated that it is in the process of developing specific indicators related to police training.

According to our review of State data on human rights–related training delivered by ILEAs, State supported human rights training for over 5,400 law enforcement personnel from over 100 countries at ILEAs from fiscal years 2015 through 2017. (See fig. 2.)

²⁰According to DOD officials, DOD and State spent nearly \$150 million on certified E-IMET courses for just over 19,000 students from various countries from fiscal years 2015 through 2018.

²¹[GAO-18-618](#).

Figure 2: State Law Enforcement Training Related to Human Rights Provided by International Law Enforcement Academies (ILEA) by Country, Fiscal Years 2015–2017



Sources: GAO analysis of International Law Enforcement Academy (ILEA) data provided by the Department of State (State) for fiscal years (FY) 2015-2017; Map Resources (map). | GAO-19-554

Note: Training provided by ILEAs is a major component of training related to human rights and international humanitarian law that was provided to foreign law enforcement forces but does not represent all training supported by State.

State identified 31 trainings provided by ILEAs that included human rights topics. (See table 4). According to State, the course that received the most funding—Law Enforcement and Leadership Development—is not expressly focused on human rights but is a 6-week long course that includes human rights concepts in different modules.

Table 4: Law Enforcement Training Related to Human Rights Provided by International Law Enforcement Academies (ILEA), Top Courses by State Estimated Funding Amounts, Fiscal Years 2015–2017

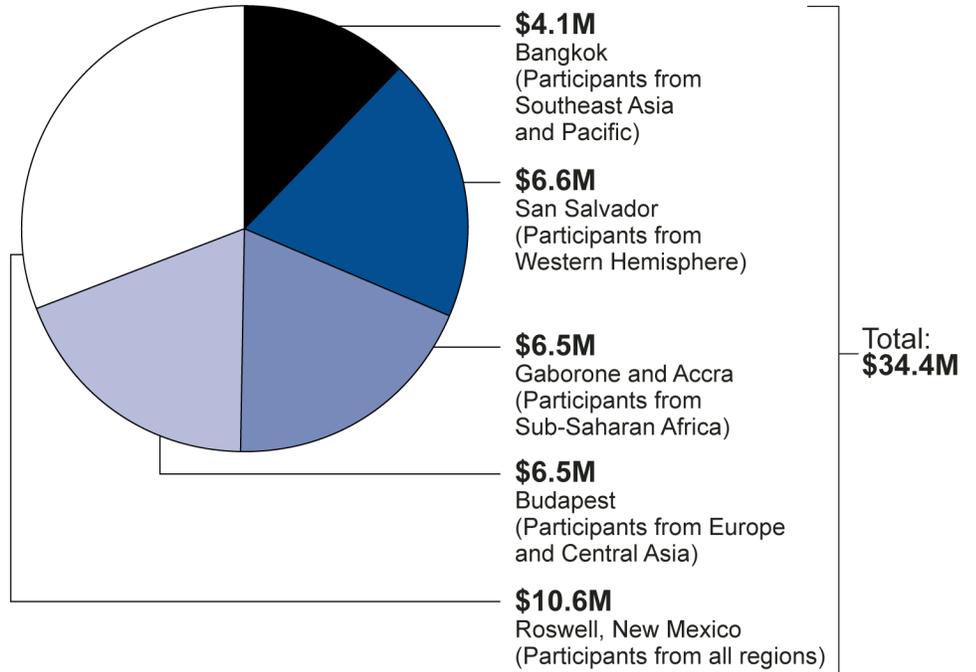
	Funding (in millions)	Length of course (average time in weeks)
Law Enforcement and Leadership Development	\$12.5	6
Academic Criminal Justice Seminar: Anti-Corruption Forum	5.3	4
Academic Criminal Justice Seminar and Model Law Workshop	2.1	4
Trafficking in Persons	1.7	2
Academic Criminal Justice Seminar: International Policy Development Forum	1.6	4
Drug Unit Commanders Course	1.2	1
Tactical Safety and Planning	1.2	2
Human Trafficking and Child Exploitation	1.1	1
Anti-Corruption and Model Law Policy and Development Symposium	1.1	3
Other courses (22 unique courses)	6.5	1.5 (average)
Total	\$34.4	3 (average)

Source: GAO analysis of International Law Enforcement Academy (ILEA) data provided by the Department of State. | GAO-19-554

Notes: Training provided by ILEAs is a major component of training related to human rights and international humanitarian law that was provided to foreign law enforcement forces but does not represent all training supported by State. These data represent the estimated funding amounts for planned training.

State provided approximately \$34.4 million for such training to foreign law enforcement entities at ILEAS from fiscal years 2015 through 2017. (See fig. 3.)

Figure 3: State Estimated Funding for Planned Law Enforcement Training Related to Human Rights Provided by International Law Enforcement Academies (ILEA), Fiscal Years 2015–2017



Source: GAO analysis of Department of State data. | GAO-19-554

Notes: Training provided by ILEAs is a major component of training related to human rights and international humanitarian law that was provided to foreign law enforcement forces but does not represent all training supported by State. These data represent the estimated funding amounts for planned training.

DOD and State Have Not Evaluated the Effectiveness of Human Rights Training

Neither DOD nor State Has Evaluated the Effectiveness of Human Rights Training

Although officials at both agencies identified examples of past monitoring and evaluation (M&E)–related efforts for security assistance programs, DOD and State officials acknowledged that they have not assessed the effectiveness of human rights training for foreign security forces provided as part of such programs.²²

DOD. DOD officials cited student surveys and after-action reports—which are summaries of the training events, training outcomes, challenges encountered, and further actions to be taken that are prepared by course facilitators—as examples of M&E–related efforts:

- At DIILS, course facilitators use surveys to solicit student feedback on courses and on the relevance of the course materials. They also use after-action reports, which, according to officials, provide continuity and capture lessons learned from human rights training in partner countries for DIILS facilitators who will be traveling to those countries in the future.
- At CCMR, according to CCMR officials, training facilitators prepare after-action reports for each course that involves human rights content. They also solicit input from the security cooperation officers in the country where the training took place.
- At the U.S. Africa Command, officials also said that they prepare after-action reports on DIILS–provided mandated human rights training, which they share with DIILS. Officials said these reports often discuss improvements needed with regard to logistics planning for human right training that DOD provides in African countries.

State. Examples of related M&E efforts that State has conducted include a multi-year survey of IMET and evaluations of some security assistance programs. For example, State and DOD funded a survey of IMET graduates which DOD entities conducted and covered the period from 2007 through 2014. The multi-year survey measured, among other things, if graduates reported an improved understanding of internationally recognized human rights.²³

²²DOD calls its approach “assessment, monitoring, and evaluation.” In this report we use the term “monitoring and evaluation” to include the baseline assessment that is part of DOD’s approach.

²³The survey involved an online questionnaire of IMET graduates at U.S. military schools, measuring their self-reported gain in knowledge related to IMET purposes. The survey did not assess the effectiveness of the human rights training (or of IMET more broadly) in terms of its impact on behavior, practices, or policies.

DOD Is Developing an Approach for Monitoring and Evaluating Security Assistance Programs, but Has Not Established a Timeline for Assessing Human Rights Training

According to DOD officials, DOD is beginning to develop a new M&E approach for DOD's security assistance programs. However, DOD has not established a timeline for evaluating the effectiveness of human rights training for foreign security forces that is often included as part of such assistance.

The 2017 NDAA, enacted in December 2016, requires DOD to conduct assessment, monitoring, and evaluation of its security assistance programs and activities.²⁴ The steps DOD is taking to implement the 2017 NDAA M&E requirements include:

- **Policy guidance:** DOD issued *Instruction 5132.14: Assessment, Monitoring, and Evaluation Policy for the Security Cooperation Enterprise* in January 2017. The instruction states that M&E will foster accurate and transparent reporting to key stakeholders on the outcomes and sustainability of security cooperation and improve returns on DOD security cooperation investments. The new M&E requirements are intended to include centralized, independent, and rigorous evaluations of significant security cooperation initiatives to examine their relevance, effectiveness, and sustainability, among other things. DOD officials said that they planned to develop additional guidance to meet the mandated M&E requirements for security assistance, which includes human rights training.
- **Security assistance guidelines:** Based on new security assistance guidelines, DOD developed templates for documents that combatant commands are required to complete when planning security assistance activities. These templates for initial assessment and initiative design documents (including for rule of law and human rights training) incorporate M&E into design and planning of security assistance programs and activities. Geographic combatant commands are required to submit these documents to DSCA for projects that are developed in fiscal year 2019 and will be implemented beginning in fiscal year 2020.
- **Draft evaluation agenda:** In 2018, DOD prepared a draft evaluation agenda which outlines notional timeframes for evaluations. However, DOD officials could not specify when they plan to finalize the agenda, and as of April 2019 could not tell us when DOD planned to begin

²⁴Pub. L. No. 114-328, § 1241(m) codified at 10 U.S.C. § 383. In addition, the 2019 NDAA required DOD to dedicate at least \$6 million a year to M&E. See Pub. L. No. 115-232, § 1211(a).

monitoring and evaluating human rights training for foreign security forces because they have not developed a timeline for doing so.

According to DOD officials, DOD is in the initial phase of developing its overall approach to monitoring and evaluating security assistance, of which human rights training is a small part. The 2019 NDAA, enacted in 2018, requires, as a condition for expending 50 percent of DOD operations and maintenance funds made available for Section 333 assistance, that DOD establish a written plan describing, among other things, evaluation activities planned for security assistance programs for fiscal year 2019.²⁵ In addition, according to the Office of Management and Budget's monitoring and evaluation guidelines for the federal government entities providing foreign assistance, agencies should establish annual monitoring and evaluation objectives and timetables to plan and manage the process of monitoring, evaluating, analyzing progress, and applying learning toward achieving results.²⁶ Developing a timeline for implementing its activities to monitor and evaluate the effectiveness of human rights training, which could be done as part of DOD's monitoring and evaluation of its broader security assistance efforts, would provide greater assurance that DOD will complete M&E requirements.

²⁵Pub. L. No. 115-232, § 1211(b).

²⁶Office of Management and Budget, *OMB Monitoring and Evaluation Guidelines for Federal Departments and Agencies that Administer United States Foreign Assistance*, OMB Memorandum M-18-04, Jan. 11, 2018. OMB promulgated these guidelines in response to a mandate contained in the Foreign Aid Transparency and Accountability Act of 2016 (Pub. L. No. 114-191). See GAO, *Foreign Assistance: Federal Monitoring and Evaluation Guidelines Incorporate Most but Not All Leading Practices*, [GAO-19-466](#) (Washington, D.C.: Jul. 31, 2019).

State Does Not Have a Plan with a Timeline for Evaluating Human Rights Training Provided under IMET

According to State officials, they have not established a plan, with a clear timeline, for evaluating the effectiveness of human rights training provided as part of IMET. Officials from State's Bureau of Political–Military Affairs (PM) acknowledged that State's responsibilities for IMET include M&E of the program. According to these officials, PM is in the initial phase of developing M&E of its security assistance programs, including IMET.²⁷ They stated that for this reason PM is not currently planning to evaluate human rights training provided under IMET.²⁸ Although DOD implements IMET, PM has overall responsibility for the program.²⁹

According to State's January 2018 *Guidance for the Design, Monitoring and Evaluation Policy at the Department of State*, it is essential that bureaus and independent offices have comprehensive plans for monitoring and evaluating all their programs and projects, and the plans should include, among other things, an implementation schedule. An M&E plan with a clear timeline for human rights training provided under

²⁷In prior work we recommended that State and DOD should take several steps to emphasize human rights training and improve evaluations for the IMET program; see GAO, *International Military Education and Training: Agencies Should Emphasize Human Rights Training and Improve Evaluations*, [GAO-12-123](#) (Washington, D.C.: Oct. 27, 2011). In response, DOD and State added a series of questions to the annual Combined Education and Training Programs Plan to emphasize human rights training; these plans are completed each year by security cooperation training officers for IMET recipient countries. The additional questions address whether specific countries have received poor marks on human rights from internationally recognized organizations, such as Freedom House, and, if yes, to what degree the military is part of the rationale for the poor marks. There is also a question on how IMET training for countries that receive poor marks can address human rights. Additionally, DOD and State have taken steps to more systematically collect performance information and monitor IMET graduates. According to DOD, this effort has provided DOD and State with a more systematic collection of program performance information over time.

²⁸In this discussion we refer to IMET as a program. It is a State program that is jointly managed by DSCA and State PM, with PM having overall responsibility for the program. Congress appropriates IMET funds each year to the President as part of the appropriations acts funding foreign operations, and country allocations are justified and documented in the Congressional Budget Justification for Foreign Operations. According to DSCA, based on congressional guidance and State–approved country allocations, DSCA manages and issues the IMET funds to the military departments, which further disburse the funds to support specific country programs or courses. DSCA provides IMET program implementation policy to the combatant commands, military departments, and security cooperation officers.

²⁹According to DOD officials, IMET falls outside the scope of its emerging M&E approach for security assistance and DOD does not plan to evaluate IMET, including its human rights training component. DOD Instruction 5132.14 does not apply to programs implemented but not funded by DOD.

IMET will better position State and DOD to determine the effectiveness of a significant component of U.S. human rights training for foreign militaries and identify areas for improvement. Additionally, an evaluation of the effectiveness of the human rights training would provide other important stakeholders, including Congress, with evidence to better inform decisions about U.S.–funded human rights training provided under IMET. Such an evaluation could be done as part of State’s broader effort to evaluate IMET.

DOD and State Officials and Experts Identified Challenges to Achieving Human Rights Objectives through Training

According to DOD and State officials and outside experts we interviewed, there are several challenges to achieving human rights objectives—such as a decrease in human rights violations or promoting greater respect for human rights—through training alone. Such challenges include tailoring training to the partner nation, integrating it into operational training, and a lack of capabilities and accountability systems on the part of partner nations.

Agency officials and outside experts we spoke with stated that it can be challenging to tailor human rights training to the partner nation, the unit receiving assistance, and, when appropriate, the type of equipment being provided. DIILS has developed a three–tiered training model to meet the requirements of Section 333, as discussed above, and DIILS officials stated that they work to tailor trainings to the extent possible, including by selecting trainers with experience relevant to the equipment that the U.S. government provides and adding additional training when needed. However, agency officials and experts stated that DIILS, as a small entity, has limited capacity to tailor human rights trainings for specific situations, especially since DIILS must cover certain material to meet the Section 333 requirements.

In addition, DIILS’ ability to tailor training is limited because, according to agency officials, mandated human rights training—typically a classroom course—is generally added to a security assistance package for a partner nation once the planning process has been completed. Since the human rights training is not integrated when the security assistance is planned, it is not generally feasible to adjust the training after the fact to address a specific situation in a given partner country, according to DOD officials. DSCA officials acknowledged that most human rights training is not sufficiently tailored to the needs of the recipient countries and that they have not yet fully incorporated human rights training considerations into security assistance planning. These officials said more work remains to be done to ensure that assistance under the Section 333 authority include

comprehensive human rights training designed to meet specific partner nation needs.

Agency officials and outside experts we interviewed stated that it can be challenging to achieve human rights objectives through human rights training as currently delivered because mandated human rights training is typically delivered as a stand-alone course in a classroom setting, rather than integrated into operational training. Agency officials stated that integrated training can be more effective because it would expose participants to practical skills that could help them comply with human rights concepts and avoid human rights violations during military or law enforcement operations. For example, State officials said that operational training on how to run a checkpoint while respecting human rights principles is likely to be more effective than training slides that outline international treaties on human rights.

Agency officials and outside experts also stated that partner nations may lack capabilities and accountability systems. A military justice system might not hold responsible soldiers who commit human rights violations. A partner nation may lack equipment, experienced personnel, and planning for precision targeting to avoid civilian casualties. Further, partner nations may lack the political will to focus on human rights, and poorly-resourced security forces might see human rights as a low priority. Agency officials and outside experts said that without defense institution building that would address some of these broader systemic issues, human rights training may be less likely to have an effect in some countries. Finally, agency officials noted that in some instances, competing priorities necessitate prioritizing U.S. national security interests when providing security assistance, with human rights receiving less emphasis.

Conclusions

Instilling respect for human rights in our foreign partners is important to achieving U.S. foreign policy goals. Human rights training that DOD and State provide is one means to do so, but DOD and State are unable to provide a comprehensive accounting of the full array of human rights training they support. With the demand for human rights training increasing as a result of Section 333, a process to ensure training information is systematically tracked would provide DOD greater assurance that it is complying with the statutory requirement to provide human rights training as a component of Section 333 assistance. Furthermore, DOD and State are not able to provide stakeholders, including Congress, with an evaluation of the effectiveness of human

rights training the agencies support. Without monitoring and evaluation, decision-makers may be unable to identify whether human rights training provided through Section 333, IMET, and other authorities is achieving objectives and whether it could be adjusted for greater effectiveness.

Recommendations for Executive Action

We are making a total of three recommendations, including two to DOD and one to State. Specifically:

The Secretary of Defense should direct the Director of the Defense Security Cooperation Agency to establish processes to ensure that information on the provision of Section 333 mandated human rights training is systematically and accurately entered into its tracking systems. (Recommendation 1)

The Secretary of Defense should direct the Under Secretary of Defense for Policy to develop a timeline for implementing its activities to monitor and evaluate the effectiveness of human rights training for foreign security forces. (Recommendation 2)

The Secretary of State, in consultation with the Secretary of Defense, should develop a plan with a clear timeline for monitoring and evaluating the effectiveness of human rights training for foreign security forces provided under IMET. (Recommendation 3)

Agency Comments and Our Evaluation

We provided a draft of this report for review and comment to DOD and State. DOD concurred with the two recommendations directed to the Secretary of Defense and identified actions it plans to take to address them. Regarding the recommendation to monitor and evaluate human rights training, DOD stated that it would do so as part of monitoring and evaluating its broader security assistance efforts. DOD's written comments are reproduced in appendix II. State disagreed with the recommendation directed to the Secretary of State. State's written comments are reproduced in appendix III.

In its comments, State acknowledged that human rights training is a vital element of IMET programs and agreed with the need to monitor and evaluate the effectiveness of training—including human rights training—delivered through IMET. However, the department stated that it did not agree to separately conduct monitoring and evaluation of human rights training for IMET participants. Our recommendation for State to develop a plan with a timeline to evaluate the effectiveness of human rights training

provided under IMET does not call for a separate evaluation. State could meet the intent of our recommendation through evaluating the effectiveness of human rights training as part of its broader efforts to monitor and evaluate IMET. We added a statement to the report to that effect.

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

If you or your staff have questions about this report, please contact Jennifer Grover at 202-512-7141 or groverj@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 key contributions to this report are listed in appendix II.



Jennifer A. Grover
Director, International Affairs and Trade

List of Committees

The Honorable James M. Inhofe
Chairman
The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate

The Honorable James E. Risch
Chairman
The Honorable Robert Menendez
Ranking Member
Committee on Foreign Relations
United States Senate

The Honorable Richard C. Shelby
Chairman
The Honorable Dick Durbin
Ranking Member
Subcommittee on Department of Defense
Committee on Appropriations
United States Senate

The Honorable Lindsey Graham
Chairman
The Honorable Patrick Leahy
Ranking Member
Subcommittee on State, Foreign Operations,
and Related Programs
Committee on Appropriations
United States Senate

The Honorable Adam Smith
Chairman
The Honorable Mac Thornberry
Ranking Member
Committee on Armed Services
House of Representatives

The Honorable Eliot L. Engel
Chairman
The Honorable Michael T. McCaul
Ranking Member
Committee on Foreign Affairs
House of Representatives

The Honorable Peter Visclosky
Chairman
The Honorable Ken Calvert
Ranking Member
Subcommittee on Defense
Committee on Appropriations
House of Representatives

The Honorable Nita Lowey
Chairwoman
The Honorable Hal Rogers
Ranking Member
Subcommittee on State, Foreign Operations,
and Related Programs
Committee on Appropriations
House of Representatives

Appendix I: Objectives, Scope, and Methodology

This report (1) describes the entities through which the Department of Defense (DOD) and the Department of State (State) provide training for foreign security forces on human rights and international humanitarian law; (2) assesses the extent to which DOD and State track the provision of and funding for the training; and (3) examines the extent to which DOD and State have evaluated the effectiveness of the training; and (4) provides DOD, State, and outside expert views on human rights training.

To address these objectives, we reviewed laws, guidance, budget documents, course catalogs, and agency data. We also interviewed agency officials in Washington, D.C., and at DOD geographic combatant commands. In addition, we conducted site visits at three facilities that provide human rights training: the Center for Civil–Military Relations (CCMR) in Monterey, California; the Defense Institute of International Legal Studies (DIILS) in Newport, Rhode Island; and the Western Hemisphere Institute for Security Cooperation (WHINSEC) in Fort Benning, Georgia.

To address the structures through which DOD and State provide training for foreign security forces on human rights and international humanitarian law, we also reviewed course catalogs and interviewed DOD officials from several DOD entities, including the Defense Security Cooperation Agency; the Office of the Undersecretary of Defense for Policy; U.S. Africa Command; U.S. Indo-Pacific Command; and CCMR, DIILS, and WHINSEC. At State, we interviewed officials from the Bureau of Political–Military Affairs; Democracy, Human Rights, and Labor; and International Narcotics and Law Enforcement Affairs; and the Office of Foreign Assistance Resources.

To address what is known about tracking and funding for the training, including whether and how DOD comprehensively tracks human rights training, we reviewed DOD guidance and interviewed DOD officials and training providers. With the 2017 National Defense Authorization Act (NDAA) consolidating authorities—codified at 10 U.S.C. § 333—and the resulting increase in demand for the human rights training DIILS provides under that authority, we then focused on the ways in which that training and its funding is tracked in DOD systems. We reviewed agency documents, including congressional notifications and quarterly monitoring reports, to review how the training data are reported. We also reviewed

federal internal control standards to determine what responsibilities agencies have related to information collection and communication.¹

To assess the extent to which DOD and State have evaluated the effectiveness of the training, we reviewed monitoring and evaluation (M&E) policy and guidance documents and other relevant documents. We interviewed DOD and State officials about their current and planned actions to monitor and evaluate human rights training as well as examples of M&E-related efforts for security assistance programs that include human rights training. We also reviewed legislation, including the 2017 and 2019 NDAs, which outline M&E requirements for DOD's security assistance. In addition, we reviewed State's January 2018 *Guidance for the Design, Monitoring and Evaluation Policy at the Department of State* to determine M&E requirements for State.

To collect information on DOD, State, and outside expert perspectives of human rights training provided to foreign security forces, we conducted individual semistructured interviews with selected stakeholders, including agency officials and outside experts, who consisted of former government officials and representatives of nongovernmental organizations and think tanks. To identify outside experts, we asked stakeholders, including current government officials, to recommend other stakeholders we should speak with (i.e., snowball sampling). In our interviews, we collected information on perspectives of factors that could potentially enhance the effectiveness of human rights training and challenges to achieving human rights objectives through such training. The information we obtained from these stakeholders cannot be generalized across all stakeholders.

We conducted this performance audit from February 2018 to August 2019 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.

¹[GAO-14-704G](#).

Appendix II: Comments from the Department of Defense



DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

26 JUL 2019

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

Dear Ms. Grover:

Enclosed is the Department of Defense (DoD)'s response to the Government Accountability Office (GAO) Draft Report, GA0-19-554, "SECURITY ASSISTANCE: U.S. Agencies Should Improve Oversight of Human Rights Training for Foreign Security Forces," dated June 6, 2019 (GAO Code 103106).

Please direct any questions or comments regarding this response to my primary action officer for this matter, Mr. John McLoughlin, john.p.mcloughlin8.civ@mail.mil, (401) 841-6143, or the DSCA audit liaison officer, Mr. Eric Ferguson, dsca.audit@mail.mil, (703) 697-9261.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Helfant", with a long horizontal flourish extending to the right.

Robert Helfant
Principal Director
Building Partner Capacity

Enclosure:
As stated

GAO DRAFT REPORT DATED JUNE 6, 2019
GAO-19-554 (GAO CODE 103106)

“SECURITY ASSISTANCE: U.S. AGENCIES SHOULD IMPROVE OVERSIGHT OF
HUMAN RIGHTS TRAINING FOR FOREIGN SECURITY FORCES”

DEPARTMENT OF DEFENSE COMMENTS
TO THE GAO RECOMMENDATION

RECOMMENDATION 1: The GAO recommends that the Secretary of Defense should direct the Director of the Defense Security Cooperation Agency to establish processes to ensure that information on the provision of Section 333 mandated human rights training is systematically and accurately entered into its tracking systems. (Recommendation 1)

DoD RESPONSE: The DoD concurs with the recommendation. DSCA needs to establish reporting procedures with GCCs. In addition, DSCA representatives are working to determine the feasibility and requirements to modify existing IT tracking systems to enable DIILS data entry privileges.

RECOMMENDATION 2: The GAO recommends that the Secretary of Defense should direct the Under Secretary of Defense for Policy to develop a timeline for implementing its activities to monitor and evaluate the effectiveness of human rights training for foreign security forces. (Recommendation 2)

DoD RESPONSE: The DoD concurs that DoD should develop a timeline for fully implementing its monitor and evaluation efforts for DoD’s security cooperation efforts. The DoD does not agree that DoD should separately develop a monitoring and evaluation implementation timeline that’s limited to or solely focused on human rights training.

Typically, DoD human rights training is provided as part of a much larger security cooperation program for the assisted partner nation. DoD’s effort to monitor and evaluate the effectiveness of the larger security cooperation program will include consideration of any provided human rights training but primarily focus on the effectiveness of DoD’s intended security cooperation objective for the partner nation. It would be impractical for DoD to separately evaluate mandatory human rights training from the overall security cooperation effort.

DoD will continue its efforts to improve the quality of DoD human rights instruction. In 2019, an internal DSCA Working Group assembled with members across the agency, including representatives from DIILS and ISG (formerly known as CCMR) to review DSCA’s assessment, monitoring, and evaluation (AM&E) processes. Results of the Working Group should provide a basis to further develop and refine AM&E of security cooperation efforts, to include international human rights.

Appendix III: Comments from the Department of State



United States Department of State
Comptroller
Washington, DC 20520

JUL 2 2019

Thomas Melito
Managing Director
International Affairs and Trade
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548-0001

Dear Mr. Melito:

We appreciate the opportunity to review your draft report, "SECURITY ASSISTANCE: U.S. Agencies Should Improve Oversight of Human Rights Training for Foreign Security Forces" GAO Job Code 103106.

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

Sincerely,

A handwritten signature in black ink that reads "Jeffrey C. Mounts".

Jeffrey C. Mounts (Acting)

Enclosure:
As stated

cc: GAO – Jennifer A. Grover
PM – Clarke Cooper
OIG - Norman Brown

Department of State Comments on GAO Draft Report

**SECURITY ASSISTANCE: U.S. Agencies Should Improve Oversight of
Human Rights Training for Foreign Security Forces
(GAO-19-554, GAO Code 103106)**

Thank you for the opportunity to comment on the GAO draft report, entitled
*“Security Assistance: U.S. Agencies Should Improve Oversight of Human Rights
Training for Foreign Security Forces.”*

**Recommendation 3: The Secretary of State, in consultation with the
Secretary of Defense, should develop a plan with a clear timeline for
monitoring and evaluating the effectiveness of human rights training for
foreign security forces provided under IMET.**

The Department of State disagrees with this recommendation. The IMET program provides foreign security forces from allied and friendly nations valuable training and education on U.S. military practices and standards, including exposure to democratic values and respect for human rights. Human rights training is a vital element of our IMET programs, and we agree with the need to continue monitoring and evaluating the effectiveness of training delivered through IMET – including human rights training – within the context of any assessments we conduct on our program’s overall effectiveness. Accordingly, we do not agree with the recommendation to separately conduct monitoring and evaluating of human rights training for IMET participants.

We will continue to engage the Department of Defense and our partners to ensure effective implementation of training delivered through IMET, including human rights training, for foreign security forces provided under this program.

Appendix IV: GAO Contacts and Staff Acknowledgments

GAO Contact

Jennifer A. Grover, 202-512-7141 or groverj@gao.gov.

Staff Acknowledgments

In addition to the contacts named above, Juan Gobel, Christina Werth, Emily Desai, Sada Aksartova, James McCully, David Payne, Neil Doherty, John Hussey, Mark Dowling, and Rachel Stoiko contributed to this report.

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