



## Submission to the Public Comment for the Advancing Protection and Care for Children in Adversity (APCCA) Strategy Update

### General Comments:

The Advancing Protection and Care for Children in Adversity: A U.S. Government Strategy for International Assistance (2019–2024) has entered its public comment with a text that was highly altered from previous iterations of the 2019-2023 strategy. While assisting the children of the world who are most in need is a noble goal, proper respect for the family as the natural and fundamental group unit of society and the rights of parents must be integral to any USAID policy in order to preserve goodwill toward the American People.

### Major gaps, inaccuracies, or areas in need of clarification:

#### RIGHTS OF PARENTS AND WELLBEING OF CHILDREN

The new draft strategy introduces controversy when addressing who has the responsibility for the wellbeing of the child. At the beginning of the strategy, it asserts that “*parents have the primary responsibility*, with support from other members of their families, communities, civil society, faith-based organizations, and governments, to promote the safety and well-being of children, even in the face of formidable threats and challenges.” (Page 5, para. 7)

Close to the end of the strategy however, when speaking of what can be done to protect children from violence it asserts, “*Governments are ultimately responsible* for the protection and well-being of their children in both the physical and digital world, but more importantly play a key role in strengthening the relevant systems and structures required to ensure appropriate protection and care of children, their families or caregivers, and communities.” (Page 31, para. 66)

This can be confusing and does not provide adequate guidance on the respective competences of governments and families in ensuring the wellbeing of children. There is the possibility that USAID programming will view parents as mere implementing partners of the government in raising their children, with no acknowledgement of the possibility of government overreach. This is especially relevant to programming directed at children because the U.S. has ratified the International Covenant on Civil and Political

Rights which places responsibility for the education and upbringing of children squarely with parents (ICCPR, Article 18).

## INTERNATIONAL DEFINITIONS

The strategy proposes to “Promote the use of internationally recognized violence against children definitions and indicators, as well as evidence-based interventions to prevent and respond to violence against children.” (Page 32, para 69b) This is highly problematic. U.S. programming must not be tied to as-of-yet undefined international standards. This is a first-order concern in that USAID programs must preserving U.S. sovereignty over international aid paid for by U.S. taxpayers, including the prerogative to adopt standards and measures democratically debates and adopted by the American People according to our tradition of self-government and consistent with our own Constitution.

The definitions of “violence” contemplated by the strategy and widely used in international programs (para 65 especially) are too capacious and include non-physical forms of violence through concepts such as “online violence”, “hate speech”, and “misinformation and disinformation.” (Page 32, para. 69c) For purposes of U.S. programs and other USAID initiatives, the definition of “violence” must not encompass categories such as speech, religious teachings, religious practices, and other categories that undermine the protections for conscience, free speech and religious freedom as enshrined in the U.S. Constitution.

Among the concepts of violence contemplated in the report the notion of “gender-based violence” stands out. UN human rights bodies and experts, UN agencies, and the UN secretariat, routinely promote the notion that unless governments support progressive social agenda’s, including transgender identity change based on self-identification, as well as transgender hormone treatments and surgeries, including for minors, they are contributing to gender-based violence. Some of the positions adopted by UN bodies reach absurdity, like claiming that the Catholic Church’s teaching on the complementarity of the sexes contributes to gender-based violence. Recently, another UN rapporteur promoted the notion that information regarding the harms of abortion to women can constitute “gendered misinformation.”

Another aspect of the concept of “gender-based violence” that is concerning in international programs is its link to access to abortion. Many UN agencies, including the World Health Organization and UN Women include abortion as part of their response packages to “gender-based violence. Tying U.S. programs to such notions would run afoul of the Helms Amendment, which prohibits the use of U.S. taxpayer funds for abortion, and would could cause problems for programs and service delivery if a future U.S. administration restored the Protecting Life in Global Health Assistance, which prohibits U.S. grants to international organizations that provide or promote abortions.

## CONCLUDING RECOMMENDATIONS

We encourage the administration to ensure U.S. programming can count on strategic guidance that will closely follow the letter and spirit of U.S. law when it comes to abortion, including the Helms and Siljander amendments. We also encourage the

administration to ensure resilience for U.S. programs, including by ensuring U.S. partners are willing to comply with conditions set by future U.S. administrations that will cut off funds to groups that provide and promote abortions.

Avoid tying U.S. programs to international standards and definitions and avoid any definitions that confuse violence and speech or religious conduct protected under the U.S. Constitution.