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Policy Memo

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SUBJECT: Structuring the US Government to Prevent Atrocities: Considerations for an Atrocities Prevention Board

In early August, the Obama administration mandated under a presidential study directive (PSD-10) the creation of a standing Interagency Atrocities Prevention Board (APB) to coordinate a whole-of-government approach to mass atrocity prevention and response.

As part of its 52nd annual Strategy for Peace Conference, the Stanley Foundation convened some 30 US government officials and mass atrocity specialists near Washington, DC, on October 13–15, 2011, to discuss the prospects and challenges confronting the ongoing inter-agency review that will inform the design and approach of this freshly mandated structure.

The dialogue, chaired by Ambassador David Scheffer, considered immediate and future needs of an Atrocities Prevention Board, as well as ways in which concurrent implementation of State and USAID's 2010 Quadrennial Diplomacy and Development Review (QDDR) might reinforce the APB's broader interagency process. Speaking from perspectives that span the USG interagency structure, participants strove to isolate shifts that would most effectively promote the efforts of those across the US government central to preventing mass atrocity crimes.

Discussion inspired the following recommendations for the final stages of the PSD-10 Interagency Review and early efforts of the Atrocities Prevention Board:

- Tailor APB structure and activities to **proactively mainstream atrocity-focused policy approaches** across government agencies and root atrocity prevention as an instinctive element of day-to-day operations.
- **Foster a sense of ownership** in the APB process among relevant actors outside its core planning group, across government agencies, and in both functional and regional roles.
- **Frame the APB as a resource** for operational players (i.e., country teams and regional bureaus) and encourage their feedback on how it can best help them address atrocity risk and support ongoing crisis management efforts.
- Consider not only the relationship between the APB and existing or potential ad hoc interagency mechanisms for imminent, high-profile crises, but also **how this relationship**

might evolve at different points in the crisis continuum. When should the APB “lead,” and when should it provide “input?” Should “lead” authority ever transfer to or from the APB? If so, when and how? Should the APB be structured to lead policy responses to crises that transitioned from low to high risk (and attention) while on its agenda? Or should it trigger the creation of a dedicated, ad hoc mechanism to address such cases?

- Actively promote expansion of the multilateral architecture for atrocity prevention—not only to build external capacities, multiply impact, and maximize multilateral resources, but also to **generate external sources of momentum** that can help **sustain internal focus, energy, and engagement** on these issues beyond the current administration.
- Embed APB processes within this multilateral architecture. Focus should be on forging links at the **macro level of norms, political momentum and overarching policy**, as well as the **level of operational doctrine** and field-based engagement.
- As part of the effort outlined above, channel existing momentum from the APB process into **direct support to other governments** that seek to coordinate a whole-of-government approach to internal and external mass atrocity risks, such as those which have identified national-level “focal points” to implement the Responsibility to Protect principle. Partnerships with governments of the Global South might merit particular focus.
- Clearly identify the ways in which QDDR implementation reinforces the efforts and objectives of the APB, and use this clarity to **reinforce stakeholder buy-in** to both processes.
- Engage Congress on the objectives of both PSD-10 and QDDR implementation, clearly **indicating how developed reforms further the recommendations of the 2010 concurrent congressional resolution on mass atrocity prevention** (S. Con. Res. 71) and maximize administration efforts to prevent atrocities in a budget-neutral environment.
- Undertake concerted outreach beyond the US government and **partner with the expert and NGO communities to generate media and public interest** in atrocity prevention as a national security priority. Particular attention should be paid to fostering support among both Republican and Democratic constituencies.
- Encourage the creation of a coalition of nongovernmental “friends” of the APB. This group could focus on policy analysis and input, as well as serve as an external “watch group” to **ensure continued accountability** to the objectives of the board. Message clearly that the APB is a process rather than a fixed structure and **develop appropriate, but flexible, metrics for success** that manage internal and external expectations.
- Underscore the long-term relevance of the board by framing its establishment as an **act of the US government**, rather than an individual administration.

Key observations from the discussion follow:

The Role of an Atrocities Prevention Board: Promise and Challenges

Building on gaps identified in earlier assessments such as the 2008 Genocide Prevention Task Force Report, the interagency review process mandated by PSD-10 is tasked with (1) identifying where an Atrocities Prevention Board might add value to the US government approach to mass atrocities and (2) defining its roles and structure in terms of this potential.

The APB and Crisis Response

Participants repeatedly echoed that the board would likely face a particular dichotomy of cases: situations of high, imminent or ongoing risk that have already mobilized internal focus and high-level attention vs. slow burn or “over the horizon” crises that have yet to trigger high-level concern and a cohesive policy approach.

Review discussions have thus settled on the following roles for the APB in crisis response:

- When high-level attention already rests with an existing standing committee devoted to a particular crisis, the role of the APB will be to feed analysis, perspectives, and recommendations nuanced to atrocity risk into this standing process.
- For cases that lack the attention of an existing structure, the APB will lead on high-level focus, intelligence, analysis, policy development, and mobilization.

Participants noted that “slow burn” and “over the horizon” crises typically allow for a greater spectrum of policy options with lower execution costs, but chronically attract minimal attention. They suggested filling this gap would be the primary added value of the APB. High-level attention over a longer time horizon would both prevent and prepare for escalation, bringing focus and guidance to upstream, structural prevention and laying early groundwork to address barriers to policy response, such as the intelligence deficit that often defines the first phases of an emerging crisis.

Focused on this duality of roles, participants suggested that defining the APB’s relationship to existing mechanisms and determining how to build on what works well are key to the ongoing review. Ad hoc, crises-specific mechanisms, such as the “small group” on South Sudan, have proven highly successful models for whole-of-government mobilization. Just as all policies must be nuanced for particular crises, bureaucratic dynamics may require the same of our response processes, and the APB must determine how it best fits within each scenario.

While the need for adaptability was widely acknowledged, greater attention should be paid to relationship transitions. Participants suggested that different structures are better suited to different time scales, but little focus was given to what happens as a crisis enters different phases on the conflict continuum. The ongoing interagency review should consider if, when, and how the APB might either acquire or hand-off authority for policy development to an alternative mechanism as crises shift and develop.

APB: More Process Than Structure

While elements of focus for the APB have generated much consensus within its planning network, participants outlined the challenge in processing genuine lessons learned within the time constraints defined by the interagency review process. APB designers acknowledged they are often relying on anecdotes and intuition rather than hard data. This observation was intended to underscore that the PSD-10 and the APB must be seen as launching an ongoing process, rather than declaring the final word on the USG's atrocity prevention approach.

The ultimate objective of this process should be to create an architecture that is designed to bring the right questions and issues to the discussion in order to most effectively evaluate competing objectives, prospects, capacities, and contingencies in a given case.

Beyond crisis-specific engagement, participants identified the following potential roles for the APB, a number of which have been highlighted in the internal review process:

- Generating awareness of atrocity prevention issues and indicating their level of policy priority.
- Coherently rationalizing atrocity prevention and its relationship to related objectives, such as conflict prevention, human rights promotion, peacebuilding, and sustainable development—proactively bridging rather than reinforcing policy silos.
- Adding value to early warning assessments and atrocity “watch lists” by setting priorities that balance levels of concern with potential for impact and account for factors such as case difficulty and competing interests.
- Setting broad principles, mainstreaming a shared understanding of atrocity prevention policy, and promoting a broad-based recognition of roles and sense of ownership across the interagency.
- Serving as a repository for training, doctrine, capacity evaluation, and contingency planning.
- Developing policy doctrine and guidance for working-level operations, including upstream, preventive work.
- Identifying and allocating resources through drawdown authorities.

Among these roles, mainstreaming atrocity prevention to ensure broad-based buy-in was highlighted as particularly pressing. While the current process incorporates a spectrum of key figures across government agencies, much of this engagement is individual-driven and has yet to reflect broad internalization of these issues within relevant offices and agencies.

The APB and the QDDR: Maximizing Links and Leverage Points

While the APB and QDDR implementation have been discussed largely in isolation, participants noted key points of intersection that, if fully harnessed, could prove highly useful to the APB process.

At the broadest level, QDDR reforms reorient focus and resources of the USG’s diplomatic and development structures toward instability and crisis risk, which broadens potential to more effectively implement APB objectives through key actors at the State Department and USAID. More specifically, the QDDR redefines the working relationships of a large subset of atrocity prevention “implementers,” and thus reinforces the objective of PSD-10 to create a system that enables relevant actors to better perform existing functions.

The new “G” family outlined in the QDDR’s restructuring proposal for the State Department brings together a mutually reinforcing cluster of bureaus and offices and creates a more intuitive access point for APB engagement. At the operational level, realigning particular offices that contribute to different elements of an overarching process (such as justice sector reform) holds promise for improved policy and program development.

Participants also noted a dovetail in the explicit objective of both the APB and QDDR processes to elevate the role of country teams and regional bureaus. If coordinated, such efforts might prove mutually reinforcing.

Sustaining Structures and Policy Priority

Given that policy priority is always prey to shifts in leadership, sustainability of the APB—and of the broader policy focus it is meant to encourage—merit serious consideration as the new structure is developed.

Mainstreaming for Sustainability

Echoing the idea that the APB should be a process or system rather than an isolated structure, participants highlighted broad mainstreaming as key to long-term sustainability, as well impact and effectiveness.

As noted above, the ongoing review process has been driven by a spectrum of interagency actors and involved consultation with regional players, but buy-in has been uneven and skepticism remains. The APB must be designed to proactively expand a sense of doctrinal “ownership” outward from its functional core to direct implementers of operational policy, diversifying the range of stakeholders vested in atrocity prevention as a policy priority.

Securing broad-based ownership, however, requires facing the power dynamics and skepticism that often characterize the relationship between functional and regional players. The review process and the APB should move engagement with regional bureaus beyond consultations on existing approaches and capacities and promote self-identification by regional leadership of (1) the relevance of an atrocity focus for their work and (2) the assets an APB could bring to their ongoing efforts.

Participants highlighted that resources often drive buy-in. Thus the APB should pair its input with drawdown authorities that empower implementers to better pursue concrete activities and generate more effective policy outputs.

To reinforce mainstreaming efforts and enhance the quality of atrocity-focused policy analysis and development, the APB should counter outdated narratives on career advancement that

erroneously consider specializing in functional issues as a barrier to promotion. It should proactively incentivize the development of atrocity expertise, as well as ensure that basic skills in atrocity and conflict risk analysis, mediation, and peacebuilding are shared by all Foreign Service officers.

Institutional Grounding

In spite of the emphasis placed on process, some functions proposed for the APB require a standing structure and bureaucratic grounding. Participants agreed that the NSC was the proper focal position for the APB as a high-level, interagency process, but noted that NSC structure is personality-dependent and consistent fodder for administration restructuring. Some suggested that long-term institutionalization would require identifying a vanguard office, tethered to the NSC, but rooted in the bureaucracy, notably the State Department.

Fostering External Momentum

While the USG is at the forefront of domestic-level efforts to develop a whole-of-government approach to mass atrocities, other governments share these objectives and are seeking to expand the multilateral architecture for atrocity prevention, in part through a growing network of appointed “focal points” for domestic implementation of the Responsibility to Protect (R2P).

Thus far, APB planning has acknowledged the importance of multilateral engagement for political mobilization and enhanced policy impact. Embedding APB processes in global networks like the R2P “focal points” initiative, however, also links the APB to external sources of momentum that can reinforce the forward-focused inertia of internal processes. Promoting and participating in such networks—particularly while political priority is assured—positions future administrations to engage by default in an ongoing process and respond to expectations set by others. Doing so creates incentives to maintain an ongoing leadership role in global efforts and sustain existing internal mechanisms.

The review process should consider how the APB can play a role in encouraging other states to identify a focal point/coordinating mechanism for atrocity prevention, review internal capacities, and develop an atrocity-focused plan for internal and foreign policy. It should pursue partnerships at the macro level of national decision making, as well as at the micro level of field implementation and operational policy.

Securing Congressional Support

Participants noted that the review process is seeking to create a “budget neutral” APB. Given this approach, much can be done to further the processes without congressional approval. That said, some participants pointed to past policy efforts to counter atrocities that required congressional buy-in (e.g., opening space for policy maneuver within the Sudan sanctions of 2003–2005). Others suggested that when Congress feels marginalized, it can become obstructionist.

Preventing atrocities is a largely nonpartisan issue that saw movement in Congress in 2010 through the nonbinding Senate Concurrent Resolution 71. The administration should leverage this piece of legislation as a framework for congressional consultations on both the APB and the QDDR, clearly identifying how proposed reforms respond to the recommendations forwarded in the resolution.

To echo one participant, this type of engagement should be part of a broader effort to shift the PSD-10 and QDDR processes into their next phase of implementation and move beyond intellectual exercise to practical needs.

Full Report to Follow

A more comprehensive report about this conference and its major recommendations will follow in a few weeks.

The analysis and recommendations included in this Policy Memo do not necessarily reflect the view of the Stanley Foundation or any of the roundtable participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions.

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