

---

**ATROCITY PREVENTION AT THE  
CROSSROADS:**  
**ASSESSING THE PRESIDENT'S ATROCITY  
PREVENTION BOARD AFTER TWO YEARS**

James P. Finkel

---

**Center for the Prevention of Genocide**  
**Series of Occasional Papers**  
No. 2 / September 2014

James P. Finkel

A former member of the senior civil service, Jim Finkel served as the Center for the Prevention of Genocide's 2013-2014 Leonard and Sophie Davis Genocide Prevention Fellow after ending his 35 year federal career in May 2013. During the final 20 years of his service, he held positions that provided him an insider's eye view of the evolution of US policy toward the prevention of genocide and mass atrocities. Mr. Finkel was a participant in President Obama's Presidential Study Document Number Ten (PSD 10) effort and was a frequent attendee during the first year of meetings of the President's Atrocity Prevention Board. Mr. Finkel holds a Masters in International Affairs from the Johns Hopkins School of Advanced International Studies and a Bachelor's of Arts from Rutgers College, Rutgers University.

The assertions, opinions, and conclusions in this occasional paper are those of the author. They do not necessarily reflect those of the United States Holocaust Memorial Museum.

**This work was made possible by a grant from The Leonard and Sophie Davis Fund.**

First printing, September 2014  
Copyright © 2014 by James Finkel

## **Table of Contents**

Key Findings .....	1
Atrocity Prevention at the Crossroads .....	5
Recommendations .....	29
Annex: Progress on Genocide Prevention Task Force Recommendations	



## Key Findings<sup>1</sup>

President Obama's decision in August 2011 to launch Presidential Study Number 10 (PSD 10) and to stand up the Atrocities Prevention Board (APB) the following April significantly advanced the US Government's efforts and capacity to prevent mass atrocities and mitigate their effects. But after two years of operation, the APB has reached a crossroads, and fulfilling its potential will continue to be a steep climb.

- To fulfill its potential, the APB will need additional resources, closer coordination within key Departments and Agencies as well as with key Allies and civil society, and a work force better prepared to wrestle with this toughest of 21<sup>st</sup> century challenges.
- If the President continues to believe strongly in atrocity prevention and the APB process that he has set in motion, it will be important for him to reiterate that support publicly and to make his views clear personally to his most senior foreign policy subordinates.

Most past and current members of the Board would concede that its track record is mixed. While it has contributed significantly to policy discussions and decisions regarding such places as Burma and Kenya, among others, it has been less successful, so far, with respect to Syria, the Central African Republic, and South Sudan.

The Board continues to be viewed skeptically – and occasionally even hostilely – from some quarters within the national security establishment. The APB's first challenge has been to find the sweet spot where it can bring its special expertise to bear in existing interagency policy forums without slowing those discussions down or disrupting them. I believe the APB enhances those discussions in two important ways:

- By bringing to the table a structured, functional process for identifying emerging risks for mass atrocities at a much earlier stage and by helping to plan and execute steps to prevent them;
- By providing expertise, tools, and perspectives that have often been overlooked or ignored.

Several earlier initiatives significantly influenced the APB and the PSD-10 deliberations:

---

<sup>1</sup> This essay was written by Jim Finkel, the Center for the Prevention of Genocide 2013-2014 Leonard and Sophie Davis Genocide Prevention Fellow. Mr. Finkel left Federal Service in May 2013 after almost 35 years, the last twenty of which provided him an insider's view of US policy toward the prevention of genocide and mass atrocities. Mr. Finkel was a participant in President Obama's PSD 10 study and was a frequent attendee during the first year of Atrocity Prevention Board meetings. This essay is drawn from his personal recollections and discussions with long-time observers of US policy towards atrocities. The conclusions reached in the essay are strictly his own, however, and do not necessarily represent the views of his former Agency, other Federal Departments or Agencies, the Center for the Prevention of Genocide, or the US Holocaust Memorial Museum.

- At the end of the second Clinton Administration, Ambassador at Large for War Crimes David Scheffer established an Atrocities Prevention Interagency Working Group on which the APB is loosely modeled.
- A bi-partisan Genocide Prevention Task Force (GPTF) sponsored by the United States Holocaust Museum, the American Academy of Diplomacy, and the United States Institute of Peace issued a report in 2008 that set out concrete proposals for improving the US Government's performance in preventing mass atrocities and mitigating their effects. Not only did the report provide something of a blueprint for the PSD-10 deliberations, but several of the GPTF participants went on to occupy influential posts in the Obama Administration.
- The *Mass Atrocity Response Operations Handbook* (MARO) produced in 2010 by Harvard's Kennedy School and the US Army Peacekeeping and Stability Operations describes the key concepts and challenges of mass atrocity response and sets out a common military approach.

The final report to the President of the interagency study group established to carry out PSD-10 contained over one hundred recommendations. In April 2012, the President announced that he was establishing an Atrocity Prevention Board to put the PSD-10 recommendations into operation and that the APB would consist of representatives from nine Departments and Agencies at the Assistant Secretary level or above.

From the start, the APB faced three major hurdles that continue to impact its performance:

- A lack of dedicated resources to fund its work. Launching such a program during fat bureaucratic times would have been difficult enough, attempting it at the height of the economic recession proved especially challenging.
- Making its voice heard in the midst of the various and frequently competing interests and competencies within the federal bureaucracy. The division of Washington's national security bureaucracy into regional and functional agencies has long engendered rivalry and tension, and the APB has thus far had limited success in bridging this divide. The APB needs a strong Departmental-level champion to make its voice heard, which the GPTF report expected to be the State Department, but State has yet to overcome its own regional/functional divide with respect to atrocity prevention. The Under Secretary for Civilian Security, Democracy, and Human Rights is the likeliest candidate to take the lead on atrocity prevention issues, and under its new management it may finally step into that role.
- Managing the expectations – good and bad – naturally attendant upon a body that recommends US actions in foreign countries. Some observers have been disappointed that the APB has not spearheaded a more aggressive US policy to stop atrocities, some

fear that it will lead the US into more foreign entanglements, and still others suspect that it is simply another tool for expanding US power and influence abroad.

Significant recent turnover in the APB and its subordinate body, the sub-APB, presents a new challenge that has brought the APB's long-term effectiveness into question.

- It would probably be useful at this stage to hold a combined APB/sub-APB retreat to take stock of where things stand in the APB process, where they need to go, and how to get there.
- That discussion should also include other key NSC players and various Regional Assistant Secretaries.

More importantly, the APB should develop a common understanding of what atrocity prevention means. The most common conception and practice has been direct intervention during ongoing conflict, but this is the most complicated and expensive approach, and consequently the least attractive for policy makers. Atrocity prevention, at its best, boils down to providing security and development in their broader meaning **before** things get seriously out of hand.

- Early prevention requires early warning. This has generally been available to the APB, as recent improvements in social science statistical modeling and more traditional analytic approaches have provided a fairly accurate picture of which countries are at greatest risk of atrocities.
- The greatest challenge lies in getting the Government to heed the warning, find the resources, and orchestrate a robust intra-governmental prevention effort early on.

The fact that the APB meets regularly and brings together a large number of high level policymakers from a broad spectrum of Departments and Agencies is an enormous advance in the Government's ability to formulate and execute a comprehensive and effective atrocity prevention program.

- Relative newcomers to interagency atrocity prevention discussions, such as the Departments of Justice and Treasury, have brought additional ideas and capabilities to the table.
- That such a large number of high-level intelligence consumers regularly meets to hear the same intelligence briefing considerably reduces misunderstanding and accelerates the process of assigning new tasking for intelligence collection.

What is still missing, however, is a comparable presentation from the Policy community that outlines the programs and policies in play, which would enhance the APB's ability to identify possible preventive responses. Such a briefing would lead to the collating of much useful but hard to find material created by diverse Departments and Agencies. It would also spur greater collaboration between the Policy Community's regional and functional players.

If the US Government's atrocity prevention efforts are to be effective and long-lasting, it will need officials who understand the risks that mass atrocities present to US security and interests and who are familiar with the possibilities for prevention. Unfortunately, the training requirements recommended in PSD-10 have largely gone unfulfilled.

Preventing atrocities in foreign countries cannot be accomplished unilaterally but is a multilateral enterprise. While the US has made some progress in increasing collaboration on atrocity issues, its outreach efforts to like-minded countries have been far less robust than the PSD-10 participants anticipated.



## Introduction

In our increasingly globalized world, genocide and mass atrocities in places far removed from the United States can have serious implications for US interests and security – such as through disruption of oil supplies and other key resources, mass flows of refugees that overburden and destabilize bordering states, or the development of ungoverned spaces that harbor and incubate terrorist groups. The recent spillover of conflict from Syria to Iraq and subsequent concern for further potential spillover to Jordan, Lebanon, and Turkey provide just the latest cause for sober reflection.

Too often, the US only reacts to these situations when the threat to its interests is already present. At that point, the options for influencing events on the ground are limited and costly – in the case of military intervention, often unacceptably costly to the American public. Ever since the disastrous failures to stop ethnic cleansing and genocide in Bosnia and Rwanda in the 1990s, professionals inside and outside of government who deal with the consequences of such events have sought to answer whether it is possible to prevent these events before they gain momentum and spiral out of control, or failing that, at least to find a way to mitigate the damage.

As a former federal official who was involved in the government's efforts to answer this question for 20 years, I can say that there has been considerable progress in our ability to identify situations that threaten to escalate into mass atrocities and in our theoretical understanding of how to respond to these situations, although there is still considerable work to be done. The United States has various kinds of tools at its disposal – diplomatic, security, economic, and judicial, to name just a few – that can help societies manage conflict without resorting to collective violence and that can deter those who would use violence to secure their interests. Until recently, the Departments and Agencies responsible for deciding how to use these tools rarely did so in coordination with one another and even more rarely for the purpose of preventing atrocities in at-risk countries. As I outline below, the US, through efforts like the President's Atrocity Prevention Board, is now working to develop a more consistent government-wide and multilateral approach to preventing and stopping mass atrocities and to draw up a menu of prevention tools and approaches to apply as individual situations warrant.

President Obama took an important step forward in the US government's efforts to prevent or at least mitigate the effects of mass atrocity situations on August 11, 2011, when he publicly declared that the prevention of genocides and mass atrocities is a core national security interest *and* a moral responsibility of the United States, placing these issues for the first time squarely at the center of an Administration's agenda. The President also instructed the National Security Council to undertake a major Presidential Study, Presidential Study Ten (PSD 10), of how the Washington bureaucracy could best be organized to achieve these goals – and to report its findings to him within one hundred days. The following April, after receiving a comprehensive report containing over one hundred recommendations endorsed by the heads and deputy heads of his key national security departments and agencies, the President announced that he was

establishing an Atrocity Prevention Board whose job would be to flesh out the recommendations in PSD 10, put them into practice, and ensure that Washington's efforts to prevent genocides and other forms of mass atrocities would hereafter have real bite.

After two years of activity, many past and current Board members would concede that the APB's track record at this juncture is mixed. The Board has played a significant role in focusing policy attention on the plight of Burma's Rohingya; has contributed to discussions aimed at reducing the risk of violence during Kenya's recent parliamentary election; and has launched an effort aimed at better understanding the potential drivers of atrocities elsewhere in Africa and to mitigate that risk by working with local US officials and others.

The Board's engagement with the conflict in Syria, by contrast, has been contentious. The conflict was already underway when the Board was first unveiled and convened. Board members have been outspoken during Washington's intensive discussions of the civil strife in Syria and Iraq. The President's announcement on June 26, 2014, that Washington will begin providing lethal assistance to selected rebel groups in Syria and his decision to come to the aid of Iraq's Yazidis in August 2014 suggest that those arguments have finally gained some traction.

The jury is still out on the Board's work on CAR and South Sudan. Although the press and some APB participants have generally applauded Washington's role in the initial international response to recent events in CAR, others close to that process and some NGOs have questioned why, in light of the early and prolonged attention that CAR had received from the APB, Washington appears to have failed to engage earlier.<sup>2</sup> If part of the answer to the questions raised by CAR can be traced to the fact that a permanent US diplomatic presence in Bangui has been lacking since December 2012 and, as some have argued, CAR has been viewed in Washington as a country where Paris traditionally takes the lead, the same cannot be said of South Sudan, where the US has had a large diplomatic and development presence since independence and where Washington played a key role in the country's birth.

Despite its mixed record, I remain an unapologetic supporter of the APB. It is important to remember that each of the country situations cited above is complex, some have frustrated several administrations, and each is the subject of an ongoing deliberation within separate interagency policy coordinating bodies. The first challenge for the APB has been to find the sweet spot where it can contribute meaningfully to those deliberations without slowing them down or otherwise disrupting them. I believe the APB is able to enhance these deliberations in two ways: The APB offers a structured, functional process for identifying emerging atrocity situations at a much earlier stage and proposing steps aimed at mitigating them. It also is able to identify and mobilize expertise and tools that have previously been overlooked or ignored by the regional-based policy coordinating forums.

---

<sup>2</sup> Rebecca Hamilton, "Samantha Power in Practice," *Foreign Affairs*, February 3, 2014. Accessed August 25, 2014 <http://www.foreignaffairs.com/articles/140709/rebecca-hamilton/samantha-power-in-practice>.

## Earlier Attempts

The Atrocity Prevention Board is not the first time the US has attempted to organize high-level attention to the problem of atrocity prevention, although PSD 10 is the Washington bureaucracy's most intensive and comprehensive effort in the recent era that I am aware of. The initial effort was launched by the State Department's first Ambassador at Large for War Crimes,<sup>3</sup> David Scheffer, whose boundless energy and vision have contributed so much to Washington's evolving thinking about accountability and prevention as well as to the new-found prominence of international criminal law more generally.

Scheffer was authorized mid-way through the second Clinton Administration to organize the first Atrocities Prevention Interagency Working Group. That group, which functioned between 1998 and 2000, met once a month. Its participants included a number of bureaus and offices at the Department of State,<sup>4</sup> the Agency for International Development's (USAID) Deputy Administrator, and various elements from across the Intelligence Community. Participation by the Pentagon and the Treasury Department during that initial effort was very spotty.

The format for those meetings resembled what has taken place in the APB: each meeting began with an intelligence briefing followed by a question and answer session, and then a policy discussion. The quality of those meetings varied. When they worked best, they consisted of the following: an intelligence briefing that was solid, well-sourced, and unambiguous; substantive give-and-take between the analysts and the policy officials; serious discussion of policy options by officials who, though they might disagree on details, all agreed on the value of atrocity prevention; a final summing up by Scheffer of the consensus reached by the group. A memo summarizing the group's recommendations was then jointly forwarded to the Secretary of State. I believed at the end of the second Clinton Administration that those who were pursuing this more systematic approach to atrocity prevention and accountability questions were on the path toward having a strong structural impact on policy. To my enormous disappointment, Scheffer's Interagency Group was disbanded at the beginning of the first Bush Administration.

After considerable deliberation, the newly elected Bush Administration ultimately decided to retain an Office of the Ambassador at Large for War Crimes, and appointed Pierre Prosper-- a former Justice Department attorney, Rwanda Tribunal prosecutor, and aide to Scheffer-- to head it. The office's work became more circumscribed, however, with its modest number of officers initially preoccupied with the everyday goings on of the various international tribunals, and having little time for atrocity prevention. One former senior official has offered as explanation for this change that the incoming Administration felt it made more sense organizationally to leave genocide and atrocity issues primarily to the requisite NSC-led regional policy

---

<sup>3</sup> The position has recently been renamed the Ambassador-at-Large for Global Criminal Justice.

<sup>4</sup> The Working Group participants from the State Department included: the Office of War Crime Issues (SWICI) – now The Office of Global Criminal Justice (J-GCJ); Policy Planning; the Bureau of Democracy, Human Rights and Labor (DRL); and the appropriate regional Assistant Secretaries.

coordinating bodies. Politics and ideology may have played a role as well. Primarily through his work on the negotiations leading up to the Rome Statute and the International Criminal Court, Scheffer had become something of a lightning rod within conservative political circles. Some of the Bush Administration's incoming officials felt strongly that the type of international judicial activism and focus on war crime and atrocity issues that Scheffer had become closely associated with needed to be sharply curtailed. Like the Clinton Administrations that preceded them, and the Obama Administrations that followed them, the Bush Administrations certainly included senior officials who were passionately concerned about – and continue to advocate around—the prevention of genocide and atrocities, but they tended to be fewer in number, and, especially following 9/11, were more challenged to make their voices heard. And as the wars in Afghanistan and Iraq got underway, the small interagency cadre who had earlier participated in and supported Scheffer's Interagency Atrocities Prevention Working Group found themselves redirected to a variety of other war-related tasks. Some programs had to be dropped entirely in order to shift resources to the war efforts.

### **Reports that Keep on Giving**

Meanwhile, a strong current began to emerge within civil society during the Bush Administrations -- fueled by unfolding events in Iraq and Afghanistan and reflections on genocides and atrocities committed in such places as Rwanda, the Balkans, Sudan, Liberia, and Sierra Leone -- that a way needed to be found to help the Washington bureaucracy comprehensively reconsider how it thought about and responded to atrocities. This concern led the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace to combine forces to launch the Genocide Prevention Task Force (GPTF) with the aim of generating new ideas.

Chaired by Madeleine Albright and William Cohen, the bi-partisan Task Force drew on the expertise of a mix of current and former government officials with day-to-day experience as well as academics steeped in theory. It also reached out informally to a broad range of people for additional ideas and sought to engage its government, Congressional, and public audiences even as its ideas were still coming together. The GPTF's final report<sup>5</sup> took a comprehensive look at how Washington had handled atrocity issues in the past and provided a series of relatively concrete proposals for strengthening that performance.<sup>6</sup>

---

<sup>5</sup> Madeleine K. Albright and William S. Cohen, *Preventing Genocide: A Blueprint for U.S. Policymakers*, (Washington: the United States Holocaust Memorial Museum, the American Academy of Diplomacy and the Endowment of the United States Institute of Peace), accessed August, 25 2014, <http://www.ushmm.org/m/pdfs/20081124-genocide-prevention-report.pdf>.

<sup>6</sup> For an assessment of the government's progress implementing the GPTF report's recommendations see the Annex of this paper.

Many of those who participated in the GPTF have expressed amazement over how much their final product appears to have influenced thinking among government analysts, policy makers, and scholars both in the US and abroad. The report has become must reading for those who follow atrocity issues and provided a starting point for Washington's PSD 10 deliberations.

Another important source for those deliberations was the *Mass Atrocity Response Operations Handbook* (MARO),<sup>7</sup> produced by Harvard's Kennedy School and the US Army Peacekeeping and Stability Operations with the aim of fostering contingency planning in the US Armed Forces for protecting civilians in mass atrocity situations. MARO describes the key concepts and challenges of mass atrocity response and sets out a common military approach.

Timed for publication at the start of the first Obama administration, the GPTF report hit the streets at a time when government experts and the public were increasingly weary of Iraq and Afghanistan and were especially open to new ideas. Several people associated with the Task Force entered government as the first Obama Administration got underway and were anxious to see the report's recommendations put into practice. Meanwhile, others who were already in government but had been following the Task Force's discussions were already beginning to think about ways to incorporate its ideas into their everyday work.

For example, one of incoming Secretary of State Clinton's new initiatives was to initiate the State Department's first *Quadrennial Diplomacy and Development Review* (QDDR). That review among other things highlighted the requirement to "prevent violent conflict and reduce its growing costs." It also called for recognizing the unique horror of genocide and mass atrocity, the need to develop instruments to better detect their threat, and the need to develop structures and policies to ensure their prevention.

With the QDDR well underway and the prevention of conflict, genocide, and mass atrocities firmly established as part of the Obama Administration's agenda, a small group of State Department officers from the International Organizations Bureau (IO), Policy Planning, and the Office of Reconstruction and Stabilization (CSO) (later upgraded to the Bureau of Reconstruction and Stabilization) began exchanging views about how the State Department and other Agencies should actually go about preventing genocides and mass atrocities. All of the participants were familiar with the Genocide Prevention Task Force Report, with at least two having actively participated in separate Task Force Working Groups. Representatives from CSO and DRL subsequently organized an informal interagency group that began to identify key, relevant offices working on these issues elsewhere in the Department of State, the Agency for International Development (USAID), the Office of the Secretary of Defense (OSD), the Department of Justice (DOJ) and within the Intelligence Community. That group began meeting

---

<sup>7</sup> Sarah Sewall, Dwight Raymond and Sally Chin, *Mass Atrocity Response Operations: A Military Planning Handbook*, (Boston: Harvard Kennedy School and US Army Peacekeeping and Stability Operations Institute), accessed August 8, 2014, [http://www.hks.harvard.edu/cchrp/maro/pdf/MARO\\_Handbook\\_4.30.pdf](http://www.hks.harvard.edu/cchrp/maro/pdf/MARO_Handbook_4.30.pdf).

once a month to discuss past experiences, work underway, and evolving situations that might prove troublesome in the future.

In particular, that group served as a working-level bridge to those who were analyzing the same issues at the Pentagon. Counselor to the Under Secretary of Defense Rosa Brooks had already been tasked with overseeing the development of appropriate doctrine and training for atrocity contingencies and directed to take the lead for OSD on atrocity situations. The former assignment normally would take about five years, but in this instance was being fast tracked. A number of considerations drove the interest of senior Pentagon leaders in strengthening the Armed Forces' ability to act in atrocity situations: experiences in recent conflicts, the likely shape of future conflicts, the political vibrations emanating from the new Obama White House, the recommendations of the GPTF (in which a number of former and recently appointed DOD officials had participated), and US Senate Concurrent Resolution 71 (Dec. 2010), which "urged" the Secretary of Defense to conduct an analysis of the doctrine, organization, training, material, leadership, personnel and facilities required to help respond to genocides and mass atrocities. Brooks' office had established a series of internal Pentagon Working Groups to explore the full range of associated questions, including operational issues; plans, doctrine, and training; early warning; prevention strategies; and multilateral coordination.

It seems doubtful that these activities and discussions would have resulted in PSD 10 and the APB without the initiative of NSC Senior Director for Multilateral Affairs and Human Rights (now Ambassador to the UN) Samantha Power. A longtime advocate and journalist on the issue of genocide prevention, she likely initiated discussions about how to proceed on atrocity issues with various people in the White House, at the Department of State and at the Pentagon during the initial months of the first Obama Administration. Those discussions seemed to gather momentum once David Pressman joined Power's NSC office as her first Director for War Crimes, Atrocities, and Civilian Protection in April 2010. Pressman quickly set about identifying the key players across the government on atrocity issues and how their efforts could be organized into a "whole of government approach." He plunged into several rounds of meetings with people involved with these issues at the Department of State and the Pentagon, but also reached out to the Intelligence Community, the Departments of Justice, Treasury, and Homeland Security, FBI, ICE, and various NGOs.

Pressman did not respond to requests to be interviewed for this project and my suppositions about how he decided to approach the task are therefore speculative. Some of the likely influences on his thinking were State's QDDR deliberations, the work of the State-led interagency working group, the MARO handbook and the ongoing planning process at DOD, and the GPTF report (Pressman was later known to carry a dog-eared, marked copy of the Task Force Report into many of what became the PSD 10 discussions, and sometimes to cite its recommendations by page and number).

Pressman was briefed a number of times on the progress of the Pentagon's efforts. Brooks' office ultimately recommended that the executive branch undertake a whole of government look at genocide and atrocity prevention and favored creation of some sort of Special Interagency Policy Committee or Board charged specifically with dealing with genocide and atrocity prevention issues. Such a body would have been much more operational and would have exercised broader decision making authority than the one that eventually emerged as the APB.

Meanwhile, the State Department's small group of genocide and atrocity prevention advocates had followed up their various discussions with Pressman with a joint, informal memo stressing the need for a more systematic approach to prevention. They noted that few people across the relevant Departments and Agencies were responsible for dealing with these issues full-time and expressed concern that the official atrocity prevention community lacked formal connections to facilitate quick action. They, like their colleagues at the Pentagon, argued for a comprehensive study that focused on questions ranging from earlier warning, to non-lethal prevention tools, to training. They cited a need to incorporate genocide and atrocity prevention into Washington's highest level strategy documents and for the President to address this subject in a formal speech. They also agreed with their colleagues at the Pentagon that some sort of Interagency Policy Committee was needed and argued that it would best be run out of the National Security Council. It is not clear how much independent authority the State Department genocide and atrocity prevention advocates believed such a Committee should wield. The State Department position that emerged during the PSD 10 discussions envisaged a much more traditional policy coordinating group and placed a strong emphasis on curtailing structural changes or administrative procedures that could be construed as challenging State Department or Ambassadorial policy prerogatives.

For several months after he had completed his soundings, Pressman's interlocutors heard little more about the subject beyond an occasional comment that something was in the works. It seems safe to assume that having decided on a course of action, it then took Power and Pressman considerable time to win approval for the initiative from others within the White House and gain agreement for a Presidential speech. Having secured agreement in principle for the project, they would have had to work with others among the White House staff to flesh out the particulars, prepare the President's initial speech, and schedule a date and venue. As far as I am aware, no one among the Departments and Agencies that subsequently participated in the PSD 10 study ever saw the President's speech in advance. A few, myself included, received a phone call two days in advance of the speech simply advising that we should be prepared for a major announcement. But the content of the President's rollout appears to have taken most Departments and Agencies and their heads by surprise.

Several key supporters of the initiative across the bureaucracy still feel blindsided and remember scurrying to catch up and explain the background behind the President's remarks to their seniors. A number who were aware of the earlier discussions with Pressman still struggle to understand why the rollout was handled that way. At least two have speculated, however, that White House

strategists may have worried that subjecting the speech to a normal clearance process would have triggered interminable interagency debate and would have seen the initiative die on the vine. Although no one with whom I have spoken has expressed unhappiness over the content or thrust of the President's remarks, nearly all have insisted that a more traditional rollout, or at least a broader explanation of what was planned, would have allowed them to better socialize the new policy within their Departments and Agencies, especially with their Regional Office counterparts, and ultimately might have made it easier for the Atrocity Prevention Board to gain their cooperation.

## **A Complex Discussion**

The PSD 10 discussions that resulted from the President's August 2011 announcement were simultaneously grueling and exhilarating. The deliberations were grueling in the sense that the abbreviated one hundred day timeline the President called for led to the initial establishment of more than a half dozen working groups covering issues ranging from broad strategy to early warning, to prevention tools, to doctrine and training, to multilateral outreach. Each working group began meeting for two hours twice a week and generated calls for what seemed like scores of short-fuse, tight deadline papers. Although Ambassador Power and Pressman envisaged these taskings as simple "thought pieces" that would be folded into a draft PSD 10 report that would be reviewed and coordinated later by Departments and Agencies, several Departments and Agencies insisted that the papers receive formal review prior to being submitted to the working groups.

To support the PSD 10 process, each participating Department and Agency created its own internal mechanisms, with some more elaborate than others. The Intelligence Community, for example, formed a relatively small, interagency group with representatives from each organization that traditionally has followed war crime and atrocity issues. The Department of State, on the other hand, favored what, according to descriptions at the time, was a fairly complex intra-departmental Task Force, under the direction of the then newly organized Office of the Under Secretary for Civilian Security, Democracy, and Human Rights (known within the Department by the acronym "J").<sup>8</sup> These early discussions, according to some participants, got off to a promising start with fairly high-level participation. They later became more fragmented due to the pace of APB work and competing projects and to the recognition that the PSD 10

---

<sup>8</sup> The State Department currently has six Undersecretary positions: Political Affairs; Economic, Energy, and Agricultural Affairs; Civilian Security, Democracy, and Human Rights Affairs; Arms Control and International Security; Management; and Public Diplomacy and Public Affairs. The Undersecretaries report directly to the Secretary and serve as the Department's foreign policy "Corporate Board." For an organization chart of the Department of State see: <http://www.state.gov/r/pa/ei/rls/dos/99494.htm>.



discussions might lead to further-reaching bureaucratic change and accountability than some Department of State players wished to see.

Notwithstanding the challenges of meeting the 100-day deadline, the comprehensive approach that Ambassador Power and Pressman had laid out and the wealth of creative ideas that were brought to the table also generated a sense of exhilaration and unity of purpose. As one would anticipate in any bureaucratic undertaking of this type, no one in the end got everything they wanted, but no ideas that were brought to the table were dismissed out of hand. For those who had struggled in the background to deal with these issues for some time, the combination of the publishing of the State Department's QDDR, the Pentagon's work on mass atrocity doctrine and directives, and the organization of PSD 10 seemed to hold out the promise that these issues were finally coming into their own.

It is probably safe to say that everyone who participated in the PSD 10 discussions was familiar with the GPTF report, but not everyone had recently re-read it as the PSD 10 discussions got underway. Even among those who had read it closely, one could detect at least a modest divide between those who had actively participated in the process that produced the original report and those who hadn't. Those who did generally favored adopting the report's recommendations *in toto* and moving beyond them. Others tended to be more cautious and to argue that, in some instances, sufficient mechanisms already existed. Yet, even the latter group proved open to new ideas. To the surprise of many participants, when Steve Pomper – who took over from Pressman as NSC Director for War Crimes, Atrocities, and Civilian Protection midway through the PSD deliberative process – completed his draft of the Working Groups' collective report to the President, it called, among other things, for: new legislation aimed at closing legal loopholes that might allow perpetrators of genocide, crimes against humanity, and war crimes to make their way into the US and preclude them from being prosecuted or deported; additional authorities and mechanisms for imposing sanctions against individual perpetrators and killer regimes; and steps to enhance early warning and policy discussion. Contrary to subsequent speculation from some NGOs, Pomper's draft was completed within just a few days of the President's original deadline and was sent out immediately for full, formal interagency coordination. The draft was reviewed and accepted by the Deputies Committee with only modest changes in early December 2011; the Principals accepted the revised draft recommendations soon afterwards.<sup>9</sup>

The PSD 10 participants were told that the President had been kept informed about their deliberations as the talks proceeded, and that the President had accepted the report's recommendations once the principals had concurred. The gap, government participants were later told, between the President's acceptance of the recommendations and his official rollout of the APB in April 2012 was primarily a function of the President's schedule during that period.

---

<sup>9</sup> Heads of National Security Departments and Agencies summoned to discuss major foreign policy issues are often referred to as members of the Principals' Committee. Similar meetings of their deputy heads of Departments and Agencies, which tend to meet more frequently, are known as meetings of the Deputies' Committee.

The lack of visibility into those scheduling issues and the subsequent preparations for the rollout, however, have nevertheless prompted some former PSD 10 participants to speculate that the plan was still viewed skeptically from some quarters within the White House – especially by those preoccupied at the time with Syria -- and that Ambassador Power and Pomper may have had to overcome continuing hurdles in order to finalize the roll out.

## **Preparations**

In the interim, preparatory work looking toward an inaugural meeting of the Atrocities Prevention Board was proceeding apace. Within the Intelligence Community, language on the risk of atrocities had already been drafted for the Director of National Intelligence's annual threat testimony before Congress. The GPTF Report had expressed disappointment with the Intelligence Community's Atrocities Watchlist, which the Intelligence Community had been publishing since 1997. Indeed, some former policy officials who participated in the Task Force insisted that the Watchlist was of marginal value and rarely pointed to situations not already known by policymakers to be at great risk.<sup>10</sup>

Encouraged by Ambassador Power, those responsible for preparing the Watchlist went back and refined their approach. The Atrocities Watchlist, whose format and content had already changed considerably over time, had always been drawn from a combination of statistical modeling – primarily developed by CIA's Political Instability Task Force – and expert insights. This time the analysts opted to increase the number and type of statistical models they employed, develop a more formal and structured expert survey, and pay closer heed to a number of regular NGO lists and academic publications.

Anticipating that the Board would want to start its meetings with an intelligence overview, and knowing that the list of countries exhibiting risk factors for atrocities is actually fairly lengthy, the analysts finally opted for an approach that included a broad monthly survey of a selected group of high-risk countries, accompanied by a more focused, detailed study of at least one country to be presented at each meeting. The latter included preparation of a short-fuse, multi-disciplinary briefing paper that not only captured the immediate dynamics of the country in question, but also sought to look under the hood and explore the structural and other drivers of potential mass atrocities.

Simultaneously, several of these same analysts began laying the necessary groundwork to take up another of the GPTF and PSD 10 recommendations: a full-scale, first-ever National Intelligence Estimate (NIE) on the Global Risk of Atrocities.<sup>11</sup> That paper, as is frequently the

---

<sup>10</sup> Albright and Cohen, *Preventing Genocide*, 25.

<sup>11</sup> Albright and Cohen, *Preventing Genocide*, 28.

case, took nearly a year to complete and by all accounts has been well received by both the Intelligence and Policy Communities.

### Highlights from APB Announcement

The President announced the establishment of the APB in a speech at the US Holocaust Memorial Museum on April 23, 2012. According to the White House press release accompanying the speech, the APB was to:

- Include representatives from the Departments of State, Defense, Treasury, Justice, and Homeland Security, the Joint Staff, the U.S. Agency for International Development, the U.S. Mission to the United Nations, the Office of the Director of National Intelligence, the Central Intelligence Agency, and the Office of the Vice President who were
  - at the Assistant Secretary level or higher
  - appointed by name by their respective agency heads;
- Be chaired by the NSS Senior Director for Multilateral Affairs and Human Rights;
- Meet at least monthly and additionally as urgent situations arise;
- “Oversee the development and implementation of atrocity prevention and response policy;”
- Submit an annual report on its work to the President and have its work reviewed
  - at least twice a year by the Deputies
  - at least once a year by the Principals.

After six months of operations, the APB chair was to draft an Executive Order that would “set forth the structure, functions, priorities, and objectives of the Board, provide further direction for its work, and include further measures for strengthening atrocity prevention and response capabilities as identified in the course of the Board’s work.” As of this writing, this last prescription has yet to be fulfilled.

While the announcement standing up the APB<sup>12</sup> designated the agency and rank of those who would serve on it, the NSC oversaw appointment of the actual members. Ambassador Power and her NSC Directors hoped to forge a genocide and atrocity prevention effort through PSD 10 that was better structured than those that had preceded it and that would outlast President Obama's time in office. They reasoned that quick results were necessary to achieve that, and to achieve quick results they needed people on the APB who not only shared their general view of the importance of atrocity prevention but also had sufficient clout to make binding decisions and shift resources to make things happen.

The idea that APB members should be chosen individually rather than by position may have been calculated in part to strengthen Board members' sense of personal responsibility, but it also made it easier for Power's NSC office to push like-minded thinkers toward appointment to the Board. A few of the APB's original members also regularly attended Deputies' meetings, which in theory should have made it easier to elevate the Board's views in higher circles. Some former participants in both the PSD 10 and APB processes have come to characterize this first cadre of APB participants as the "true believers," although it would be an exaggeration to say, as some have asserted, that the initial Board was completely hand-picked by Ambassador Power.

Faced with a global portfolio, it quickly became clear that individual members of the Board would find it difficult, even meeting at least once a month and with membership at the Assistant Secretary level and above, to keep track of all of the countries and issues that would seize the Board's attention during its first two years of operation. As one former PSD 10 and APB participant observed, Board members and their subordinates never anticipated the volume of simultaneous atrocity-related crises that they would be called upon to deal with. Pomper, to his credit, quickly recognized that the Board would require preparatory work from a subordinate body, and established the sub-APB to help Board members make sense of the growing number of countries considered at risk and the voluminous accompanying data. The sub-APB, which has met weekly, also took on the task of vetting ideas and proposals about atrocity prevention tools and responses.

## **Serious Hurdles**

From the start, the APB faced three major hurdles that continue to impact its performance: 1) a lack of dedicated resources to fund its work; 2) making its voice heard in the midst of the various and often competing interests and competencies within the federal bureaucracy; 3) managing the

---

<sup>12</sup> White House, "Fact Sheet: A Comprehensive Strategy and New Tools to Prevent and Respond to Atrocities," accessed August 25, 2014, <http://www.whitehouse.gov/the-press-office/2012/04/23/fact-sheet-comprehensive-strategy-and-new-tools-prevent-and-respond-atro>

expectations – good and bad – naturally attendant upon a body that recommends US actions in foreign countries.

The GPTF report envisaged an atrocity prevention process modeled after Washington’s counter-terrorism and counter-proliferation processes, and the report emphasized up front that additional resources would be necessary.<sup>13</sup> The elephant in the room -- both during the PSD 10 discussions and the standing up of the APB -- for those who understood how many countries actually are at some level of atrocity risk and what it might take to accurately assess and positively impact the situation on the ground -- was the question of where the resources to be effective were going to be found. Ambassador Power had made clear from the beginning of the PSD 10 discussions that the Board would have to be a resource-neutral undertaking. Launching a potentially sizable program during fat bureaucratic times would have been difficult enough; to attempt such a launch at the height of the recent economic recession while Departments and Agencies were being forced to cut long-standing programs would prove especially challenging. For example, Senior Intelligence Officers stressed repeatedly to their representatives who participated in the PSD 10 study that its requirements made up only one of several unfunded mandates that the White House had instructed the Intelligence and Policy Communities to undertake. It was clear that White House Congressional strategists were not prepared to launch a supplementary budget request to support an atrocity prevention program. Moreover, Congress for its part has followed a pattern of reducing funds for programs aimed at improving governance and reducing graft and corruption overseas, further weakening some of the most important tools in Washington’s prevention toolbox.

Its status as an unfunded mandate only heightened the hurdles the APB had to overcome as the newcomer to turf that was already rife with competing interests. Washington’s national security bureaucracy, regardless of department, tends to be divided into both regional and functional Bureaus, Issues, or Offices. Regional bureaus generally focus on a geographic area such as Africa, while functional Bureaus focus on cross-cutting issues as in the case of the State Department’s Bureau of Conflict and Stabilization Operations. There is a long history of rivalry and tension – sometimes stronger, other times less strong – between these regional and functional entities throughout the national security establishment. The APB’s mission to weigh in on both countries and issues for which other parts of the bureaucracy have responsibility has caused it to be viewed with skepticism or even hostility in some quarters whose cooperation is necessary to carry out its recommendations.

Part of this reaction can be attributed to mundane bureaucratic considerations: the more players that are added to a policy discussion, the more bureaucratically complex a problem generally becomes. Hubris or simple turf considerations may also rear their heads, with some participants taking the position that: “This is my sandbox, I know it best, and you’re not going to play in it.” A third, more substantive source of resistance is a culture clash that often pits “realists” against

---

<sup>13</sup> Albright and Cohen, *Preventing Genocide*, xvii, 11, and others.

“idealists.” The former will argue that if we don’t have any “real” strategic interests in a particular country or situation, we ought not to concern ourselves no matter what the circumstances; the latter have taken to heart President Obama’s 2011 characterization of the prevention of atrocities as a core national security interest *and* moral responsibility of the US. Meanwhile, yet another group, the pragmatists, would attempt to square the circle by arguing that even if traditional US interests in a given “at risk” country don’t initially appear to be at stake, atrocities have the potential to trigger secondary and tertiary effects that eventually will bring US interests into play.

The GPTF report assumed that to make itself heard in interagency policy debates and to win the cooperation it needed, an APB-like body would require a strong Departmental-level champion to push its cause. The report took as a basic premise that the Department of State should be in the lead when it comes to genocide and atrocity prevention and suggested that DRL, as the State Department’s largest genocide and prevention stakeholder, should play a special role.<sup>14</sup> But the State Department has continued to have great difficulty coming together on genocide and atrocity issues since the end of the second Clinton administration and the disbanding of Scheffer’s original Interagency Working Group. Each subsequent administration seems to have begun with several organizations within the Department of State -- DRL, Global Criminal Justice, USAID, and more recently CSO -- all making a claim to leadership on these questions, at least until the first big prevention test has arisen. At that point, they have found themselves stymied by bureaucratic politics and forced to subordinate themselves to the appropriate Regional Bureau, which, depending on the circumstances and personal relations between the various State Department entities’ senior leaders, may or may not have accepted the advice of the functional prevention Bureaus and Offices.

This dynamic has continued since the start of PSD 10 and the standup of the APB. Although Mike Koczak, then serving as Senior Director for DRL, brought a strong voice to the PSD 10 discussions, his boss, former Assistant Secretary Mike Posner, has been described by long-time atrocity prevention observers as wary of the entire PSD 10 enterprise and fearful that the Atrocities Prevention Board would distract DRL personnel and resources from what he considered more traditional and more important DRL missions. At this point, it remains unclear how much emphasis Posner’s successor, Tom Malinowski, will place on atrocity issues. The Office of Global Criminal Justice – in the view of some the natural office to take the lead on these issues -- has remained woefully understaffed as its portfolio has continued to burgeon over the years. Ambassador Rapp’s heavy travel schedule has frequently found him abroad during key prevention discussions. While AID and CSO, on paper, would seem well placed to weigh in strongly, in both cases the number of people assigned to work on atrocity prevention questions full-time has actually remained very small in comparison to the growing demand for their input and their general staffing. At the same time, the excellent analytic policy work on prevention

---

<sup>14</sup> Albright and Cohen, *Preventing Genocide*, 9.

that AID and CSO have done has tended to be held very closely and often has not even been shared with the full membership of the APB or the sub-APB. Meanwhile, the Department of State's International Organizations Bureau, which has proved one of the Department's most consistent advocates of PSD 10 and the APB, has had its hands full just focusing on the UN, IMF, and World Bank aspects of the atrocities problem.

The creation of the State Department's Undersecretary for Civilian Security, Democracy, and Human Rights – which is the parent bureau of DRL, GCJ, and CSO among others -- prompted mixed reactions in the Department as Bureaus and Offices quietly calculated how J and the QDDR reforms more broadly might impact their bureaucratic spheres of control. PSD 10 and APB supporters within State on the whole were initially enthusiastic and looked to J as a way to strengthen their collective voice. That enthusiasm waned over time as supporters felt that J was not making sufficient headway winning active, long-term support from the Secretary, the Undersecretary for Political Affairs, and more importantly State's Regional Assistant Secretaries. One former State Department official opined that like the individual Bureaus and offices cited earlier, “J wanted to take the lead on these questions, but at the same time, it didn't want to take the lead.” Taking the lead meant engaging in a lot of intra-State Department arguments, and J understood that, as in any bureaucracy, it also needed those same Bureaus' and Offices' cooperation to get a lot of other things done. The initial State Department Task Force put together by J to support PSD 10 and the APB fell into disarray over time as senior participants drifted off to other issues and as J's reluctance to weigh in more strongly with counterparts grew. Moreover, the Task Force meetings devolved into information sharing and note taking exercises rather than being opportunities to actively deliberate over atrocity prevention matters under discussion at the APB and sub-APB levels with the various offices within the Department. These issues have only been exacerbated during the yearlong interim between Undersecretary Otero's departure from J and the confirmation of her replacement, Sarah Sewall.

Given the lofty goal expressed in its title and the complex and controversial issues it deals with, the APB naturally invites outsized expectations and suspicions. Although Ambassador Power has repeatedly cautioned that the “P” in APB does not stand for “panacea,” some expected the APB would spearhead an aggressive US policy to stop atrocities in places like Eastern Congo, Sudan and Syria. Others, skeptical of the benefits of foreign involvements after more than a dozen years of war, fear the APB is a formula for expanding US commitments and expenditure of personnel and materiel from conflict to conflict. Still others watching from abroad who are more skeptical of US intentions interpret the APB's establishment as another mechanism developed to promote future US crusades and influence.

### **The APB at the Crossroads**

As is common, the start of the second term of the Obama Administration saw significant turnover in the departments and agencies that participate on the APB. There is strong consensus

among those who have served in the APB and the sub-APB that the turnover within both bodies has presented a serious test of the Board's effectiveness and durability. It would be especially hard to find anyone associated with the APB who would argue that Ambassador Power's move to the UN has not had a strong impact on the Board. On the one hand, the move is potentially advantageous for advancing the APB's work, since she is now better positioned to roll out diplomatic strategy and help sync the APB's efforts with those of various UN bodies and key like-minded Allies. However, Ambassador Power's long personal relationship with the President, combined with her scholarship on atrocity questions, clearly strengthened her hand during White House scrums. It fell primarily to Ambassador Power and her staff at the NSC to ensure that the information and views shared within the APB about various countries made their way into the White House-led deliberations of the many Interagency Policy Committees.

Although Ambassador Power has continued to work closely with her former office at the NSC and with the APB in her new position at the UN, it is probably inevitable that her successor at the NSC, Steve Pomper, will face a tougher slog as he attempts to coordinate and push APB positions through a White House that appears increasingly preoccupied with other issues. But if one of the APB's goals is longevity – i.e., to become an institution that will continue to promote atrocity prevention issues through future Administrations -- then the APB will need to demonstrate that it can be a strong, confident, effective player in its own right. It will be hard pressed to continue beyond the second Obama Administration if it cannot firmly establish itself as capable of operating effectively without Ambassador Power at the helm.

Asked what in retrospect they would want to do differently if the APB were being launched today, one former senior official suggested that it probably would have been useful the first time the Board met to go through the GPTF recommendations together in order to ensure that everyone was on the same page. That suggestion may be even more valid for the current Board. I would also recommend adding a summary of the MARO and MAPRO<sup>15</sup> handbooks, a list of all of the requirements contained in the PSD 10 report, and the December 2010 Senate Concurrent Resolution 71.

It is even more important that the current Board ensure that it has a common understanding about what it really means by prevention. I strongly suspect that various Board members have very different notions about what prevention should and can accomplish. Given their extensive turnover of recent months, it might be useful for the APB and sub-APB to have a combined retreat to discuss these issues and take current stock of the APB process, where they need to go,

---

<sup>15</sup> *The Mass Atrocity Response Operations Military Planning Handbook (MARO)* was published in May 2010. As the PSD 10 discussions got underway, the Army Peacekeeping and Stability Operations Institute began work on a companion informal white paper for the MARO Handbook aimed at policymakers concerned with mass atrocity and response. That publication, *The Mass Atrocity Prevention and Response Options Handbook (MAPRO)*, was published in March 2012.



and what needs to be done to get there. Such a meeting might also provide an opportunity to include other key NSC Senior Directors and various Regional Assistant Secretaries.

One senior US official recently observed that what Washington means by prevention at any particular moment will depend on where things stand in a particular situation along a continuum of violence and what else might simultaneously be in play elsewhere. In general, Washington will continue to face three basic types of atrocity prevention situations: pre-conflict, conflict, and post-conflict. My own view is that prevention at its best boils down to providing security and development in their broadest sense (meaning economic growth, rule of law, institutions that facilitate good governance, limiting crime and corruption, health care, etc.) **before** things appear to be getting seriously out of hand. I also agree with the observation of many prominent genocide scholars that once genocides and other large-scale atrocity events get started, they are very difficult and costly to stop.<sup>16</sup>

Early prevention requires early warning. The combination of social science statistical modeling and more traditional analytic approaches have reached the point at which analysts within government and civil society can provide a fairly accurate strategic projection of which countries are at greatest risk of experiencing large-scale atrocity events over the next two to three years. I believe that anyone who has sat in the APB's monthly meetings, heard the briefings, and read the accompanying materials and the recent National Intelligence Estimate on the Global Risk of Atrocities would be hard pressed in most instances to argue that strategic early warning has been missing. The greater challenge, as Ambassador Power has noted on a number of occasions, is to heed that warning, find the resources, and orchestrate a whole of government prevention approach at an early enough stage.

Successful early prevention requires a robust intra-governmental coordination effort, which the APB appears to be slowly making headway on, but it will continue to take some time before this type of approach becomes second nature to broad swaths of our civil servants. Unfortunately, at the end of the day, the press of business, budget cycles, and bureaucratic rivalries simply make it much easier for individual Departments and Agencies to consider policies and actions in isolation from one another. This ad hoc, uncoordinated approach is far less effective in both cost and results.

Most members of the public, if they think about prevention at all, probably still think of prevention in terms of the cavalry coming over the hill. Barring a stronger shift toward a more systematic, earlier approach to prevention, direct prevention – whether it involves straight-forward use of military force or some combination of military force, diplomacy, and economic sanctions -- during ongoing conflict is likely to remain the more common approach. Yet, direct prevention during ongoing conflict, with its frequent requirement to employ some element of

---

<sup>16</sup> Romeo Dallaire, *Shake Hands With the Devil: The Failure of Humanity in Rwanda*, (New York: Carroll and Graf, 2004), 514.

military force, involves a far greater coordination effort and is vastly more expensive than early prevention. It is also the least attractive option for senior policymakers, regardless of their political affiliation.

Time and research by others will tell what the APB and other elements of the US government and its close Allies did or might have done in the months leading up to the collapse of CAR. Once the tactical situation on the ground became clear, however, the APB acted to push for prevention measures at the UN as well as for US logistical support to the French and African peacekeeping forces in Bangui along with humanitarian aid.

Post-conflict prevention is the third type of prevention that Washington is likely to find itself called upon to consider. Studies of genocides and other mass atrocities have shown both high rates of recidivism and a strong correlation of such incidents with armed conflict. South Sudan is currently proving this point. The APB and the Washington policy community more broadly should closely analyze the lessons learned from South Sudan, which, unlike CAR, is a country in whose success the United States has been highly vested. Washington has poured millions of dollars into South Sudan since its independence. Indeed, Washington was intimately involved in South Sudan's creation, and the many hours and careful attention that Ambassador Power and others spent trying to anticipate and stave off possible problems as the transition in Sudan unfolded not only formed one of the most detailed and deliberate efforts of its kind, but also provided a standout foreign policy moment for the first Obama Administration.

Unlike the case in Bangui, the US had a large diplomatic presence in Juba, the capital of South Sudan. The APB and others had devoted considerable time over the months preceding the current political crisis to the potential threat of atrocities in South Sudan, but focused on Jongley State and elsewhere where there was inter-ethnic violence rather than on Juba itself. A lessons-learned study of recent events in South Sudan ought to examine whether and, if so, why the US failed to see the growing threat in Juba. Was this simply a case of declining financial resources and the pull of policy attention elsewhere prompting decision makers to declare victory and move on before the situation was really in hand? It should also explore whether the same preoccupation over the September 2012 attack on the US Consulate in Benghazi, which clearly has factored into Washington's decisions about its diplomatic presence in Bangui, complicated efforts to articulate a timely prevention strategy in Juba once it became clear to the US what was actually afoot.

Compared with the requirements arising out of PSD 10 and the number of agencies participating in the APB, Ambassador Scheffer's original Interagency Atrocities Group admittedly looks pretty anemic. Washington's understanding of the circumstances that can lead to atrocities and the theoretical work on how they might be prevented have advanced considerably during the interim years. The US's approach to assessing risk has become more sophisticated and more reliable, but more research remains to be done. There is still much to be learned about triggers and accelerators of atrocity events. Similarly, while there has been considerable work in recent

years on the economic underpinnings of wars and civil wars, considerably less focus has been given to the economics of atrocities themselves. I likewise believe that closer scrutiny of the links between human rights violations, particularly extra-judicial killings, torture, arbitrary arrests, etc., and the escalation to mass atrocities may also offer additional important insights into approaches to atrocity prevention.

Simply involving a wider range of players at the table has been a positive development and has brought additional ideas and authorities into play. For example, the Department of Justice entered the PSD 10 discussions with a particularly well thought out package of legislative and administrative proposals designed to fill gaps between existing US law and evolving international legal norms, particularly as they apply to genocide, crimes against humanity, superior responsibility, and principles of jurisdiction. Some of those proposals -- part of the APB's focus on developing additional tools for prevention -- have already been achieved, while others are still working their way through the deliberative process.

Sanctions have emerged as a favored diplomatic tool of the several past administrations. Sanctions were also a focus of the GPTF recommendations.<sup>17</sup> Treasury's representatives to the PSD 10 discussions came to the table anxious to demonstrate that their experience with sanctions and Treasury's various other authorities could also be employed as powerful prevention tools. Treasury later expressed some misgivings about the potential size and scope of a proposed atrocity prevention sanctions regime, concerned along with others about where the collection and analytic resources might be found. So far, however, Treasury has managed to overcome these obstacles when sanctions for atrocities have been deemed appropriate.

From the very parochial view of someone who until recently was charged with ensuring that a broad range of senior policy makers were regularly kept abreast of the risk of atrocities and other events as they unfold, the fact that the APB holds regular meetings that bring together a large number of high-level Intelligence consumers to hear and discuss the same presentation is an enormous improvement from the fractured situation of past administrations. The prospects for misunderstanding and the time gaps between policy feedback and additional tasking of intelligence collection have been considerably reduced. Recent steps by the Intelligence Community to preview its single country briefings to the sub-APB ought to further ensure that APB members arrive for Board meetings with a fuller understanding of the situation within the country under discussion.

What is still sorely missing, however, is a comparable presentation from the Policy Community outlining the programs and policies that are already in play along with the current gaps. A comprehensive companion policy briefing, prepared for Board members and pre-briefed to the sub-APB, should help to further improve the Board's prescriptive deliberations.

---

<sup>17</sup>Albright and Cohen, *Preventing Genocide*, 70.

I would anticipate at least two additional advantages to orchestrating a series of comprehensive companion policy briefs. The first is that it would force the policy community to bring together a lot of disparate material that is otherwise often hard to find and traditionally has not been well tracked. The second is that it should further strengthen collaboration on prevention issues between the policy community's functional and regional players. Pomper and others have tried a variety of initiatives to advance collaboration between the APB and the various country IPCs and have gone so far in some instances as to hold joint meetings. Nevertheless, efficiently bridging the functionalist/regionalist divide on atrocity prevention issues government-wide remains, after the resource issue, one of the toughest challenges to effective prevention. It is one of the most difficult to wrestle with and has reared its head at one time or another in all of the Departments and Agencies that participate in the APB, including the National Security Council itself. On more than one occasion it has seemed that regional NSC Directors who had been asked to provide the APB a policy briefing were doing little more than conducting a quick "drive by" intended to persuade the Board that everything was in hand and nothing was amiss. As evidenced by recent events, that turned out not to be the case in several instances.

The jury is still out as to whether State will succeed at bridging its own regional/functional divide and take up the leadership role in atrocity prevention that the GPTF report envisioned for it. With Sewall now at her desk at J, the State Department's PSD 10/APB supporters are once again looking to it for strong leadership. One advocate has suggested that Sewall should begin her tenure with a large meeting of State Department atrocity prevention stakeholders and lay out clearly how she sees atrocity prevention fitting into the J family's broader mission. The same advocate has also suggested that she follow up that meeting with private discussions with each of the Regional Assistant Secretaries. Another has suggested that she form a small secretariat within her office staffed by people with knowledge of atrocity issues and extensive experience within State to resuscitate the Department's internal APB support mechanism and to ensure that the various Bureaus and Offices refocus on the PSD 10 requirements and are operating in sync. Quickly becoming familiar with the various financial accounts available for atrocity prevention contingencies will be essential, as will making sure that she and her key subordinates have ready access to all of the latest intelligence. On the latter score, Sewall would be well served by urging the Bureau of Intelligence and Research to strengthen its War Crimes Division, which has long been neglected. Finally, her background and experience place Sewall in a unique position to exert a strong, positive influence over the APB more broadly. Reaching out personally to each of her counterparts if she hasn't already would be a good start.

The Intelligence Community has not been immune to the types of challenges that the State Department and other APB participants have faced. On the analytic side, too few analysts have been left to wrestle with a global portfolio that continues to expand by leaps and bounds. Prior to my leaving government service, fewer than a dozen all-source analysts across the entire Community were assigned to cover these issues full-time. The bulk of those analysts were found at CIA, with an additional very small cadre at INR. DIA, despite the Pentagon's program to

establish doctrine and train for atrocity prevention contingencies, has steadfastly refused to contribute an analytic unit of any size. Among the Combatant Commands, AFRICOM and EUCOM – the latter perhaps drawing from its earlier experiences in the Balkans – seem to be more positively disposed toward the APB than any of their counterparts and to have followed closely the Board’s deliberations and the Intelligence Community’s assessments of risk.

Just sorting out the potential atrocity landscape in some of the countries that have been the subject of the Intelligence Community’s briefs to the APB has often proved difficult. Most atrocity events occur in places around the world where the US and its Allies tend to have their smallest diplomatic presence and where that presence frequently is concentrated in the host country’s capital. This is often far from where the first signs that atrocities may be brewing are found. Even where intelligence collection is available, bureaucratic obstacles may still prevent it from being focused on atrocity questions.

If Washington is really serious about taking a more preventive approach to dealing with atrocities, it will have to expand the Intelligence Community’s cadre of atrocity analysts, ensure that they are more familiar with some of the newer disciplines like Peacebuilding, and find easier ways to overcome the continuing barriers to collection. The best option would be to create a new National Intelligence Manager (NIM) position with responsibility for atrocity questions and related problems like political instability, human rights, and humanitarian affairs. The job of the NIMs is to ensure that issues are receiving adequate attention from collectors and analysts.

The long-term viability of atrocity prevention as a focus of US Government interagency policy planning and coordination will depend in significant part upon whether the officials involved in these processes perceive the risks that mass atrocities present to US security and interests and have a grasp of the possibilities for prevention. The PSD 10 participants devoted considerable time and attention to the issue of training, or as one senior US official has put it, how to get atrocity prevention into the relevant Departments’ and Agencies’ DNA. Although PSD 10 laid out fairly explicit training requirements for all participating APB Departments and Agencies, those requirements have largely gone unfulfilled. For a variety of reasons, the training offices of many APB Departments and Agencies remain unaware of the requirements, while others that have been informed often insist that Congress’ continuing budget cuts have made it impossible to launch new initiatives. The Pentagon and the Department of State’s International Organizations Bureau (IO) have been notable exceptions. The Pentagon has actually been out front in efforts to integrate atrocity prevention into its curriculum, and IO has worked with the State Department’s Foreign Service Institute to organize a three-day training course that has received strong, positive feedback from students and has been oversubscribed.

It has been encouraging the past several years to watch academia become seized with these issues and to see how many government new hires have entered service with a background in areas especially relevant to atrocity prevention, including various areas of international law, development, peace building, transitional justice etc. It has also been gratifying to see their

enthusiasm for jumping into the fray and tackling these issues. But at the current rate of hiring it will take a generation to acquire a workforce that understands the centrality of these questions to the 21<sup>st</sup> century. To obtain the broader change in our bureaucratic thinking about these questions that we ultimately need, we will have to find better ways to introduce these concepts to our experienced workforce as well.

Preventing atrocities in foreign countries is not a task that can be successfully accomplished unilaterally. No one who participated in the PSD 10 discussions would have argued that the US could or should take the lead on its own on all of the countries the Intelligence Community might flag for risk. The Holocaust Museum's own recently published list of at-risk countries shows how lengthy such a list might be.<sup>18</sup> Instead, it was always envisioned that atrocity prevention would be a multilateral enterprise, and PSD 10 participants focused on enhanced and earlier collaboration with key like-minded Allies, international organizations, and civil society. While the US has taken some steps to develop this kind of collaboration – such as organizing ad hoc, informal coffees with delegation members of like-minded states and injecting atrocity prevention discussion into some standing bodies, especially at the UN – outreach efforts have, by and large, remained underdeveloped in comparison to what originally was envisaged. Two years into the process, it is time for the APB to step up its multilateral game and take a more aggressive public stance on these issues.

If, in fact, the APB is making progress with its Regional Policy Committee counterparts, then strengthening bilateral dialogue with key Allies ought to be less problematic. After all, it's the Regionals that traditionally tend to have the biggest say about what issues are raised in foreign capitals and how that is done. Within the Department of State, some of the back and forth over whom to approach, under what circumstances, and what ought to be said might be orchestrated by a revitalized J office, with Undersecretary Sewall weighing in with counterparts to break logjams as they arise. But outreach initiatives should also arise out of the APB's broader policy initiatives, and it will be the responsibility of Steve Pomper's Multilateral and Human Rights shop to capture those ideas and assign responsibility for seeing them through in their list of post-meeting tasks.

Perhaps the single most important factor that will determine whether progress continues to be made in fulfilling the PSD 10 recommendations over the remaining two years of this administration is the level of commitment perceived to be coming from the White House. Bureaucracies are especially adept at parsing senior leaders' formal pronouncements, zeroing in on what is said as well as what is not said. This is especially the case with new or controversial policies, or policies that represent a radical departure from past practices. As noted above, most accounts insist that the President's announcements launching PSD 10 in August 2011 and the APB in April 2012 took at least some of his key subordinates by surprise. In retrospect, this

---

<sup>18</sup> See The United State Holocaust Museum's Center for the Prevention of Genocide's Early Warning website at: "Early Warning Project," accessed August 25, 2014, <http://cpgearlywarning.wordpress.com/>.

appears to be another one of several cases in which more experienced civil servants have bristled over the way comparatively younger Obama NSC staffers have handled the details of various initiatives. One senior administration official is said to have quipped after the APB rollout that if the President had been really serious about the APB and atrocity prevention, he would have conveyed that directly to his Administration's most senior players rather than through a speech.

Despite regular assurances from senior levels within the White House that the President feels strongly about the atrocity prevention initiative he endorsed, there have been persistent signs that parts of the bureaucracy remain skeptical of the policy and the President's "real" intent. This initial skepticism has only grown as the debates over Iraq, Afghanistan, and Syria have unfolded. The skeptics have been further reinforced in their view by the President's speech last fall to the UN General Assembly – where his remarks on Syria and failure to list atrocity prevention among the United States' core national security interests were interpreted as a step back from the language he used in rolling out PSD 10, and later the APB. These misgivings were further reinforced a few days later by National Security Advisor Rice's October 2013 interview with the *New York Times* in which she narrowed US foreign policy goals in several Middle East countries where democratization is generally viewed as an important tool for helping to prevent atrocities in the future.<sup>19</sup> Even long-time supporters of the PSD 10 and APB initiatives within the bureaucracy and among civil society interpreted these remarks as a signal that the Administration was moving away from its earlier pronouncements on atrocity prevention.

The President's August 2014 decision to come to the aid of Iraq's Yazidis for the express purpose of preventing genocide suggests on its face that the President continues to believe in atrocity prevention at some level and should generally boost the spirits of APB supporters. At the same time, they are likely to interpret the restrictive nature of the President's remarks announcing the steps Washington would undertake as signaling another troubling retreat from his earlier remarks on prevention. Meanwhile, those who continue to harbor misgivings about atrocity prevention, may see the President's announcement as a slippery slope toward deeper renewed involvement in Iraq and comparable action elsewhere.

If the President does, in fact, continue to believe strongly in atrocity prevention and the process that he has set in motion with the APB, it will be important for him to further clarify that support publicly. If he truly wants to initiate the type of far-reaching change of bureaucratic culture that PSD 10 presupposes, then it will be even more important that he make his view on atrocity prevention clear personally to a broader swath of his most senior foreign policy subordinates.

Although the Atrocities Prevention Board has taken a number of important steps forward since the President commissioned it in April 2012, the Board currently stands at an important

---

<sup>19</sup> Mark Landler, "Rice Offers a More Modest Strategy for Mideast," *New York Times*, October 26, 2013, accessed August 25, 2014, <http://www.nytimes.com/2013/10/27/world/middleeast/rice-offers-a-more-modest-strategy-for-mideast.html>.

crossroads. If the APB is going to fulfill its potential, it will need additional resources, stronger leadership within the Department of State, closer coordination within key Departments and Agencies as well as with key Allies and civil society, along with a workforce better prepared to wrestle with this toughest of 21<sup>st</sup> century challenges. And the APB will need the support of the President himself to keep on track.



## **Recommendations**

To the President:

- That the President reiterate personally both to the public and to the most senior members of his national security team – especially at the Department of State, the Pentagon, and the Intelligence Community -- that the prevention of genocide and mass atrocities is a priority issue for his administration and that plans and resources for dealing with these questions should be allocated accordingly.

To Congress:

- That Congress provide additional fenced resources to allow the Executive Branch to establish a minimum of the following additional positions:
- That the number of policy analysts assigned to work on genocide and atrocity prevention issues at AID, CSO, and GCJ be increased by a factor of three.
- That CIA, INR, FBI, and ICE increase the number of full-time Intelligence analysts assigned to cover genocide and atrocity prevention issues by four full-time positions each.
- That DIA, NGA, and Treasury each establish comparatively sized units specifically devoted to cover genocide and atrocity issues and implement a global sanctions regime dedicated to atrocity prevention.
- That Congress allocate additional funds for genocide and atrocity prevention at least in line with the original recommendations of the Genocide Prevention Task Force.
- That the appropriate Congressional Committees request the same monthly materials and briefings that are prepared for the Atrocity Prevention Board's meetings.

To the National Security Council:

- That the National Security Council organize a one-day retreat for members of the APB, sub-APB, and appropriate associated personnel to assess the APB's performance to date and possible improvements to the APB process.
- That the National Security Council instruct State, USAID, and CSO to make their conflict assessments and lessons learned studies more readily available to APB and sub-APB members.

- That the National Security Council instruct the policy community to prepare a comparable policy brief to accompany the Intelligence Community's monthly country briefings and to share that policy brief in advance with the sub-APB.
- That the National Security Council review with participating Departments and Agencies on a regular basis their progress toward implementing the recommendations of PSD 10.
- That the National Security Council commission appropriate Departments and Agencies to undertake a genocide and atrocity prevention lessons learned study based on recent events in the Central African Republic and South Sudan.
- That the National Security Council include representatives of the appropriate Regional Combatant Commands in the monthly APB meetings.

To the Department of State:

- That the Undersecretary of State for Civilian Security, Democracy, and Human Rights establish a small secretariat in her office devoted to supporting the APB and to promoting the atrocity prevention mandate within the Department. That secretariat should be staffed with officers steeped in genocide and atrocity issues and familiar with the Department's bureaucratic workings and charged with orchestrating support for the APB across the J Bureaus and Offices as well as the rest of the Department.
- That the Assistant Secretary for Democracy, Human Rights, and Labor explore ways to strengthen his Bureau's participation in and support for APB activities.
- That the Undersecretary of State for Civilian Security, Democracy, and Human Rights undertake efforts in partnership with the International Organizations Bureau to expand multilateral and bilateral efforts to prevent genocide and atrocities in line with PSD 10 and the Genocide Prevention Task Force's original recommendations.

To the Intelligence Community:

- That the Director of National Intelligence create a National Intelligence Manager to oversee efforts on genocide and atrocity prevention and other closely related issues.
- That the Intelligence Community undertake or commission research into the following areas: triggers and accelerators of genocides and atrocities, the economic underpinnings of genocides and atrocities, and the links between physical integrity violations and the escalation to genocides and atrocities.

# Progress on Genocide Prevention Task Force Recommendations as of August 14, 2014

**KEY** ● Little or no progress ● Some progress ● Substantial progress

STOPLIGHT	RECOMMENDATION	COMMENT
-----------	----------------	---------

## TO PRESIDENT

●	Demonstrate Prevention National Priority	Initial PSD IO and APB speeches set positive tone, but 2013 UNGA speech backtracked and created confusion at home and abroad
●	Develop and Promulgate Government-wide Prevention Policy	PSD IO and President's public acceptance of recommendations important step forward, but no sign of anticipated Executive Order
●	Create Standing Mechanism for Analysis and Consideration of Action	APB at Assistant Secretary level or above meets at least once a month
●	Launch Major Diplomatic Initiative to Strengthen Global Effort to Prevent	Diplomatic outreach still largely underdeveloped

## TO CONGRESS

●	Increase Funding for Crisis Prevention and Response Initiatives and Urgent Activities to Prevent or Halt Emerging Genocidal Crises	Financial and personnel resources inadequate and below GPTF base recommendation
●	Lantos Commission Make Prevention Central Focus of its Work	Commission has paid scant attention to genocide and atrocity prevention
●	Request DNI Include Risk in Annual National Threat Assessment	DNI has made early warning of mass atrocities a regular part of his Annual Threat Assessment

## TO AMERICAN PEOPLE

●	Build Permanent Constituency	Civil Society has made little or no progress toward building a broad-based constituency for prevention
---	------------------------------	--

## EARLY WARNING

●	DNI to Initiate National Intelligence Estimate	IC has completed its first ever National Intelligence Estimate on the Global Risk of Mass Atrocities
●	Establish Early Warning of Genocide as Formal Priority	Some progress, but policy and intelligence communities still not providing attention required
●	Incorporate Early Warning in FSO and IC Training	Individual effort by State's International Organizations Bureau and Pentagon, but systematic effort envisaged by PSD IO stymied
●	Create Mass Atrocities Alert Channel	Modest progress in some departments and agencies
●	Make Warning Automatic Trigger of Policy Review	Caught between bureaucratic inertia and resource constraints
●	Expand Cooperation on Warning with Governments, UN, Regional Orgs, NGO's	Some dialogue, but far short of the systematic effort envisaged in GPTF report

STOPLIGHT	RECOMMENDATION	COMMENT
-----------	----------------	---------

## EARLY PREVENTION

●	Use Positive and Negative Inducements, Aggressive Enforcement of Regimes, Etc.	Some progress, but much work still ahead to integrate genocide and atrocity prevention into policy toward specific situations
●	Support Development of Institutions in High-Risk States	Financial and personnel resources far short of those called for in GPTF Report
●	Strengthen Prevention by Strengthening Civil Society in High-Risk States	Constrained by financial and personnel resources
●	Expand Funding for Crisis Prevention in High-Risk States	Financial and personnel resources far short of those called for in GPTF Report
●	Expand Coordination of Policy and Implementation with Partners	Some progress, but diplomatic outreach still largely underdeveloped

## PREVENTIVE DIPLOMACY

●	APB to Meet Every Month	APB meets at least monthly and more frequently as required
●	APB to Prepare Prevention Plans	Modest progress on a small number of countries; constrained by resources and bureaucratic rivalry
●	State to Enhance Capacity to Engage in Urgent Preventive Diplomacy	Modest progress but generally hampered by weak leadership
●	Strategies to Include Credible Threat of Coercive Measures	Serious skepticism at home and abroad that Washington prepared to employ coercive measures, despite recent activities to help Yazidis
●	Engage International Actors with Influence over Potential Perpetrators	Some progress, but diplomatic arena still sorely underdeveloped

## EMPLOYEE MILITARY OPTIONS

●	Pentagon to Develop Military Guidance and Incorporate into Policies	Pentagon has successfully fast-tracked new doctrine for genocide and atrocity prevention
●	Leverage Military Intelligence Capabilities and Link to Planning	Progress at AFRICOM and EUCOM, but scant progress at other combatant commands
●	Enhance Capabilities of UN and Regional Organizations to Militarily Halt Genocides and Atrocities	Modest progress, most visible in Africa
●	Work with NATO, EU, Appropriate Governments to Forestall Atrocities	Modest progress
●	Enhance Capabilities of US and UN to Support Transition to Long-Term Peace Building	Modest progress, most visible at AFRICOM and EUCOM

## INTERNATIONAL ACTION

●	Launch Major Diplomatic Initiative to Create Network of Like-Minded	Diplomatic outreach largely underdeveloped
●	Launch Major Diplomatic Initiative on Non-Use of Veto	Diplomatic outreach largely underdeveloped
●	Support Efforts to Elevate Priority of Genocide Prevention at UN	Strong effort by Ambassador Power and USUN
●	Provide Capacity-Building Assistance to Partners Willing to Take Measures to Prevent Genocide and Mass Atrocities	Some progress, but constrained by resources and personnel
●	Secretary of State Reaffirm US Commitment to Nonimpunity for Perpetrators	Rhetoric not matched by financial and personnel resources

**The Center for the Prevention of Genocide**

seeks to equip decision makers with the understanding, tools, and institutional support required to prevent or, if necessary, halt genocide and related crimes against humanity, and inspires the broader public to take action to prevent these crimes in the future.

UNITED STATES  
**HOLOCAUST**  
MEMORIAL  
**MUSEUM**

100 Raoul Wallenberg Place, SW  
Washington, DC 20024-2126

