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The Responsibility to Prevent

**A Report to Congress from the
Friends Committee on National Legislation (Quakers)**

October 2008

By Bridget Moix and Trevor Keck



About the Organization:

The Friends Committee on National Legislation (FCNL) is a public interest lobby founded in 1943 by members of the Religious Society of Friends. FCNL seeks to bring the concerns, experiences and testimonies of Friends (called Quakers) to bear on policy decisions in the nation's capital. People of many religious backgrounds participate in this work. FCNL's staff and volunteers work with a nationwide network of thousands of people to advocate for social and economic justice, peace, good government, and a sustainable energy policy.

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Contents

• Executive Summary.....	2
• Summary Recommendations for the 111 th Congress.....	4
• Introduction.....	5
• The Responsibility to Protect (R2P).....	6
• Protection through Prevention.....	9
• U.S. Prevention Capacities.....	12
○ Diplomacy and Conflict Management.....	15
○ Development Assistance.....	18
○ International Prevention and Peacebuilding Capacities.....	21
• Obstacles to Prevention: The Militarization of U.S. Foreign Policy.....	25
• Filling the Prevention Gap: Recommendations for U.S. Policy.....	28
• Conclusion.....	32
• Appendix: What the Experts Say.....	33

Cover Photo: Internally Displaced Persons (IDP) camp, Eldoret, Kenya. April 2008.

Executive Summary

The next Congress and administration will have a historic opportunity to rebuild U.S. foreign policy structures to better meet the challenges of the 21st century. While the number of major armed conflicts around the world has been declining in recent years, the nature of deadly violence has changed significantly, requiring both new policy approaches and a new foreign policy toolbox.

Civilians have become not only the major casualties, making up eighty to ninety percent of conflict victims, but are also increasingly targeted in wars. Once defined as “non-traditional threats,” weak and failing states, civil insurgencies, genocide and ethnic cleansing, environmental crises, and conflicts over resources in an increasingly inequitable world are now far more common than state-to-state military engagements, and require much more than traditional military approaches.

Foreign policy experts, military leaders, and members of Congress from both sides of the aisle now agree that the U.S. needs to strengthen its civilian tools for engaging the world and addressing today’s security threats. Turning that growing consensus into real policy change, however, will require new investments in nonmilitary tools to protect civilians and help prevent deadly conflict.

In 2005, the United States joined a majority of the world’s governments in affirming for the first time the “responsibility to protect” civilians from genocide, ethnic cleansing, war crimes, and crimes against humanity. The endorsement of the responsibility to protect, or R2P, was an important step in building a new global norm for the protection of civilians. While the responsibility to protect lies first and foremost with national governments, the international community has now agreed to act when a state is unable or unwilling to protect its people.

In 2007 Congress requested reports from the Departments of State and Defense assessing the ability of the United States to train and guide an international intervention force in keeping with the responsibility to protect.¹ While much attention is focused on the possibility of military intervention to stop atrocities once they are underway, the original concept of the responsibility to protect included three core elements: prevention, reaction, and rebuilding. Of these three, the original R2P commission stated in its report, **“Prevention is the single most important dimension of the responsibility to protect.”**

Rather than focusing on late intervention through military force, Congress should work to strengthen civilian tools and structures that can prevent conflicts from becoming violent and address the conditions that may lead to genocide. Such an approach would save both lives and money. According to the Carnegie Commission on Preventing Deadly Conflict, the international community could have saved \$130 billion during the 1990s and averted direct military interventions by employing preventive approaches to conflicts in Bosnia, Somalia, Haiti, Rwanda, the Persian Gulf, Cambodia, and El Salvador.

This report, *The Responsibility to Prevent*, offers Congress an independent assessment of U.S. capacities to peacefully manage conflicts before they escalate into genocide or mass atrocities. The core recommendations, if implemented effectively, would not only save billions of dollars and thousands of lives, but also avoid the many pitfalls of 11th-hour military intervention.

The Prevention Gap

Unfortunately, as the report demonstrates, an assessment of the U.S. ability to help prevent genocide and mass atrocities reveals a dangerous capacity shortfall. This prevention

gap includes severe underresourcing of civilian diplomacy; ineffective use of development assistance; and a lack of support for international prevention, peacekeeping, and peacebuilding. An increasing militarization of U.S. foreign policy also creates obstacles to effective prevention.

Despite widespread recognition of the need for more robust diplomatic and development capacities, the administration and Congress continue to starve civilian agencies while pouring money into the military. The result: military force remains the principle tool available to the United States to address crises. As former Chairman of the Joint Chiefs of Staff General John Shalikashvili pointed out on the eve of NATO's military campaign in Kosovo, *"What we are doing to our diplomatic capabilities is criminal. . . . By slashing them, we are less able to avoid disasters such as Somalia or Kosovo and therefore we will be obliged to use military force still more often."*²

To fill the prevention gap, the incoming Congress and administration should begin dedicating significant resources and political will to averting genocide, mass atrocities, and deadly conflict before they occur. The best protection is prevention. Creating the *capacity* to prevent will also generate greater *political will* to address potential crises before they erupt into violence. Without the proper tools, the best intentions will offer little hope for effective action.

This report proposes a **three-part prevention plan** to build robust U.S. civilian and international capacities, including:

1. U.S. diplomacy and conflict management

A new civilian-led foreign policy initiative dedicated to strong diplomacy and prevention of deadly conflict is needed to reassert U.S. leadership in promoting peace and stability. Enhanced diplomacy and conflict-management capacities should include doubling of well-trained and deployable State

Department personnel, periodic country conflict assessments, and strengthened civilian crisis response capacity.

2. Enhanced development assistance to address root causes and mitigate conflict

Development aid can play a key role in helping prevent deadly conflict, strengthen democratic societies, and build state capacities to fulfill the responsibility to protect. The United States should bolster its official development aid, untie and demilitarize assistance, increase the number of technical development personnel, and increase funding for peacebuilding and conflict sensitive development programs.

3. U.N. and multilateral prevention, peacekeeping, and peacebuilding

The international community needs strengthened capacities to prevent violent conflict, protect civilians, and build peace. The United States should meet its obligations to the United Nations, lift the peacekeeping cap, help fund the U.N. Peacebuilding Commission, and support increased regional capacities, starting with the African Union.

Fulfilling the responsibility to protect requires renewed attention and investment in tools to prevent atrocities and deadly conflict. Filling the prevention gap should be a foreign policy priority of the next administration and Congress.

As Nobel laureate Archbishop Desmond Tutu recently noted, "It is by preventing, rather than reacting, that we can truly fulfill our shared responsibility to end the worst forms of human rights abuses."³

The best protection is prevention.

Recommendations for the 111th Congress

A. Reinvest in Diplomacy and Increase Conflict Management Capacity

1. *Reassert U.S. leadership in international diplomacy* by making diplomacy and the prevention of deadly conflict pillars of U.S. foreign policy in the next *National Security Strategy*.
2. *Rightsize the State Department* by doubling the number of deployable personnel over ten years. Begin by providing funding to fill all U.S. embassies to capacity and hire and train an additional 1,000 new Foreign Service Officers in FY 10, with a focus on increasing personnel in the developing world.
3. *Strengthen early warning capacities* by requesting and providing adequate funding for periodic conflict assessment reports for all countries receiving U.S. foreign aid.
4. *Bolster the State Department's crisis response infrastructure* by adequately funding the Office of the Coordinator for Reconstruction and Stabilization (S/CRS), the Civilian Response Corps, as well as increased early warning and conflict prevention training. Congress should also establish a flexible conflict response fund of no less than \$100 million.
5. *Reassert civilian control over U.S. foreign policy* by discontinuing the Pentagon's 1206 "Global Train and Equip" program and restoring State Department oversight for all military and security aid.

B. Increase and Make Development Aid More Effective

1. *Reassert civilian control over development assistance* by halting the migration of authorities and resources for development and humanitarian aid to the Department of Defense (DOD).
2. *Rebuild U.S. development expertise* by doubling the number of technical development personnel at USAID over the next three years.
3. *Increase poverty-reduction focused assistance* by doubling core development accounts in FY 10 appropriations.
4. *Make aid more flexible and effective* by eliminating requirements that recipients purchase U.S. goods and services ("untie aid").
5. *Support and strengthen conflict analysis, prevention, and peacebuilding programs* by increasing the budgets of the Office of Transition Initiatives (OTI) and the Office of Conflict Management and Mitigation (CMM) by 50 percent in FY 10 appropriations.

C. Strengthen U.N. and Multilateral Peace Capacities

1. *Support a more effective United Nations* by paying all U.S. dues and fully meeting annual obligations on time.
2. *Lift the peacekeeping cap and fully fund international peacekeeping*.
3. *Support new U.N. prevention and post-conflict peacebuilding capacities* by providing a contribution of \$50 million to the U.N. Peacebuilding Commission in FY 10 appropriations.
4. *Strengthen regional peacebuilding and prevention capacities* with annual funding for regional organizations, including the African Union.

“Prevention is the single most important dimension of the responsibility to protect.”

*-International Commission on Intervention and State Sovereignty (ICISS),
Responsibility to Protect (2001)*

Introduction

Two million civilians remain displaced and hundreds of thousands are dead in Darfur. A collapsed state and ongoing violence leave Somalia in shambles. Years of internal war and international neglect have taken over four million lives in the Democratic Republic of Congo. Despite repeated promises of “never again,” deadly conflict and mass atrocities continue to cost millions of lives globally and beg for an effective international response.

At the 2005 U.N. World Summit, the United States joined a majority of the world’s governments in endorsing, for the first time, the “responsibility to protect” (also known as R2P). In doing so, states committed themselves to protecting their own people from genocide, ethnic cleansing, war crimes, and crimes against humanity. They also affirmed the international community’s collective responsibility to protect civilians from such violence when national governments are unable or unwilling to do so.

The new administration and Congress that take office in 2009 will have a historic opportunity to turn the promises made in 2005 into concrete action.

This report examines the first pillar of R2P: **the responsibility to prevent**. It then assesses U.S. capacity to help peacefully manage conflicts before they erupt into mass violence. The United States and the international community can most effectively fulfill the responsibility to protect by dedicating significant resources and political will to averting atrocities and mass violence before they occur. If implemented effectively, such a preventive approach would not only save billions of dollars and thousands of lives, it would also avoid the high costs and potential pitfalls of military intervention.

In its original report on R2P, the International Commission on Intervention and State Sovereignty (ICISS) proposed three core elements to the responsibility to protect: prevention, response, and rebuilding. Of these three, the commission stated clearly, **“Prevention is the single most important dimension of the responsibility to protect.”**

Unfortunately, an overreliance on the military has left the U.S. and the international community without the necessary civilian capacities to effectively prevent atrocities and deadly conflict. Specifically, the U.S. faces a serious gap in three critical areas:

- Diplomacy and conflict management;
- Effective development assistance;
- Support for U.N. and multilateral prevention, peacekeeping, and peacebuilding.

To fill this prevention gap, we urge a new administration and Congress to invest seriously in building greater civilian capacities for the peaceful prevention of atrocities and deadly conflict. We offer specific policy recommendations that could begin to fill the U.S. prevention toolbox in each of the areas identified above.

I. The Responsibility to Protect (R2P)

Debate over how the international community should respond to situations of genocide and mass atrocities, failed states, or abusive governments is not new. However, since the end of the Cold War, efforts to reach consensus on the issue have intensified.

During the 1990s violent internal conflicts in Somalia, Rwanda, Bosnia, and Kosovo provoked a range of responses by the global community, from shameful neglect to unilateral military action. The United States found itself engaged in a growing number of internal conflicts abroad, often unilaterally, while policymakers debated when, how, and under what authority the international community should intervene when governments are unable or unwilling to protect their populations.

In December 2001, the International Commission on Intervention and State Sovereignty (ICISS),⁴ which was established in response to the growing debate over “humanitarian intervention,” issued its report on *The Responsibility to Protect*. In it, the commission proposed the

creation of a new global norm in situations of mass violence:

“Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.”⁵

Governments soon began a heated debate over whether human suffering could trump state sovereignty. Powerful nations, including the United States, did not want to be legally bound to act in situations that might not be considered of national interest, and many developing nations feared the new doctrine was simply another justification for intervention by the United States and other powerful nations. Four years later, at the 2005 U.N. World Summit, the international community hammered out consensus language on the responsibility to protect for the first time.

The outcome document of the 2005 High-Level Plenary of the U.N. General Assembly (also referred to as the World Summit) affirms the responsibility of all states to protect their populations from genocide, ethnic cleansing, war crimes, and crimes against humanity, and it calls on the global community to help states fulfill that responsibility. It goes on to state that the global community “stands ready” to take collective action through the United Nations and points to the possibility of coercive action through the Security Council on a “case-by-case” basis.⁶ It does not confer any legal obligation on states to intervene. Nor does the final document explain when or under what conditions intervention by force might be considered, or what forces, under whose command, would do the intervening. It does frame R2P in the context of collective action through the U.N. Security

Council, not as a justification for interventions by individual states or “coalitions of the willing.”

In 2006, the Security Council passed two resolutions (1674 and 1706) that reaffirm the World Summit declaration. In 2008 Secretary-General Ban Ki-moon renewed attention to R2P within the U.N. system, appointing Ed Luck as his special advisor on the responsibility to protect and calling on member states to help “operationalize” R2P. The first report from the secretary-general on the responsibility to protect is expected to be released in late 2008.

Actions, however, still speak louder than words. Ongoing violence and an abhorrent lack of protection for civilians in places like Darfur, the Democratic Republic of Congo, Burma/Myanmar, and Zimbabwe illustrate the international community’s continued inability to halt atrocities and curtail abusive governments. While governments have taken the important step of acknowledging a collective responsibility to protect, turning that promise into effective action remains a significant challenge.

That may be because thus far attention and resources related to R2P have been overwhelmingly focused on one element of the proposed doctrine: the responsibility to react. The responsibility to protect debate has largely centered on how the international community, or parts of it, might intervene with force after atrocities are underway. As the debate has become bogged down in heated discussions over the responsibility to react through military intervention, the two other core elements of R2P — prevention and rebuilding— have been sorely neglected.

U.S. Policy and R2P

The Bush administration endorsed the responsibility-to-protect language in the 2005 World Summit document. The United States has also stated, however, that it will not be obligated to act or constrained in its actions by R2P. In fact, U.S. Ambassador to the United Nations John Bolton worked vigorously to ensure that the language on R2P did not imply legal obligations. The United States was criticized by some other states and civil society groups for weakening the final text.

At the same time, both Democratic and Republican administrations have stated that ethnic cleansing, state failure, and mass atrocities constitute threats to national and international security. The 2006 *National Security Strategy (NSS)* explains, “This means that even if the United States does not have a direct stake in a particular conflict, our interests are likely to be affected over time.” The *NSS* states that “the world must act in cases of mass atrocities and mass killing.”⁷

Recognition of the spillover effect that internal conflicts can have on both regional stability and U.S. national security, as well as moral outcry over tragedies in places like Rwanda and Darfur, have moved U.S. policy toward supporting R2P, at least rhetorically. A significant movement of nongovernmental organizations in the United States has also pressed the administration to show greater global leadership in halting mass atrocities by backing R2P.

Still, some critics continue to oppose the responsibility to protect. In May 2008, Steven Groves of the Heritage Foundation argued that “adopting a doctrine that compels the United States to act to prevent atrocities occurring in other countries would be risky and imprudent. . . . If the United

States intervenes in the affairs of another nation, that decision should be based on U.S. national interest, not on any other criteria such as those set forth by the R2P doctrine or any other international ‘test.’”⁸ Such criticism ignores the moral imperative of protecting human life and fails to recognize the important role of U.S. leadership in addressing international crises. The Bush administration affirmed this leadership role in the 2006 NSS, stating, “It is a moral imperative that states take action to prevent and punish genocide. History teaches that sometimes other states will not act unless America does its part.”⁹

Other commentators have argued that by adopting R2P, the U.S. and other powerful nations are simply seeking to impose their will on the developing world and create a new justification for intervening militarily to protect their own interests. The United States does have a long history of using humanitarian justifications for its military forays into other countries. However, the responsibility to protect doctrine is designed specifically to curtail unilateral or “coalition of the willing” interventions by ensuring that action be taken through the U.N. While the United States refuses to be legally bound by R2P, by affirming the World Summit document, it has acknowledged that the responsibility to protect should be invoked through the United Nations, not unilaterally.

Unfortunately, like the overall debate on R2P, U.S. policy remains heavily focused on preparing for military intervention rather than investing in the full range of capacities needed to prevent, react, and rebuild. In 2007 Congress requested reports from Departments of State and Defense assessing the U.S. ability to “to provide training and guidance to the command of an international intervention force that seeks to prevent mass

atrocities . . . in keeping with the ‘responsibility to protect’ doctrine.”¹⁰

These reports from the State Department and the Pentagon are due to Congress in 2008 and will likely contribute to the continuing debate over the responsibility to protect. Questions remain about whether an international intervention force would ever be feasible or effective, and, perhaps more important, whether it is the right tool for preventing genocide and mass atrocities in the first place.

While Congress is right to consider the potential role of the U.S. in operationalizing R2P, the focus on an intervention force in its initial assessment “puts the cart before the horse.” In any evaluation of the ability of the United States to help lead the world in fulfilling the responsibility to protect, legislators should first focus on the necessity of building effective civilian tools to prevent situations that could lead to genocide and mass atrocities.

“It would be neither sound morality, nor wise policy, to limit the world’s options to watching the slaughter of innocents or to send in the marines. The magnitude of these . . . crimes and violations demands early, preventive steps.”

- U.N. Secretary-General Ban Ki-moon, Berlin, July 15, 2008

II. Protection through Prevention

In 1997, the Carnegie Commission on Preventing Deadly Conflict reported that the international community spent some \$200 billion on seven major interventions in conflicts in the 1990s (Bosnia and Herzegovina, Somalia, Rwanda, Haiti, the Persian Gulf, Cambodia, and El Salvador). The commission estimated that by employing more effective preventive approaches, \$130 billion could have been saved and direct military intervention avoided in many cases.¹¹

The most effective way for the United States and the international community to protect vulnerable populations will be through a renewed focus on preventing atrocities and deadly conflict. Such a focus, which was in fact intended by the original R2P proposal, would save thousands of lives and billions of dollars. In presenting its three-tiered approach to the responsibility to protect — prevent, react, and rebuild — ICISS stated clearly:

“Prevention is the single most important dimension of the responsibility to protect: prevention options should always be exhausted before intervention is contemplated, and more commitment and resources must be devoted to it.”¹²

Prevention is the most effective way of exercising the responsibility to protect. Mass atrocities do not occur in a vacuum. They almost always unfold in the context of armed conflict, a collapsing state, or at the hands of an abusive government. The conditions that make countries more susceptible to such crises — corrupt governance, a stagnant economy, a history of ethnic conflict, political marginalization, or socioeconomic inequalities — are well-known and recognizable. Unfortunately, such conditions are rarely addressed until after they reach crisis levels or violence erupts. By the time a conflict escalates into ethnic cleansing, state failure, or civil war, military intervention often appears to be the only way to stop the killing and protect those at risk.

Yet, military intervention has at best a mixed record of success. The international community’s attempts to respond to atrocities in Darfur, even after the United States declared the situation to be genocide, demonstrate all too clearly that violent conflicts are extremely hard to stop once mass killing is underway. Outside interventions by the United States or other major powers inevitably face political obstacles, and the U.N. and regional organizations like the African Union are often ill-equipped to take on such crises.

Despite the term “humanitarian intervention”, intervening to stop atrocities still depends heavily on military forces trained for war fighting. Moreover, military interventions intended to halt internal conflicts or humanitarian crises in situations of weak or abusive governments (i.e., Darfur, Democratic Republic of Congo, Haiti, Somalia) may provide justification for some parties to the conflict to escalate the violence. Or, military interventions themselves may lead to greater violence and loss of life.

The heavy deployment of U.S. military forces to intervene during or after violent conflicts has had considerable political and economic costs. Military forces trained and equipped to fight wars are not well-positioned to fulfill the humanitarian and civilian aspects of restoring peace and protecting vulnerable populations. Yet, continued reliance on the military and heavy spending on war preparations has left the United States with a scarcity of civilian resources that could be deployed to help prevent atrocities and peacefully manage conflicts in line with the responsibility to protect.

This “prevention gap” has been widely recognized. A Council on Foreign Relations independent task force chaired by former National Security Advisors Samuel Berger and Brent Scowcroft, and directed by retired Maj. Gen. William Nash, has noted that “peacekeeping and reconstruction should be seen as conflict prevention done late. The more successful the diplomatic and development efforts to prevent and mitigate conflict, the less likely it would be that the United States will be called to embark on these difficult and costly post-conflict missions.”¹³ Secretary of Defense Robert M. Gates and Chairman of the Joint Chiefs of Staff Adm. Mike Mullen, as well as a host

of retired military personnel, have called for far greater spending on U.S. civilian foreign policy agencies to reduce the likelihood that U.S. military forces will be deployed to quell instability and violence.

As the original ICISS report pointed out, “The basic point of preventive efforts is of course to reduce, and hopefully eliminate, the need for intervention altogether. But even where they have not succeeded in preventing conflict or catastrophe, they are a necessary precondition for responding effectively to it.”¹⁴

In other words, not only will investing in prevention help avert crises, protect lives, save money, and avoid military intervention, it will also ensure that should some form of late intervention still be necessary, it will be more effectively planned and implemented and less likely to exacerbate the conflict or inflict further suffering.

The final document endorsed at the 2005 World Summit states that the responsibility to protect “entails the prevention of such crimes, including their incitement, through appropriate and necessary means.” The document also addresses prevention in the broader context of deadly conflict:

*“We stress the importance of prevention of armed conflict in accordance with the purposes and principles of the Charter and solemnly renew our commitment to promote a culture of prevention of armed conflict as a means of effectively addressing the interconnected security and development challenges faced by peoples throughout the world, as well as to strengthen the capacity of the United Nations for the prevention of armed conflict.”*¹⁵

As noted at a conference convened by U.N. Special Advisor for the Prevention of Genocide Francis Deng and the International Peace Institute in 2008, the inclusion of prevention as part of R2P in the outcome document is significant in clarifying that the responsibility to protect is not simply about intervening after genocide or crimes against humanity have begun. Rather, “the scope of RtoP includes not only genocide, war crimes, ethnic cleansing, and crimes against humanity *but also events and circumstances that are a precursor to or a cause of these violations.*”¹⁶

Fulfilling the responsibility to protect therefore requires an effective “toolbox” for preventing the types of situations that can lead to genocide, ethnic cleansing, crimes against humanity, war crimes, and other atrocities.

look like or of the UN’s comparative advantages in this area.”¹⁷

On June 17, 2008, in the wake of the humanitarian disaster in Burma/Myanmar and calls by some for intervention under the responsibility to protect, the United Nations’ special advisor to the secretary-general on the responsibility to protect, Ed Luck, testified before the Senate. Reiterating the United Nations’ narrow definition of R2P, Luck noted that “the stress is on prevention and building the capacity of states to resist turning to the path of genocide, war crimes, ethnic cleansing, and crimes against humanity.”¹⁸

“Without a genuine commitment to conflict prevention at all levels – without new energy and momentum being devoted to the task – the world will continue to witness the needless slaughter of our fellow human beings, and the reckless waste of precious resources on conflict rather than social and economic development. The time has come for all of us to take practical responsibility to prevent the needless loss of human life, and to be ready to act in the cause of prevention and not just in the aftermath of disaster.”

International Commission on Intervention and State Sovereignty (ICISS)
(from The Responsibility to Protect, 2001)

Unfortunately, the original focus on prevention as an essential part of R2P has been largely overshadowed by the debate on military intervention. The same U.N.-sponsored conference concluded that “the over-emphasis on the coercive dimension of RtoP in public discourse and the under-emphasis on prevention have skewed the post-Summit debate and precluded expert consideration either of what RtoP-specific prevention and capacity-building efforts

Still, the rhetoric of preventing genocide and mass atrocities has not yet been backed up by the necessary investment — in financial, human, and political resources — to effectively operationalize the responsibility to protect, either at the international level or within individual states. The result is a continued overreliance on the use of force and military intervention in crisis situations and a dangerous lack of civilian tools to prevent mass atrocities.

“It has become clear that America's civilian institutions of diplomacy and development have been chronically undermanned and underfunded for far too long — relative to what we traditionally spend on the military, and more importantly, relative to the responsibilities and challenges our nation has around the world.”

-- U.S. Secretary of Defense Robert M. Gates, July 15, 2008

III. U.S. Prevention Capacities

Having joined the international community in affirming the responsibility to protect, the United States should assess and strengthen its own capacities for preventing genocide, ethnic cleansing, crimes against humanity, and other atrocities. Although not all such grave violations occur in the context of ongoing wars, many of the same tools that could help prevent deadly conflict are also applicable to preventing genocide and mass atrocities. Unfortunately, the United States has not chosen to sufficiently outfit its prevention “toolbox.”

Today, 94 percent of U.S. spending on foreign engagement is devoted to the military, leaving only 6 percent for nonmilitary tools — diplomacy, development, arms control, early warning, post-conflict reconstruction, and peacekeeping and peacebuilding.¹⁹ While U.S. military spending has always eclipsed nonmilitary spending, major cuts to the international affairs budget in the late 1980s and early 1990s greatly diminished the capacity of U.S. civilian foreign policy agencies. As former Chairman of the Joint Chiefs of Staff General Shalikashvili pointed out on the eve of NATO’s military campaign in Kosovo, “What we are doing to our diplomatic capabilities is criminal...By slashing them, we are less able to avoid

disasters such as Somalia or Kosovo and therefore we will be obliged to use military force still more often.”²⁰

From 1984 to 1995, U.S. international affairs spending (150 accounts) decreased by 45 percent in real dollars.²¹ Overall spending on nonmilitary tools for engaging the world has been reduced from about 4 percent of the federal budget during the 1960s — the height of the Cold War — to just over 1 percent of the budget today.²² Despite a slight increase under the Bush administration, international affairs funding still represents only 1.3 percent of the entire federal budget for fiscal year 2009. In real dollars, spending on the international affairs budget is now 17 percent less than during the height of the Cold War.²³

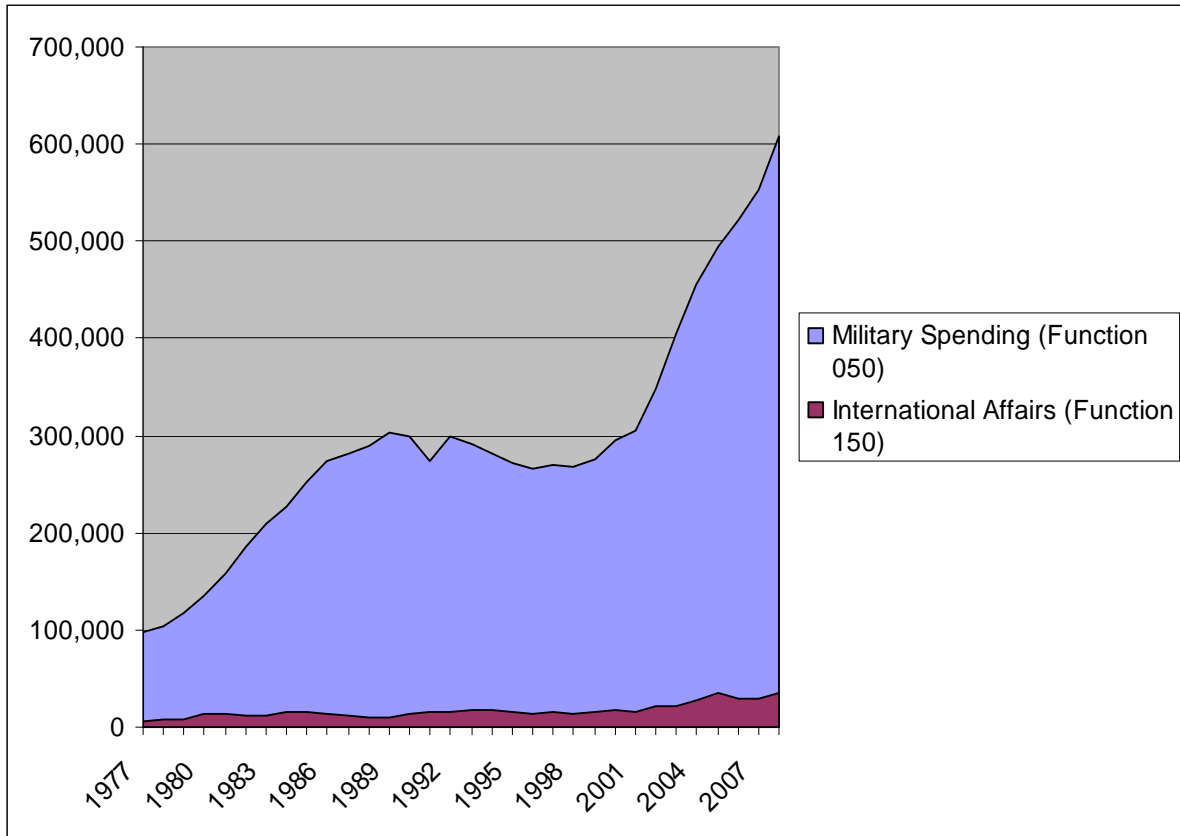
Military leaders have themselves called attention to the weakened state of U.S. civilian agencies. In his testimony to the House and Senate Armed Services Committees in February 2007, then Joint Chiefs of Staff Gen. Peter Pace noted, “Our civilian agencies are underresourced to meet the requirements of the 21st century.” In November 2007 Defense Secretary Gates stated “What is clear to me is that there is a need for a dramatic increase in spending on the civilian instruments of national security — diplomacy, strategic communications, foreign assistance, civic action, and economic reconstruction and development.”²⁴

Table 1

**U.S. Engagement in the World:
Military Spending vs. Non-Military Spending**
(in millions of dollars)

Source: U.S Budget, Historical Tables

Note: This chart includes supplemental war funding



More recently, Gen. Anthony C. Zinni, USMC (Ret.), and Adm. Leighton W. Smith Jr., USN (Ret.), on behalf of more than 50 retired senior military officers, urged the presidential candidates to make diplomacy and global development critical tools in the U.S. foreign policy toolkit. In calling for more robust civilian agencies, all endorsed the belief that the United States cannot rely on military power alone to address global problems.²⁵

- a robust and well-trained diplomatic corps, along with a cadre of civilian experts ready to be deployed quickly in crisis situations;
- effective development assistance to help address root causes and mitigate conflict; and,
- well-resourced international and regional prevention, peacekeeping, and peacebuilding mechanisms.

Responding to conflicts before they reach crisis levels requires a robust combination of national and international tools, including:

Unfortunately, the United States seriously underfunds each of these.

Preventive Diplomacy in Kenya

A week before Kenya's December 2007 elections, *The Economist* magazine characterized the country "as a haven of stability and prosperity in eastern Africa." Most observers believed that the challenger, Raila Odinga, would win the election by a slight margin and take power peacefully. Instead, a flawed election secured a win for the incumbent, Mwai Kibaki, setting off a wave of violence that, four months later, had left approximately 1,500 people dead and forced nearly 600,000 to flee their homes. Internally, Kenyan civil society groups unaffiliated with either political party mobilized opposition to the flawed vote.

The international community, particularly the European Union and the British government, responded quickly with diplomatic visits to urge an end to the postelection bloodshed. By January 7, the United States had joined the protests, and Assistant Secretary of State for African Affairs Jendayi Frazer met with Kibaki and Odinga. The next day, John Kufuor, African Union chairman and president of Ghana, arrived in Nairobi to facilitate negotiations to end the crisis. Kufuor soon reported that both sides had agreed to continue to work with a mediation panel led by former U.N. Secretary-General Kofi Annan. Inside Kenya, groups of lawyers and other independent civil society groups played critical roles, organizing themselves and working with the international community to find a political solution.

A month later Annan reported that although no final resolution had been reached, progress was being made.²⁶ By the end of April, Kibaki and Odinga had agreed to forge a coalition government and began a tour of the area most affected by the violence to promote peace and reconciliation among their constituencies.

Although the postelection violence in Kenya was sudden and brutal, it could have been much worse. Many feared the country was on the verge of a civil war. "The combination of economic and ethnopolitical factors in Kenya had created an explosive mix that was just waiting for the right — or rather 'wrong' — circumstances to explode," said East Africa expert Gérard Prunier.²⁷

Rapid diplomacy and effective pressure from the international community, as well as pressure by civil society groups in Kenya, was instrumental in getting the Kenyan leaders to call for an end to the violence and forge a compromise. At a recent U.S. Senate Foreign Relations Committee hearing, Edward Luck, special advisor to the U.N. secretary-general, reported that the responsibility-to-protect principle was invoked by Secretary-General Ban Ki-moon at every point during negotiations with the Kenyan political leaders and the African Union.²⁸

While a rapid international response was helpful in averting a larger catastrophe in Kenya, the roots of violent conflict — socioeconomic disparities, political marginalization, and rampant corruption — had been festering for many years. Human Rights Watch, while acknowledging the positive role of the United States and the international community, also recalled that before catastrophic violence erupted "foreign governments took little action in the face of consistent and chronic patterns of corruption and impunity that characterized the Moi and Kibaki administrations."²⁹

Preventive diplomacy worked in Kenya in the short-term. However, long-term support for structural prevention - sustainable development, good governance, and reconciliation - is still needed to build a durable peace.

A. Diplomacy and Conflict Management

Near the turn of the millennium, a State Department internal review described the agency as “near a state of crisis” and “perilously close to the point of system failure.”³⁰ A year later, the State Department’s Bureau of Human Resources concluded that underfunding had resulted in a staffing deficit of 1,158 people.³¹ The reason: from 1994 to 2000, annual funding for State Department administration (i.e., diplomatic and consular programs) was reduced from \$5.05 billion to \$3.98 billion (constant 1996 dollars).³² The U.S. Government Accountability Office (GAO) reported that these staffing shortfalls were felt most at hardship posts, where security, health, or other conditions are difficult.³³

Recognizing the dangers of the staffing crisis at State, former Secretary of State Colin Powell urged Congress to increase resources for “diplomatic readiness,” beginning with a 16 percent spending increase in FY 2002 for foreign affairs administration.³⁴ In response, Congress responded with an 11.5 percent increase in FY 2002 and an additional 18 percent increase over the next six years (excluding supplemental appropriations).³⁵

In 2006, Powell’s successor, Condoleezza Rice, unveiled a new U.S. foreign policy strategy to manage threats and challenges in the post-9/11 world. The stated goal of the strategy, called “transformational diplomacy,” is to “work with partners around the world to build and sustain democratic, well-governed states that will respond to the needs of their people and conduct themselves responsibly in the international system.” Two years later, Secretary Rice’s advisory committee on transformational diplomacy urged a twofold increase in deployable State Department

personnel over 10 years to bolster the U.S. diplomatic presence in critical areas and support the training of midcareer foreign service officers without leaving embassies underfunded and understaffed.³⁶ Unfortunately, while Rice has urged robust staff increases in State, the president has not requested the funding necessary to implement such changes.

Meanwhile, the massive staffing required for the U.S. presence in Iraq has left the State Department struggling to fill U.S. embassies worldwide.³⁷ In December 2007, the *Washington Post* reported that “heavy staffing demands in Iraq and Afghanistan” would require the State Department to cut diplomatic positions in calendar year 2008 by 10 percent because Congress had not appropriated funds for new hires.³⁸ Nearly “one-quarter of all diplomatic posts” were vacant, and the average U.S. embassy had only 79 percent of authorized staffing, Department of State Director-General Thomas reported at the time.³⁹ Despite some increase in funding for State Department personnel, growing demands on State and USAID require still more robust funding.

In the recent past, two civilian agency offices have been created to enhance the U.S. government’s ability to analyze conflicts, respond to crises, and rebuild after warfare. USAID’s Office of Conflict Management and Mitigation (CMM) was created to “mainstream” best practices of conflict management across the agency’s aid programs. CMM creates toolkits to help integrate conflict analysis and mitigation into development assistance and funds small peacebuilding and reconciliation programs. Its work is critical given that 60 percent of countries receiving U.S. foreign aid are considered unstable. However, the office has an annual budget of only \$25 million and a mere dozen staff.

In 2004, the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) was created by presidential initiative to lead and coordinate the U.S. civilian response before and after conflicts. However, the administration and Congress have not adequately funded this office since its creation. Congress has also rejected requests for a conflict response fund.⁴⁰ Along with its coordinating function, S/CRS was tasked with organizing a rapidly deployable cadre of civilian experts to help stabilize and reconstruct war-torn states. The need for a standing civilian corps to administer assistance, provide expertise, and make peace sustainable in conflict environments was illustrated prominently in Iraq and Afghanistan.

While the U.S. is able to deploy small teams of civilians to some crisis situations, State and USAID lack a full cadre of rapidly deployable staff with appropriate training. To remedy this gap, both the House Foreign Affairs Committee and the Senate Foreign Relations Committee have passed H.R. 1084/S. 613, the Reconstruction and Stabilization Civilian Management Act. The bill was attached as an amendment to the 2009 National Defense Authorization Act, which was passed by both chambers and sent to the President in September 2008. The legislation formally authorizes S/CRS and the “civilian response corps” (CRC)—a three-tiered corps of approximately 5,000 civilian experts to respond to unstable states or ones affected by conflict.

In the FY 2008 supplemental funding bill, House and Senate appropriators included \$55 million to “stand up” the first two tiers of the CRC—the active and standby response corps. These funds represent the most generous budget S/CRS has received since it was created.

Even the Pentagon itself has supported the creation of a more robust civilian capacity. DoD has sought and received authority in the Defense Authorization bill every year since FY 2006 to transfer \$100 million to S/CRS to help provide reconstruction and stabilization assistance in war-torn states. Defense Secretary Gates, former Joint Chiefs of Staff Peter Pace, Sen. Richard Lugar (IN), Sen. Joe Biden (DE), as well groups like the International Crisis Group and Refugees International, all support a robustly funded civilian response corps.

“The Department of State should make a sustained, aggressive effort to increase the number of its deployable staff resources by 100 percent over the next ten years.”

- The Secretary of State’s Advisory Committee on Transformational Diplomacy, January 2008

Failed Policies in Somalia

From the day U.S. forces withdrew from Somalia in 1993 until 2006, only one U.S. diplomat — working out of the embassy in Nairobi, Kenya — monitored all political developments in Somalia. During this time Somalia suffered a civil war and multiple coups d'état. Eventually it became a safe haven for extremist anti-U.S. groups. The situation was reminiscent of the fallout in Afghanistan after the U.S.-Soviet proxy war. The U.S. government was particularly concerned about the fundamentalist Union of Islamic Courts (UIC).

In 2005, the CIA funneled covert aid to Somali warlords to fight the UIC and protect Somalia's official two-year-old Transitional Federal Government (TFG). After the UIC fought off the warlords and captured Mogadishu in 2006, high-ranking U.S. policymakers convened to consider U.S. options. Regional experts urged the United States to engage in direct talks with the UIC to avert both the spread of extremism and the threat of a wider regional war. Without U.S. diplomatic intervention, they warned, rapid developments in Somalia could set off a chain of events that would threaten international security and carry a heavy human toll.

In late 2006, U.S. Assistant Secretary of State for Africa Jendayi Frazer was reportedly attending peace talks between the TFG and the UIC. Experts and policymakers expressed concern, however, that the United States had not built up the diplomatic relationships or knowledge needed to play a constructive role. Speaking anonymously, one senior U.S. official said, "It's like going to an athletic event and you don't know the rules and you don't know the players."⁴¹

The State Department, which only recently "reclaimed control of the issue from the Pentagon and the intelligence community," was hurriedly struggling to develop a coherent policy to avert war in Somalia. Regional experts predicted that a wider conflict would erupt before the State Department could defuse the crisis. In late December 2006, the Ethiopian military — with air support from the United States — invaded Somalia to push the UIC out of Mogadishu and shore up the TFG.⁴²

Proponents of the invasion cite the Ethiopians' success in propping up the TFG, and U.S. achievements in killing several extremists with known ties to al Qaeda. Since the Ethiopian invasion, however, human rights violations in Somalia have been rampant and reportedly committed by the all parties to the conflict. Even more alarming, a very recent eyewitness report by Refugees International found that U.S. military action in Somalia has fueled anti-American sentiment, "galvanized extremist elements" and reinforced "the very threat US policy in the Horn of Africa is meant to address."⁴³

It is impossible to know whether greater U.S. diplomatic engagement coupled with earlier reconstruction efforts could have staved off the deepening crisis in Somalia. But the inability of the United States to invest significant diplomatic time and resources into preventing the crisis constrained the options available to policymakers after the conflict had exploded. It is clear that a lack of U.S. diplomatic capacity prevented the State Department from tracking the UIC's rise to power until it was too late. Earlier U.S. diplomatic engagement might have prevented the UIC from gaining power, or led the United States to support a political solution that was more inclusive of all Somalis and that might have averted the escalation of hostilities. Earlier preventive action would almost certainly have reduced the costly response — in both lives and U.S. dollars.

B. Development Assistance

Preventing the conditions that may lead to genocide, crimes against humanity, and mass atrocities includes promoting sustainable development and good governance. Extreme poverty and weak institutions, while not direct causes of conflict, are often driving forces in crises. The international community's collective responsibility to protect civilians includes helping build state capacities to fulfill R2P by reducing the underlying conditions that can lead to violence or abuse. Well-focused, effective development assistance has been shown to mitigate tensions, reduce inequalities, and strengthen civil society's ability to hold governments accountable.

Program Coordination, “the number of USAID direct hires working abroad dropped by 29% between 1992 and 2005, from 1173 to 883.”⁴⁵ As a result of the 1990s budget cuts, 37 percent of USAID's direct hires and foreign service officers (FSOs) left without being replaced.⁴⁶ While USAID housed approximately 7,500 FSOs at the end of the Vietnam War, today just over 1,000 USAID FSOs are responsible for overseeing and carrying out U.S. overseas development objectives.

At a recent hearing on U.S. foreign assistance reform, former USAID administrator Brian Atwood noted that cutbacks in USAID's operating budget during the 1990s forced him to close 27

Development reinforces diplomacy and defense, reducing long-term threats to our national security by helping to build stable, prosperous, and peaceful societies. Improving the way we use foreign assistance will make it more effective in strengthening responsible governments, responding to suffering, and improving people's lives.

—National Security Strategy (2006)

While the U.S. provides the most development assistance in real dollars, it gives the least of any rich country as a percent of gross national income (GNI). In 2007, the United States spent just under \$22 billion on official development assistance (ODA), about 0.16 percent of U.S. GNI.⁴⁴ Moreover, despite the increasingly bipartisan recognition of the merits of robust foreign assistance, the number of personnel to administer assistance is dangerously low. According to USAID's Office of Policy and

missions, further consolidating decision-making to Washington.⁴⁷ Also testifying, former USAID administrator Peter McPherson said State Department and USAID personnel needed to engage people both at the senior levels of government and on the ground — often the “fault lines” of conflict in weak and failing states.⁴⁸ Short staffing undercuts the capacity of USAID both to warn of impending crises and address root causes of conflict through sustainable development.

We need to strengthen the capacities of States to resist taking the path to genocide, war crimes, ethnic cleansing and crimes against humanity. . . . In this context, capacity-building could cover a range of areas — from development, good governance and human rights to gender equality, the rule of law and security sector reform.

— U.N. Secretary-General Ban Ki-moon, July 15, 2008

The Bush administration's increases in foreign aid are an encouraging step, but much of this funding is for security, counter-drug/terrorism, and politically motivated short-term assistance, rather than core long-term development assistance. The administration's HIV/AIDS initiative and the Millennium Challenge Account were created outside traditional development assistance accounts. Meanwhile, long-standing program accounts focused on poverty alleviation — such as the Development Assistance (DA) and Child Health Survival accounts — are being decreased. For instance, the Bush administration's budget request for FY 2008 included a 35 percent increase for the Economic Support Funds (ESF) account, which is directed to countries based on political objectives, rather than development need.⁴⁹ Meanwhile, supplemental funding for the DA account decreased 31 percent from FY 2007 to FY 2008.⁵⁰

Increasing and improving the effectiveness of U.S. development assistance is central to preventing deadly conflict as well as shoring up U.S. national security. As was pointed out in testimony before the House Subcommittee on State, Foreign Operations, and Related Programs in January 2008, a number of high-level commissions have

called for increasing development aid and elevating it as a key pillar of U.S. foreign policy. These include the Smart Power Commission, the U.S. Commission on Helping to Enhance the Livelihood of People (HELP), the 2006 Task Force on Transforming Foreign Assistance for the 21st Century, and the 2004 Commission on Weak States. As Lael Brainard of Global Economy and Development points out, “All of these efforts call for greater U.S. engagement on development — not less. All call for elevating development on a par with diplomacy and defense — not subordinating it. All emphasize the need for stronger civilian operational capabilities for development, humanitarian, and post conflict missions. All call for coordination of aid with other soft power tools such as trade and debt relief.”⁵¹

In addition, much of U.S. development assistance remains “tied,” forcing local countries to purchase U.S. products and services and undermining aid effectiveness. In 2006 only 7 percent of U.S. development assistance was untied, whereas U.S. allies like the United Kingdom have completely untied their development assistance.⁵² Rather than contributing to sustainable development, tied aid returns U.S. dollars to U.S. businesses and undercuts recipient

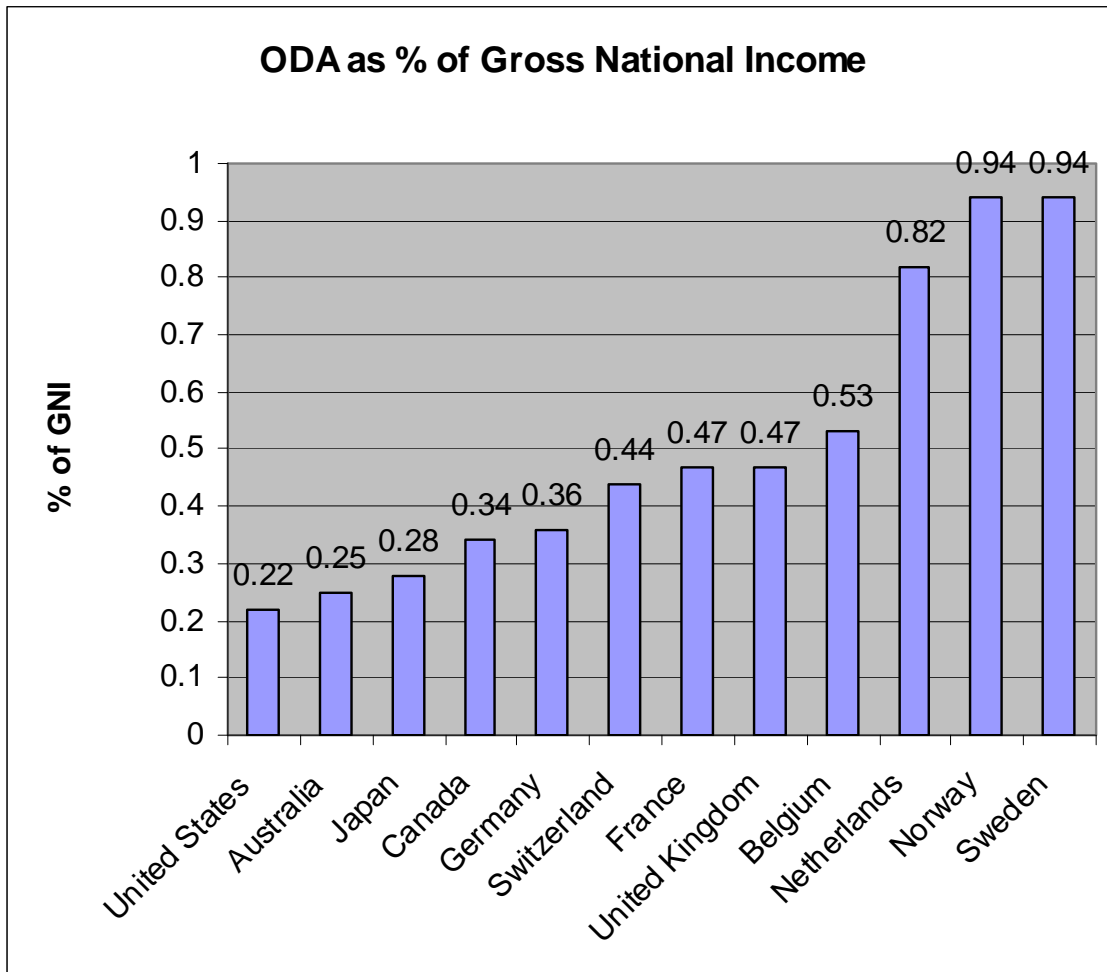
countries' economic growth and the diversification of local markets. As economist Paul Collier notes, a low-income country with a low rate of growth and a poor diversification of its economy is ripe for violence and civil war.⁵³

Affirming that “an ounce of prevention is worth a pound of cure,” the Center for American Progress recently examined the costs of the short-term, reactive U.S. approach to foreign assistance.

It found that U.S. foreign assistance is largely driven by three factors: (1) crisis-driven geopolitical interests, (2) humanitarian disasters, and (3) chronic failed states. “In all of these situations, development assistance that might ameliorate the underlying conditions of poverty and instability is trumped by humanitarian or military assistance. And in each of these cases, the pattern of aid flows is consistent — aid spikes in reaction to crises, but far less is invested to prevent crises before they occur or to consolidate progress when crises subside.”⁵⁴

Net Official Development Assistance (ODA, 2005)

Table 2



Source: Organization for Economic Cooperation and Development (OECD)

C. U.S. Support for International Prevention and Peacebuilding Capacities

The United Nations remains one of the most important institutions for preventing deadly conflict and building peace. Today more than 110,000 U.N. peacekeepers are serving in 20 missions around the world. These missions have occurred with and many times because of U.S. support at the Security Council, although U.S. military troops do not participate in any of them. While far from perfect, peacekeeping missions are a critical tool for curbing violence and for settling conflicts peacefully. In recent years, the United States has supported the expansion or renewal of missions in Liberia, Sudan, Haiti, Côte d'Ivoire, and East Timor, as well as new missions in Chad, the Central African Republic, and Nepal.

Despite increases in the size and scope of U.N. peacekeeping operations over the past two decades, the entire budget for the U.N. Department of Peacekeeping Operations (DPKO) for FY 2008 is only around \$7 billion. Multiple studies have concluded that U.N. peacekeeping operations are both cost-effective and a highly efficient means of facilitating sustainable peace.⁵⁵ For instance, when the U.S. Government Accountability Office (GAO) compared costs for a U.N. peacekeeping operation in Haiti to anticipated costs for a similar U.S. operation, it found that a U.S. peacekeeping operation would be twice as expensive. The conclusion: U.N. peacekeeping is a bargain for the United States in lives and resources.

While blue-helmet operations are the most recognized face of U.N. peace capacities, the organization uses a wide range of prevention and peacebuilding tools. In April 2004, on the anniversary of the genocide in Rwanda, then-Secretary-General Kofi Annan created the office of the special

advisor for the prevention of genocide to collect information on situations that could lead to genocide, data that could give an early warning to the U.N. system and the Security Council. In 2007 Secretary-General Ban Ki-moon upgraded the special advisor to a permanent special representative position and appointed Francis Deng to the post.

Ban has also increased the United Nations' diplomatic presence in global hot spots to enable it to respond more rapidly and effectively in a crisis. Recently the U.N. utilized its "good offices" to help diffuse and mediate the crisis in Kenya and prevent a further deterioration of security. Despite the increasing involvement of the U.N. diplomatic corps, the budget for U.N. administration for FY 2008 is only \$4.2 billion. The total cost for U.N. administration and peacekeeping operations for FY 2008 is a surprisingly low \$12.2 billion — approximately what the United States spends on the occupation of Iraq in one month.

At the 2005 World Summit where the responsibility to protect was endorsed, member states also supported the creation of the U.N. Peacebuilding Commission (UNPBC) and the U.N. Peacebuilding Support Fund (UNPBSF) to better coordinate and fund postconflict stabilization, reconstruction, and peacebuilding efforts. The Peacebuilding Commission and the support fund were designed to help consolidate the peace in post-conflict states. Financial support for post-conflict peacebuilding and reconciliation is critical, since more than half of all states emerging from conflict revert back to violence within just five years of a peace accord.

Through voluntary contributions from member states, the Peacebuilding Commission has begun supporting reconciliation and reconstruction activities in Burundi, Guinea Bissau, and Sierra Leone.⁵⁶ Unfortunately, while the Bush administration supported the establishment of the commission, the United States has yet to budget any resources for it. When it comes to supporting U.N. prevention, peacekeeping, and peacebuilding capacities, the United States expects others to pick up the tab.

As of June 30, 2008, U.S. arrears to the United Nations stood at \$1.9 billion.⁵⁷ These include general arrears, peacekeeping arrears, and budgetary shortfalls due to past debt and differences in budget cycles. The FY 2008 supplemental as approved by Congress included \$524 million to help reduce U.S. shortfalls to U.N. peacekeeping missions that the United States voted for in the Security Council. U.S. contributions to U.N. peacekeeping also continue to be limited by the cap placed on U.S. dues to the Contributions to International Peacekeeping Account (CIPA) by the Foreign Relations Authorization Act of FY 1995.⁵⁸ This cap limits the U.S. contribution to U.N. peacekeeping operations, thus inhibits the U.S. ability to fully pay its fair share.

The United Nations is not the only international organization working to prevent deadly conflict and secure peace after war. Regional organizations like the Organization of American States (OAS), European Union (E.U.), African Union (A.U.), and Association of Southeast Asian Nations (ASEAN), are taking increasingly active roles in preventive diplomacy, peacekeeping, and peacebuilding. The OAS remains the central forum for diplomatic efforts to address conflicts in Latin America. The European Union is seeking to

strengthen its civilian capacities for crisis management. Despite its severely limited budget and capacities, the African Union has taken on difficult peacekeeping and diplomatic missions in Darfur, Somalia, and Kenya. ASEAN maintains a High Council to assist members in settling disputes.

While the capacities of regional organizations for protecting civilians remain weak, these multilateral bodies are becoming more active in promoting peace and security and should be an instrumental part of implementing R2P. Supporting their development in this regard is an important aspect of “operationalizing” R2P. Toward that end, the United Nations has recently undertaken a ten-year capacity-building program with the African Union.

The total cost for U.N. administration and peacekeeping operations for FY 2008 is \$12.2 billion — approximately what the United States spends on the occupation of Iraq in one month.

Failure to Protect in Darfur

In 2003, two rebel groups from Darfur, the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM), violently revolted against the regime. The stated reason: Khartoum's Arab elite had a stranglehold on power, resources for economic development, and Sudan's oil wealth. In September 2004 former Secretary of State Colin Powell reported that violence perpetrated by the Sudanese government and its proxy militias in response to the rebellion, particularly targeting the Fur, Masalit, and Zaghawa ethnic groups, had amounted to genocide.

Today, experts estimate that 200,000–300,000 civilians have died in Darfur and more than 3 million have been displaced. After five years of fighting, what began as a conflict between two main rebel groups and the Sudanese government has escalated and fractured to include more than three dozen armed groups.

Civilian Protection: Too Little, Too Late

The conflict in Darfur represents a tragic failure of the international community to protect civilians from mass violence. The A.U. peacekeeping mission (AMIS) that deployed to Darfur in 2004 was poorly funded and struggled to protect itself from armed attacks and government harassment, much less fulfill its mission to protect civilians.

In 2005, the Bush administration sought \$50 million to support the planned increase in the mission's personnel and resources. The proposed renewal of the mission — AMIS II — was slated to cost roughly \$222 million and would increase personnel from 3,320 to 12,300.⁵⁹ Senate appropriators reneged, however, and cut the funds from the FY 2006 Foreign Operations appropriations bill.⁶⁰ Despite enormous political will from the African Union, the peacekeeping mission never reached more than 7,000 personnel, and it continued to be hampered by a weak mandate, lack of financial and logistical support from the international community, and no viable peace to keep in Darfur.

Recognizing the weakness of the A.U. mission, many called for a rapid NATO military intervention, citing the responsibility to protect. While coercive military intervention was popular among those urging "robust action" in Darfur, it is unlikely that it would have succeeded. The government of Sudan strongly opposed the presence of non-African military forces in the country and threatened to escalate the conflict and expel humanitarian workers if NATO or the U.N. attempted to intervene without its consent. An invasive military intervention could well have cost more lives and would have done nothing to deal with the root causes driving the conflict — the political and socioeconomic marginalization of Darfur's inhabitants.

On December 31, 2007, the African Union officially handed control over to a joint U.N.-A.U. hybrid mission command (UNAMID). While the U.N. Security Council approved a mission of approximately 26,000 peacekeepers in Darfur, fewer than 10,000 are on the ground. Additionally, UNAMID still lacks necessary helicopters and troops, and the Sudanese government continues to put obstacles in its way.

(continued on p. 24)

Late Diplomacy Leaves No Peace to Keep

While the international community was slow getting a protection force on the ground in Darfur, it was perhaps even more negligent in deploying adequate diplomatic resources to shore up a peace agreement.

In 2005, the government in Khartoum and the Southern Sudanese signed the Comprehensive Peace Agreement (CPA), which brought a fragile end to the decades-long civil war between Khartoum and the military wing of the Southern Sudanese. But that agreement is itself imperfect, leaving two standing armies in place and setting a five-year time limit after which the largest country in Africa might be obligated to hold a referendum on dividing Sudan into two countries. The agreement also created tensions and increased the apprehensiveness of other groups in Sudan that had disputes with the government in Khartoum.

In the lead-up to the signing of the CPA, the United States was aware of the atrocities being committed in Darfur and spoke out against them. So as not to jeopardize the CPA, however, the “contact group,” of which the United States was a part, did not put the situation in Darfur on the agenda. The Sudanese government capitalized on this error and signed the CPA. A peace agreement focused on peace and security throughout Sudan might have ended the conflict in Darfur sooner.

Instead, late diplomacy led to increased pressure for a quick fix to the conflict. In 2006 the parties to the Darfur conflict met in Abuja, Nigeria, to negotiate the Darfur Peace Agreement (DPA). At the end of the negotiations, two of the key rebel groups — Abdul Wahid’s faction of the SLM and the JEM — refused to sign the final settlement. According to Alex de Waal, a researcher and advisor to the African Union during the negotiations, the United States chose not to have a full-time diplomat working continuously at the Abuja talks and instead flew in diplomats to “monitor” the negotiations at various stages. The talks were widely criticized for the international community’s imposition of “deadline diplomacy” — which focused on producing a quick peace accord rather than on a locally owned peace agreement. Laurie Nathan, a researcher and former member of the A.U. mediation team, argues that “in the case of Darfur, the deadline diplomacy inhibited effective mediation, resulted in a peace agreement that did not achieve peace, and sowed divisions that exacerbated the conflict.”⁶¹

Earlier deployment and greater financial and logistical support for A.U. peacekeepers could have saved thousands of lives in Darfur. However, without a peace to keep, no international protection force, no matter how strong, could be more than a short-term band-aid on a gaping wound. A better framework for negotiations during the Darfur peace process in 2006, as well as earlier diplomatic engagement by powerful countries in support of A.U. mediation, might have ended the killing.

IV. Obstacles to Prevention: The Militarization of U.S. Foreign Policy

Violence prevention and peacebuilding are civilian tasks and should be undertaken primarily by local governments and populations, with the support of other civilian governments and nongovernmental organizations, and in coordination with international institutions. But underfunded, overstretched civilian agencies are often incapable of adequately responding to imminent crises. For the U.S., the absence of civilian alternatives often leaves the U.S. military, with its massive budgets and over 2 million employees, stepping in to fill the void.

Despite wide recognition that today's challenges require an enhanced civilian response, U.S. military spending is poised to reach the highest level (adjusted for inflation) since World War II and surpass combined global military spending.⁶² This gross budget imbalance has resulted in, among other problems, a militarized response to security crises and the myriad of transitional challenges around the world. As Gordon Adams notes, "Defense's rise as the lead institution has come at a cost. Nations around the world now look at the face of U.S. engagement and see a uniform, sending a potentially self-defeating message about our intentions."⁶³

Strained by two large military operations in Iraq and Afghanistan, the Pentagon has urged Congress to robustly fund the State Department and USAID and give them more flexibility. Before a crowd of wounded veterans in October 2007, Chairman of the Joint Chiefs of Staff Adm. Mike Mullen urged the United States to mount a massive diplomatic and foreign aid offensive. "The military just can't do it all," he said. "Security is a necessary but not sufficient part of solving the kinds of problems that we are in right now, as well as problems that I think will be out there in the future."⁶⁴

Lacking adequate civilian capacities, however, the Pentagon has begun to fill "the gap" by seeking new authorities and funding for programs previously overseen by civilian agencies. One example is the new authority awarded the Pentagon under what has been called the 1206 "train-and-equip" program. The pilot program, authorized by the 2006 National Defense Authorization Act, enables the Pentagon to spend up to \$300 million annually to train and equip foreign military forces, paramilitaries, and security services to engage in counterterrorism activities. In 2008, Congress extended the authority for the 1206 program for three more years.

“Overall, even outside Iraq and Afghanistan, the United States military has become more involved in a range of activities that in the past were perceived to be the exclusive province of civilian agencies and organizations. This has led to concern among many organizations . . . about what’s seen as a creeping “militarization” of some aspects of America’s foreign policy.”

—U.S. Secretary of Defense Robert M. Gates, July 15, 2008

Serious concerns have been raised about the 1206 program. Criticisms are twofold: (1) train-and-equip programs are traditionally overseen by the State Department to enable proper vetting of countries with poor human rights records; and (2) many of these funds are now going to the militaries and security forces of countries with known human-rights problems like Chad, Ethiopia, Nigeria, and Pakistan. The 1206 train-and-equip program mirrors, in many ways, U.S. support for abusive governments during the Cold War (e.g., Chile, Iraq, and Iran). Rather than building the military capacity of nations with poor human rights records, U.S. policymakers should help the State Department and USAID accomplish their stated mission of “helping to build and sustain democratic, well-governed states that will respond to the need of their people and conduct themselves responsibly in the international system.”⁶⁵

The massive expansion of the Pentagon’s authority and resources has also led to the increasing militarization of U.S. embassies. For instance, in 2006, after extensive interviews with U.S. embassy staff around the world, Senate Foreign Relations Committee staff reported that U.S. ambassadors “appeared overwhelmed” by the increase in military personnel and requests from combatant commanders.⁶⁶ Ambassadors told the Senate staff they found it difficult to monitor the Pentagon’s in-country activities due to the increase in military resources, and one ambassador reported being unaware of the 1206 train-and-equip program.⁶⁷ The militarization of U.S. embassies undercuts the notion of a civilian-led foreign policy and ensures that the face of the United States abroad will be a military one.

Lastly, the expansion of the Pentagon’s resources compounded with the underfunding of U.S. civilian agencies has resulted in enhanced military engagement in development and humanitarian work. The result: from 1998 to 2005, official development assistance (ODA) controlled by the Pentagon increased from 3.5 percent to nearly 22 percent, while USAID’s percentage of ODA shrunk from 65 percent to 40 percent.⁶⁸ The Pentagon has also sought and been granted authority for two humanitarian response accounts, the Commanders Emergency Response Program (CERP) and the Combatant Commanders Initiative Fund (CIFF). Funds from these accounts are used to fund humanitarian response and development projects to win “hearts and minds” in Iraq, Afghanistan, and the horn of Africa.

New counterterrorism initiatives as well as the reconstruction efforts in post-invasion Iraq and Afghanistan are often given as the rationale for ceding new authority and assistance previously controlled by civilian agencies to the Pentagon. However, as Oxfam America argues, this shift undermines sustainable development and long-term global security: “As development has become part of the US national security strategy, it has been increasingly integrated under military control, strategy, management and implementation in order to achieve short-term political and security goals. This ‘securitization of aid’ has focused on the short-term policy interests of the US at the expense of smart development.”⁶⁹

Of recent concern to many Africa experts and civil society groups on the continent has been the push to establish a new U.S. military command in Africa (Africom) that, according to Refugees International, appears to be usurping State and USAID resources.

The organization warns that U.S. aid to Africa is becoming increasingly militarized at the expense of long-term development. A recent GAO report on Africom also noted, “State Department and U.S. Agency for International Development officials have expressed concerns that Africom will become the lead for all U.S. efforts in Africa, rather than just DOD [Department of Defense] activities.”⁷⁰

Put simply, the military is ill-suited for development and reconstruction. Military forces are trained and equipped to fight wars, not build hospitals, roads, and civilian institutions. While the military may provide the aircraft and ships to respond quickly to emergencies such as the earthquake in Pakistan and the tsunami in Southeast Asia, relying on the military to undertake humanitarian and development tasks creates confusion in the field, presents a militarized face of U.S. assistance, taints humanitarian neutrality, and undermines the role of civilian agencies in interfacing with the local government and ensuring effective aid delivery.

A U.S. civilian-led foreign policy is a constitutional prerogative and key to preventing violent conflict. Increased staff and resources for U.S. civilian agencies, enhanced development assistance, and more effective international and regional mechanisms for peacekeeping and peacebuilding are critical to ensure that the global community can effectively respond to crises and resolve them before they lead to mass atrocities or deadly conflict.

From 1998 to 2005, official development assistance (ODA) controlled by the Pentagon increased from 3.5 percent to nearly 22 percent, while USAID’s percentage of ODA shrunk from 65 percent to 40 percent.

- Stewart Patrick and Kaysie Brown, “*The Pentagon and Global Development: Making Sense of the DoD’s Expanding Role,*” *Center for Global Development*, November 2007

V. Filling the Prevention Gap: Recommendations for U.S. Policy

To operationalize the responsibility to protect, the United States needs a foreign policy predicated on the peaceful prevention of deadly conflict with robust civilian capacities and strong international partnerships.

Specifically, we recommend that the incoming administration and Congress launch a three-part prevention plan that would begin investing seriously in strengthening (1) U.S. diplomatic and conflict management capacities, (2) U.S. development assistance programs and infrastructure, and (3) U.N. and multilateral prevention, peacekeeping, and peacebuilding mechanisms.

A. Reinvest in Diplomacy and Increase Conflict Management Capacities

The United States needs a robust diplomatic corps to warn of impending crises, de-escalate conflicts, and support the peaceful settlement of disputes. To that end, the new administration and Congress should do the following.

1. *Reassert U.S. leadership in international diplomacy.* The new administration and Congress should rebuild U.S. leadership in the world by making diplomacy and the prevention of deadly conflict pillars of U.S. foreign policy, outlined clearly in the next *National Security Strategy*.
2. *Rightsize the State Department.* In January 2008, Secretary Rice's Advisory Committee on Transformational Diplomacy recommended a two-fold increase in deployable State Department personnel over the course of 10 years. We urge the new administration and Congress to support this robust staffing increase. A first step should be the appropriation of funds to fill U.S. embassies to capacity and increase the U.S. diplomatic presence in "global hot spots," such as East and Central Africa, the Middle East and South Asia. An adequate staffing level should allow Foreign Service officers to leave their posts to undergo training in new skills without leaving an embassy under-resourced. In addition to immediately filling the 1,100 empty desks at U.S. embassies around the world, Congress should provide adequate funding to hire and train an additional 1,000 new Foreign Service officers in FY 2010.
3. *Create greater early warning capacities through periodic conflict analysis reports for each recipient of U.S. foreign assistance.* Even with increased diplomatic personnel, the challenge of garnering attention to a potential crisis as well as creating political will for early action to prevent genocide and mass atrocities remains. Using the annual State Department human rights reports as a model, Congress should request periodic country conflict assessments for every recipient of U.S. foreign assistance. These reports would assess the potential for deadly conflict and potential atrocities in a country based on the Interagency Conflict Assessment Framework (ICAF) approved in July 2008. To implement this initiative, Congress could either:

- Authorize and appropriate funds to train a cadre of Foreign Service officers in conflict analysis, early warning, and prevention that could undertake or provide technical support for periodic conflict assessments.
 - Authorize and appropriate funds for a semi-autonomous non-partisan government funded agency like the U.S. Institute of Peace (USIP) to manage this project.
4. *Bolster the State Department’s crisis response infrastructure by increasing funding for the Office of the Coordinator for Reconstruction and Stabilization (S/CRS).* Congress should provide S/CRS an annual budget of no less than \$250 million to stand up the Civilian Response Corps as well as increase conflict analysis, early warning, and prevention training programs for civilians engaged in reconstruction and stabilization missions. Congress should also establish a flexible conflict response fund of no less than \$100 million to facilitate rapid civilian response to emerging crises.
 5. *Reassert civilian control over U.S. foreign policy.* The unprecedented increase in the Pentagon’s authorities and resources has overwhelmed ambassadors’ ability to direct U.S. foreign policy at many U.S. embassies around the world. Congress should re-assert civilian control over foreign policy by discontinuing the Pentagon’s 1206 “Global Train and Equip” program and ensuring strong State Department oversight for all U.S. military and security assistance.

B. Increase and Make Development Assistance More Effective

Adequate and effective U.S. development assistance would go far in helping address root causes of violence and avert future crises. Toward that end, the new administration and Congress should do the following.

1. *Reassert civilian control over development.* The militarization of aid undermines both development and security. Congress and the new administration should halt the shift of development resources and authority to the Pentagon and place all development assistance under civilian control.
2. *Rebuild U.S. development infrastructure and expertise.* The United States needs a strong civilian development agency that is adequately funded, has a voice at the highest levels, and coordinates with other agencies. Recent proposals include rebuilding USAID into a Cabinet-level agency or significantly strengthening the current structure. The new administration and Congress should undertake an immediate assessment of U.S. development capacity and consider options for restructuring USAID, with the goal of implementing any changes within a year. Regardless of what form a stronger development agency eventually takes, however, the need for more skilled personnel is urgent. Accordingly, the new administration and Congress should immediately move to double the number of U.S. development personnel with technical expertise over the next three years, as recommended by Secretary Rice’s Advisory Committee on Transformational Diplomacy.

3. *Increase poverty-reduction focused assistance.* Robust investments in foreign assistance accounts that promote sustainable development, address crises when they occur, and meet the needs of vulnerable children in lesser developed countries are integral to reducing the structural causes of conflict and breaking cycles of violence. Increasing investments in people and meeting human needs is also central to undermining support for extremism and restoring U.S. standing in the world. We urge the next administration and Congress to commit significant resources to reducing global poverty. In fiscal year 2010 appropriations, Congress should start by increasing the following accounts:
 - Development Assistance (DA) from \$1.6 billion (FY 08) to \$3.2 billion.
 - Child Survival and Health (CSH) from \$1.8 (FY 08) to \$3.6 billion.
 - Migration and Refugee Assistance (MRA) from \$1 billion (FY08) to \$2 billion.
4. *Untie foreign assistance.* The United States “ties” aid — by requiring that recipients purchase U.S. goods or services — more than any other country. Tying aid to U.S. commercial interests undermines sustainable development and impedes U.S. aid effectiveness. The new administration and Congress should untie all foreign assistance and focus on long-term sustainable development needs, including the diversification of local economies.
5. *Increase funding for conflict analysis, prevention, and peacebuilding programs in USAID.* Both the Office on Transition Initiatives (OTI) and the Office of Conflict Management and Mitigation (CMM) in USAID play important roles in making U.S. development assistance more effective, particularly in countries emerging from conflicts or facing potential new ones. OTI encourages good governance, democracy, and civil society participation in transition countries, while CMM is helping integrate conflict analysis and peacebuilding into USAID’s programs. These small but highly effective programs should be supported and amplified to strengthen the prevention and peacebuilding dimensions of U.S. development aid. Congress should provide a 50% increase from FY08 appropriations for these offices in FY10 appropriations.

C. Enhance U.N. and Multilateral Peace Capacities

The protection of vulnerable populations is a global responsibility that requires strong international capacities for prevention and response. To that end, the incoming Congress and administration should do the following.

1. *Fully meet U.S. obligations to the United Nations.* U.N. prevention and peacebuilding mechanisms — including the offices of special advisors on the prevention of genocide and on the responsibility to protect, the mediation and “good offices” capacities, and the deployment of preventive diplomacy teams — depend on annual member-state donations. The nearly \$2 billion U.S. debt to the United Nations undermines U.S. standing and hampers the U.N. capacity to fulfill its mission of preventing war. Congress should immediately pay all U.S. arrears to the United Nations and pay annual dues on time.

2. *Lift the peacekeeping cap and fully fund international peacekeeping.* The United States should put its money where its mouth is when it votes for new or expanded U.N. peacekeeping missions. Congress should permanently lift the cap placed on U.S. contributions to U.N. peacekeeping. The cap is outdated and does not reflect the important role of U.N. peacekeeping operations in shoring up political settlements, protecting civilians, and preventing a resumption of conflict in weak states. The new administration should request and Congress should appropriate the full U.S. share of U.N. peacekeeping dues through the Contributions to International Peacekeeping Account for FY 2010.
3. *Support U.N. prevention and peacebuilding capacities.* The three-year-old U.N. Peacebuilding Commission (UNPBC) funds two-year projects to meet critical reconstruction and development needs in war-torn countries. It has had measurable success in “supporting the peace” through projects in Guinea-Bissau, Burundi, and Sierra Leone. The U.S. should make a voluntary contribution of no less than \$50 million for FY 2010 to the UNPBC Fund. This is a modest and cost-effective investment to make peace sustainable, as well as prevent the reoccurrence of conflict and costly intervention. The United States should also demonstrate its robust support for the UNPBC by sending high-level representatives to participate in the commission.
4. *Strengthen regional peacebuilding and prevention capacities.* While the United States pays regular contributions to the OAS and has helped fund the A.U. mission in Darfur, the work of regional organizations in helping prevent deadly conflict and atrocities is not adequately supported, and aid often arrives only after a crisis emerges. Congress should designate specific funding to support capacity-building for regional organizations, beginning with \$300 million in FY 2010 appropriations. We recommend that a significant portion of such funding go to bolster the African Union’s diplomatic and peacekeeping capacities.

VI. Conclusion

The changing nature of conflict requires new approaches and new capacities, both within the U.S. and the international system. Having joined the world in affirming the responsibility to protect, the United States should now lead the way in building the necessary tools to fulfill that responsibility. It is not only a moral imperative but also a matter of national and international security.

The responsibility to protect begins with the *responsibility to prevent*. “Operationalizing” R2P requires renewed attention and serious investment in building capacities for the early and effective prevention of atrocities and deadly conflict. Unfortunately, a serious gap exists between the rhetoric of prevention and the civilian capacities of the United States and the international community to help deescalate crises before they erupt into violence.

Filling this prevention gap should be a foreign policy priority of the next administration and Congress. Practical steps include a strengthened and better trained diplomatic corps; more effective early warning and civilian response mechanisms; improved development assistance to address root causes and help mitigate conflict; and greater support for UN and regional peacebuilding and prevention tools.

It is far past time to make the promises of “never again” a reality.

“It is by preventing, rather than reacting, that we can truly fulfill our shared responsibility to end the worst forms of human rights abuses.”

-Archbishop Desmond Tutu, February 2008

Appendix: What the Experts Say

“It has become clear that America's civilian institutions of diplomacy and development have been chronically undermanned and underfunded for far too long -- relative to what we traditionally spend on the military, and more importantly, relative to the responsibilities and challenges our nation has around the world.”

Secretary of Defense, Robert M. Gates, Remarks at the U.S. Global Leadership Campaign Tribute Dinner, July 15, 2008.

“It is time, past time, for a new strategic triad – diplomacy and development, as well as defense – to prepare us for the challenges ahead. We note that the President’s budget calls for significant investments in USAID personnel, and the creation of a Civilian Response Corps, which you and Senator Lugar have championed. These are important first step.”

Joint Testimony of General Anthony Zinni, USMC (Ret.) and Admiral Leighton W. Smith, Jr., USN (Ret.), Senate Foreign Relations Committee Hearing, March 5, 2008.

“Simply put, it is time to repair our relationship with the world and begin to take it to the next level - a level defined not only by our military strength, but also by the lives we save and the opportunities we create for the people of other nations. We call upon the next president to elevate the use of tools such as development assistance and diplomacy as integral parts of our national security strategy.”

From “*A Smarter Weapon*,” USA Today op-ed by General Anthony C. Zinni, U.S. Marine Corps (Retired) and Admiral Leighton W. Smith, Jr., U.S. Navy (Retired).

“New institutions are needed for the 21st century, new organizations with a 21st century mind-set...we need to develop a permanent, sizeable cadre of immediately deployable experts with disparate skills, a need which President Bush called for in his 2007 state of the union address, and which the State Department is now working on with its initiative to build a civilian response corps. Both the President and Secretary of State have asked for full funding for this initiative.”

Secretary of Defense, Robert M. Gates, Landon Lecture (Kansas State University), November 26, 2007.

“The military just can’t do it all. Security is a necessary but not sufficient part of solving the kinds of problems that we are in right now, as well as problems that I think will be out there in the future.”

Joint Chiefs of Staff Admiral Mike Mullen, Remarks at the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas, October 24, 2007.

“Our civilian agencies are under resourced to meet the requirements of the twenty-first century...If we’re going to be able to prevent having to send thousands of troops, we need to be able to get folks over to be able to help with judiciary systems, be able to help with engineering, be able to help with electricity and the like, before a country devolves into a state where the terrorists can find a home.”

General Peter Pace, testimony before the Senate Armed Services Committee, February 6, 2007.

“...[P]eacekeeping and reconstruction should be seen as conflict prevention done late. The more successful the diplomatic and development efforts to prevent and mitigate conflict, the less likely it would be that the United States will be called to embark on these difficult and costly post-conflict missions.”

In the Wake of War: Improving U.S. Post-Conflict Capabilities, report of an Independent Task Force sponsored by the Council on Foreign Relations. Task Force Co-Chairs: Samuel R. Berger and Brent Scowcroft; Project Director: Major General William L. Nash, (Ret.), September 2005.

“What we are doing to our diplomatic capabilities is criminal...By slashing them, we are less able to avoid disasters such as Somalia or Kosovo and therefore we will be obliged to use military force still more often.”

Former Chairman of the Joint Chiefs of Staff General Shalikashvili on the eve of NATO’s intervention in Kosovo. Quoted by Dana Priest in *The Mission: Waging War and Keeping Peace With America’s Military* (W.W. Norton, 2003), page 54.

“Development reinforces diplomacy and defense, reducing long-term threats to our national security by helping to build stable, prosperous, and peaceful societies. Improving the way we use foreign assistance will make it more effective in strengthening responsible governments, responding to suffering, and improving people’s lives.”

2006 United States National Security Strategy

“All of these efforts call for greater U.S. engagement on development—not less. All call for elevating development on a par with diplomacy and defense—not subordinating it. All emphasize the need for stronger civilian operational capabilities for development, humanitarian, and post conflict missions. All call for coordination of aid with other soft power tools such as trade and debt relief.”

Lael Brainard, Brookings Institution, Testimony before the House Appropriations Subcommittee on State, Foreign Operations, and Related Programs, January 23, 2008.

“Our goal is to help States succeed, not just to react once they have failed to meet their prevention and protection obligations. It would be neither sound morality, nor wise policy, to limit the world’s options to watching the slaughter of innocents or to sending in the marines. The magnitude of these four crimes and violations demands early, preventive steps -- and these steps should require neither unanimity in the Security Council nor pictures of unfolding atrocities that shock the conscience of the world.”

Secretary General Ban Ki Moon, “Responsible Sovereignty: International Cooperation for a Changed World,” Speech in Berlin, Germany. July 15, 2008.

“While the scope of RtoP should remain narrow, the range of tools for implementing it - whether by the UN, its regional, sub-regional, and civil society partners, or Member States - runs deep. Its programmatic dimensions include 1) capacity building and rebuilding, 2) early warning and assessment, 3) timely and decisive response, and 4) collaboration with regional and sub-regional arrangements. The stress is on prevention and building the capacity of states to resist turning to the path of genocide, war crimes, ethnic cleansing, and crimes against humanity.”

Edward Luck, Special Adviser to the Secretary General of the United Nations, Testimony to a Senate Foreign Relations Subcommittee, June 17, 2008.

¹ See *FY08 Department of Defense Authorization bill, Section 1266*.

² Priest, Dana. *The Mission: Waging War and Keeping Peace With America's Military* (W.W. Norton, 2003), page 54.

³ "Taking the responsibility to protect," Desmond Tutu, *International Herald Tribune*, February 20, 2008.

⁴ The commission was sponsored by the Canadian government, cochaired by Gareth Evans and Mohamed Sahnoun, and included members Gisèle Côté-Harper, Lee Hamilton, Michael Ignatieff, Vladimir Lukin, Klaus Naumann, Cyril Ramaphosa, Fidel Ramos, Cornelio Sommaruga, Eduardo Stein, and Ramesh Thakur.

⁵ *The Responsibility to Protect* (Ottawa: International Commission on Intervention and State Sovereignty, 2001), <http://www.iciss.ca/menu-en.asp>

⁶ Relevant clauses from the document state: "Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability" (138). "The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out" (139).

⁷ "Work with Others to Diffuse Regional Conflicts," in *The National Security Strategy of the United States of America*, March 16, 2006, <http://www.whitehouse.gov/nsc/nss/2006/nss2006.pdf>, p. 14.

⁸ Steven Groves, *The U.S. Should Reject the U.N. "Responsibility to Protect" Doctrine* (Washington, DC: Heritage Foundation, May 1, 2008).

⁹ *National Security Strategy* (2006), P 17.

¹⁰ FY 2008 Department of Defense authorization bill, section 1266.

¹¹ *Preventing Deadly Conflict: Final Report* (New York: Carnegie Commission on the Prevention of Deadly Conflict, Carnegie Corporation, 1997), www.wilsoncenter.org/subsites/ccpdc/pubs/rept97/finfr.htm

¹² *Responsibility to Protect*.

¹³ *In the Wake of War: Improving U.S. Post-Conflict Capabilities—Report of an Independent Task Force* (New York: Council on Foreign Relations, 2005). The task force cochairs were Samuel R. Berger (national security advisor to President Bill Clinton from 1997 to 2001) and Brent Scowcroft (national security advisor to Presidents Ford and George H. W. Bush and chairman of the President's Foreign Intelligence Advisory Board under President George W. Bush, 2001–2005). The project director was Maj. Gen. William L. Nash, USA (Ret.).

¹⁴ *Responsibility to Protect*; our emphasis.

¹⁵ U.N. General Assembly, *2005 World Summit Outcome Document*, document A/60/L.1, paragraph 74.

¹⁶ *Prevention of Genocide and Mass Atrocities and the Responsibility to Protect: Challenges for the UN and the International Community in the 21st Century* (New York: International Peace Institute, 2008, p.5); our emphasis.

¹⁷ *Ibid.* p. 1.

¹⁸ Ed Luck, testimony before the Senate Foreign Relations Subcommittee on International Development and Foreign Assistance, Economic Affairs, and International Environmental Protection, June 17, 2008.

¹⁹ FCNL's budget analysis considers military aid and training programs under the 150 account as military spending. Other estimates, including the Unified Security Budget, which has estimated 90% military and 10% as other aid, may show slightly different numbers.

²⁰ Dana Priest, *The Mission: Waging War and Keeping Peace with America's Military* (New York: W. W. Norton, 2003); for Shalikhshvili's warning quoted in the epigraph, see p. 54.

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- ²¹ *The International Affairs Budget — A Sound Investment in Global Leadership: Questions and Answers*, U.S. Department of State Dispatch, Oct. 16, 1995, findarticles.com/p/articles/mi_m1584/is_n42_v6/ai_17611822/pg_1
- ²² Richard Gardner, “The One-Percent Solution,” *Foreign Affairs*, July/August 2000, www.foreignaffairs.org/20000701facomment56/richard-n-gardner/the-one-percent-solution.html
- ²³ Chairman Howard Berman, House Foreign Affairs Committee, Hearing: “Foreign Assistance Reform: Rebuilding U.S. Civilian Development and Diplomatic Capacity in the 21st Century,” June 25, 2008.
- ²⁴ U.S. Secretary of Defense Robert M. Gates, Landon Lecture (Kansas State University), Monday, November 26, 2007. <http://www.defenselink.mil/speeches/speech.aspx?speechid=1199>
- ²⁵ Gen. Anthony Zinni (Ret.) and Adm. Leighton Smith (Ret.), Joint Testimony before the Senate Foreign Relations Committee, March 5, 2008, foreign.senate.gov/testimony/2008/SmithTestimony080305a.pdf
- ²⁶ Jeffrey Gettleman, “Kofi Annan Sees Progress in Kenya Talks,” *International Herald Tribune*, Feb. 8, 2008, www.iht.com/articles/2008/02/08/africa/kenya.php
- ²⁷ Gérard Prunier, “Kenya: Roots of Crisis,” *Open Democracy*, January 7, 2008, www.opendemocracy.net/article/democracy_power/kenya_roots_crisis
- ²⁸ Senate Foreign Relations Subcommittee Hearing, “International Disaster Assistance: Policy Options,” June 17, 2008.
- ²⁹ “Ballots to Bullets: Organized Political Violence and Kenya’s Crisis of Governance,” *Human Rights Watch*, March 2008, www.hrw.org/reports/2008/kenya0308/10.htm#_Toc193008591
- ³⁰ Overseas Presence Advisory Panel, *America’s Overseas Presence in the 21st Century* (Washington, DC: U.S. Department of State, November 1999), 5.
- ³¹ *Ibid.*
- ³² *Secretary Colin Powell’s State Department: An Independent Assessment—Task Force Report* (Washington, DC: Foreign Affairs Council, March 2003), www.unc.edu/depts/diplomat/archives_roll/2003_04-06/fac/fac_task.html
- ³³ *State Department: Staffing and Ineffective Assignment System Compromise Diplomatic Readiness at Hardship Posts* (Washington, DC: Government Accountability Office, June 2002), www.gao.gov/new.items/d02626.pdf
- ³⁴ *Secretary Colin Powell’s State Department.*
- ³⁵ Connie Vielle and Susan Epstein, *State, Foreign Operations, and Related Programs: FY2008 Appropriations*, CRS (Congressional Research Service) Report for Congress, May 30, 2007, www.fas.org/asmp/resources/110th/CRSRL34023.pdf
- ³⁶ *A Call to Action: The Secretary of State’s Advisory Committee on Transformational Diplomacy* (Washington, DC: U.S. Department of State, January 2008), <http://www.state.gov/documents/organization/99903.pdf>, p. 8.
- ³⁷ Senate Foreign Relations Committee, “Embassies as Command Posts in the Anti-Terror Campaign,” 109th Cong., 2nd Sess., December 15, 2006, www.fas.org/irp/congress/2006_rpt/embassies.html, p. 10
- ³⁸ Karen DeYoung, “U.S. to Cut 10 Percent of Diplomatic Posts Next Year,” *Washington Post*, Dec. 13, 2007.
- ³⁹ *Ibid.*
- ⁴⁰ Until the recent passage of the FY 2008 emergency supplemental bill, appropriators had provided S/CRS an annual budget of between \$7.7 million and \$24 million since its creation.
- ⁴¹ Elaine Monaghan, “Somalia: Turning Enemies into Allies,” *CQ Weekly*, Oct. 30, 2006.
- ⁴² Stephanie McCrummen, “Ethiopian Aircraft Bomb Somali Towns in Escalating Conflict,” *Washington Post*, December 25, 2006, www.washingtonpost.com/wp-dyn/content/article/2006/12/24/AR20061224000073.html
- ⁴³ Patrick Duplat and Erin Weir, “Somalia: Proceed with Caution,” *Refugees International*, March 31, 2008, www.refugeesinternational.org/content/article/detail/10534/
- ⁴⁴ “Table 1: Net Official Development Assistance in 2007, Preliminary Data for 2007” (Organization for Economic Co-operation and Development, April 4, 2008), www.oecd.org/dataoecd/27/55/40381862.pdf
- ⁴⁵ Sam Worthington, “InterAction Response to Senator Lugar’s Question for the Record,” July 2, 2007, www.interaction.org/files.cgi/5866_InterAction_Response_to_Question_for_the_Record_-_Senator_Lugar_-_July_3_2007.pdf
- ⁴⁶ *Ibid.*

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- ⁴⁷ Brian Atwood (former USAID administrator), House Foreign Affairs Committee, Hearing, “Foreign Assistance Reform: Rebuilding U.S. Civilian Development and Diplomatic Capacity in the 21st Century,” June 25, 2008.
- ⁴⁸ Peter McPherson (former USAID administrator), House Foreign Affairs Committee, Hearing, “Foreign Assistance Reform: Rebuilding U.S. Civilian Development and Diplomatic Capacity in the 21st Century,” June 25, 2008.
- ⁴⁹ Miriam Pemberton, Lawrence Korb, et al., *A Unified Security Budget for the United States, FY 2008* (Washington, DC: Foreign Policy in Focus, Institute for Policy Studies, 2007), www.fpif.org/pdf/reports/0704unifiedsecuritybudget.pdf
- ⁵⁰ *Ibid.*
- ⁵¹ Lael Brainard, vice president of Global Economy and Development, testimony before the House Subcommittee on State, Foreign Operations, and Related Programs, January 23, 2008, www.brookings.edu/testimony/2008/0123_foreign_assistance_reform_brainard.aspx
- ⁵² *Aid Effectiveness: 2006 Survey on Monitoring the Paris Declaration — Overview of the Results* (Paris: OECD, 2007), table B.8, “How Much Aid Is Untied?” www.oecd.org/dataoecd/58/28/39112140.pdf, p. 85.
- ⁵³ Paul Collier, Lisa Chauvet, and Haavard Hegre, *The Security Challenge in Conflict-Prone Countries*, Copenhagen Consensus 2008 Challenge Paper, www.copenhagenconsensus.com/Files/Filer/CC08/Papers/0%20Challenge%20Papers/CP_Conflicts_-_Collier.pdf, p. 21.
- ⁵⁴ Andrew Sweet and Natalie Ondiak, *The Costs of Reaction: The Long-Term Costs of Short-Term Cures* (Washington, DC: Center for American Progress, July 2008), www.americanprogress.org/issues/2008/07/sustainable_security3.html
- ⁵⁵ For a brief overview of such studies, see “Meeting New Challenges,” *United Nations Peacekeeping* (New York: Peace and Security Section, United Nations Department of Public Information, 2006), www.un.org/Depts/dpko/dpko/faq/q3.htm
- ⁵⁶ The UNPBSF originally sought pledges of \$250 million for work in these two countries, and sixteen member states — Indonesia, Finland, Sweden, Egypt, United Kingdom, Turkey, China, Denmark, the Netherlands, Japan, Korea, Ireland, Iceland, Luxembourg, Belgium, and Croatia — committed a total of \$144 million; Pemberton, Korb, et al., *Unified Security Budget*, www.fpif.org/pdf/reports/0704unifiedsecuritybudget.pdf
- ⁵⁷ See *U.S. Debt to the United Nations* (Washington, DC: Better World Campaign, March 2008), www.betterworldcampaign.org/resources/us-arrears-to-un-summary-3-2008.pdf
- ⁵⁸ See Foreign Relations Authorization Act, FY 1995 (P.L. 103-236), Sec. 404 (b), <http://www.thomas.gov/cgi-bin/bdquery/z?d103:h.r.02333>:
- ⁵⁹ Henri Boshoff, “The African Union Mission in Sudan: Technical and Operations Dimensions,” *African Security Review* 14.3 (2005), www.iss.co.za/pubs/ASR/14No3/AWBoshoff.htm
- ⁶⁰ Glenn Kessler, “U.S. Prods, Makes Promises to End Violence in Sudan’s Darfur Region,” *Washington Post*, November 4, 2005, www.washingtonpost.com/wp-dyn/content/article/2005/11/03/AR2005110301989.html
- ⁶¹ Laurie Nathan, *No Ownership, No Peace: The Darfur Peace Agreement* (London: Crisis States Research Centre, 2006), www.crisisstates.com/download/wp/wpSeries2/WP5.2.pdf, p. 16.
- ⁶² Thom Shanker, “Proposed Military Spending Is Highest since WWII,” *New York Times*, Feb. 4, 2008, www.nytimes.com/2008/02/04/washington/04military.html?_r=1&oref=slogin
- ⁶³ Gordon Adams, “Getting U.S. Foreign Assistance Right,” *Bulletin of Atomic Scientists*, May 2, 2008.
- ⁶⁴ Frank Morris, “Mullen Says U.S. Should Mount Diplomatic Offensive,” National Public Radio (NPR), *Morning Edition*, October 24, 2007, www.npr.org/templates/story/story.php?storyId=15584451
- ⁶⁵ *National Security Strategy* (2006), 33.
- ⁶⁶ Senate Foreign Relations Committee, “Embassies as Command Posts in the Anti-Terror Campaign,” 109th Cong., 2nd Sess., December 15, 2006, www.fas.org/irp/congress/2006_rpt/embassies.html, p. 10.
- ⁶⁷ *Ibid.*
- ⁶⁸ Stewart Patrick and Kaysie Brown, *The Pentagon and Global Development: Making Sense of the DoD’s Expanding Role* (Washington, DC: Center for Global Development, November 2007), p. 4.
- ⁶⁹ *Smart Development: Why U.S. Foreign Aid Demands Major Reform* (Boston: Oxfam America, May 2008).
- ⁷⁰ Quoted in “Report: U.S. Aid to Africa Is Increasingly Militarized,” *Washington Post*, July 18, 2008.