

Regional Mass Atrocity Prevention and Response Operations in a World of Overlapping Boundaries

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"Presidential Study Directive on Mass Atrocities/PSD-10" and the 2010 *National Security Strategy* elevated mass atrocities to a "core national security interest." This study argues that PSD-10 will be implemented in a world where international borders are not as fixed as they once were. It explores whether or not preparation for, and thinking related to, mass atrocity prevention and response operations (MAPRO) captures the regional nature of mass atrocities and requisite regional approaches. This paper's thesis, that MAPRO does not sufficiently reflect regionalization, was found to be correct based on three arguments. First, MAPRO guiding documents identified regional dynamics pertinent to mass atrocities but did not address why regionalized mass atrocities may occur. Second, in weak state/weak regions, non-state/state actors may perceive different cognitive or physical boundaries. Civilians in these weak regions are particularly vulnerable to mass atrocities committed by state or non-state actors, thus approaches may need to be regional. Third, U.S. Government civilian missions overseas are not structured for regional operations, though this may change soon. Lastly this paper uses two case studies to illustrate regionalization of conflicts and how U.S. civilian agencies have been forced to adopt regional approaches to addressing the conflicts that may be useful for future MAPROs.

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Abstract

REGIONAL MASS ATROCITY PREVENTION AND RESPONSE OPERATIONS IN A WORLD OF OVERLAPPING BOUNDARIES, by Mr. William James Meeker, U.S. Department of State, 63 pgs.

“Presidential Study Directive on Mass Atrocities/PSD-10” and the 2010 *National Security Strategy* elevated mass atrocities to a core national security interest. This study argues that PSD-10 will be implemented in a world where international borders are not as fixed as they once were. It explores the question of whether or not preparation for, and thinking related to, mass atrocity prevention and response operations (MAPRO) captures the regional nature of mass atrocities and requisite regional approaches to address the atrocities. This paper’s thesis, that MAPRO does not sufficiently reflect regionalization, was found to be correct based on three arguments. First, MAPRO guiding documents identified regional dynamics pertinent to mass atrocities but did not address why regionalized mass atrocities may occur. Second, in weak state/weak regions, non-state actors or state actors may perceive different cognitive or physical boundaries. Civilians in these weak regions are particularly vulnerable to mass atrocities committed by state or non-state actors. Third, U.S. Government civilian missions overseas are not currently structured for regional operations, though this may change soon. Lastly, this paper uses two case studies to illustrate regionalization of conflicts and how U.S. civilian agencies have been forced to adopt regional approaches to addressing them that may be useful for future operations.

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Introduction

Many members of the UN General Assembly, in particular western democracies, have expressed support for a set of principles, based on human rights norms, codifying the notion that the international community has a collective “responsibility to protect” civilians from mass atrocities.¹ The central theme of responsibility to protect is the principle that nation-states are obligated to protect citizens from mass atrocities, and if they do not, the international community may violate their sovereignty to do so.² The Obama Administration has expressed support for the principle of responsibility to protect in the 2010 National Security Strategy (NSS). In the NSS, the President expressed the willingness to use U.S. “diplomatic, humanitarian, financial, and—in certain instances—military” action to halt atrocities.³ President Obama’s August 2011 “Presidential Study Directive on Mass Atrocities” (PSD-10) codified that commitment by elevating atrocity prevention to a “core national security interest,” and instructed the interagency to explore ways to prevent and/or stop mass atrocities.⁴

In the context of this new policy, U.S. perspectives on the international system have started to change. International borders are seen by many as increasingly less relevant and fixed. Globalization has led to an interconnected world, where trade, communications, public opinion,

¹ Canada, Ontario, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (December 2001), VIII, <http://www.iciss.ca/report-en.asp> (accessed July 27, 2011); International Coalition for the Responsibility to Protect, *Report on the General Assembly Plenary Debate on the Responsibility to Protect* (New York, NY: International Coalition for the Responsibility to Protect, September 5, 2009), http://www.responsibilitytoprotect.org/ICRtoP%20Report-General_Assembly_Debate_on_the_Responsibility_to_Protect%20FINAL%2009_22_09.pdf (accessed April 8, 2012).

² *Ibid.*, XI-XII.

³ U.S. President, *National Security Strategy* (Washington, DC: Government Printing Office, May 2010), 48, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf (accessed August 30, 2011).

⁴ U.S. President, Presidential Study Directive, “Presidential Study Directive/PSD-10: Presidential Study Directive on Mass Atrocities,” Washington, DC: Government Printing Office, August 4, 2011, <http://www.whitehouse.gov/the-press-office/2011/08/04/presidential-study-directive-mass-atrocities> (accessed August 30, 2011).

and conflict are not as contained as they once were. U.S. Secretary of State Hillary Clinton has asserted, “that solving foreign policy problems today requires us to think regionally and globally, to see the intersections and connections linking nations and regions and interests...”⁵ Secretary Clinton’s statement implies that state-centric approaches to addressing today’s national security threats must be augmented — if not challenged — by regional and global approaches. In addition, it has become increasingly apparent in the last century that weak states cannot control their borders despite being accorded with full sovereignty in the international system. It stands to reason that in an increasingly connected international system with many weak states, the U.S. Government’s commitment to halt mass atrocities may imply a need for regional approaches.

The study seeks to answer the question of whether or not preparation for, and thinking related to, mass atrocity prevention and response operations (MAPRO) captures the regional nature of atrocities and requisite regional approaches. The thesis of this paper is that MAPRO does not sufficiently reflect regionalization for three principal reasons. First, MAPRO policy and strategic documents identify regional dynamics pertinent to a MAPRO, but only touch on them indirectly. Second, a host of states in the international system are weak and form weak regions in which civilians are particularly vulnerable. Thus, regionalized mass atrocities may be a larger problem than currently contemplated. Third, U.S. Government civilian missions overseas are primarily bilateral so they may not be currently structured for regional operations. To support the second and third points, this paper uses two case studies to illustrate regionalization of conflicts and how U.S. civilian agencies have been forced to adopt novel organizational approaches to addressing them. These assertions are substantiated by several bodies of evidence.

⁵ U.S. Department of State and U.S. Agency for International Development, *Quadrennial Diplomacy and Development Review* (Washington, D.C.: Government Printing Office, 2010), vi, <http://www.state.gov/documents/organization/153109.pdf> (accessed November 19, 2011).

The first body of evidence demonstrates that extant U.S. and international community policy on atrocity prevention and response have acknowledged the regional dynamics of conflicts and concomitant vulnerability of civilian populations. However, they have not adequately explored the implications that regionalization may have on future atrocity prevention operations. This section covers *The Responsibility to Protect* report, which formed the foundation for the principle of responsibility to protect.⁶ It will also review U.S. policy documents that elevated atrocity prevention and response to a core national security interest. This leads to an exploration of nascent operational guidance on MAPRO produced by think-tanks and government-affiliated centers to determine the extent to which regional issues are addressed. It then explains why the notions of regionalization articulated in the literature on MAPROs must be expanded.

The second body of evidence supports the argument that the international environment is such that bilateral operations may be insufficient to deal with future mass atrocities. This section supports the assertion that international borders are no longer barriers as they might have once seemed. Nation-states are increasingly interconnected through economics, migration, disease, and conflict, all of which impact neighboring states. Within the international system, there are weak states that are unable or unwilling to protect civilians within their borders. Clusters of these weak states form weak regions where civilians in several adjoining states may be vulnerable to predatory state actors or violent non-state actors. Likewise, violent non-state actors often do not respect international borders. They use coercion to establish their own territorial boundaries that may cut across multiple weak nation-states.

At the same time, this study shows that civilian social support networks based on ethnic ties or sources of livelihood may not align with international borders. Civilians in these regions are unprotected from predatory non-state actors or state actors. Weak regions, predatory non-state

⁶ Canada.

actors, and cross-border ties of civilian populations, all point to the likelihood that future mass atrocities and civilian coping mechanisms may not be constrained by borders. Therefore, if the U.S. government is to protect civilians from mass atrocities, it may need to embrace a regional approach for future MAPROs. These characteristics can be found in many regions in the world. However, this paper focuses on a particular region, sub-Saharan Africa, to more clearly demonstrate how the confluence of these variables can lead to regionalization of mass atrocities. It then turns to how U.S. Government civilian agencies are structured overseas to determine if they can support regional operations.

Third, this paper argues that the U.S. civilian agencies operating overseas must address organization and training if they are to effectively conduct regional MAPROs. It focuses on the civilian elements of atrocity prevention operations because the Department of State (State) and USAID traditionally interact overseas through bilateral relationships, thus regional approaches may be problematic to implement with current organization and training.⁷ In addition, atrocity prevention or response operations will require heavy MAPRO and U.S. Agency for International Development (USAID) involvement given that the strategic objective for such a mission is the protection of civilians from mass atrocities.⁸ There are a number of ongoing initiatives focused on U.S. Department of Defense (DoD) doctrine and training for MAPROs so this paper focuses on the civilian side of operations.

⁷ Sarah Sewall, Dwight Raymond, and Sally Chin, *Mass Atrocity Response Operations: A Military Planning Handbook* (Boston, MA: The Carr Center for Human Rights and Policy, Harvard Kennedy School, and the US Army Peacekeeping and Stability Operations Institute, and the President and Fellows of Harvard College, 2010), 92, 102, <http://www.hks.harvard.edu/cchrp/maro/handbook.php> (accessed July 27, 2011). The authors highlighted civilian agency organization and training focused on atrocity prevention as an area for improvement.

⁸ This does not imply that other national security interests will not be relevant to a MAPRO. In reality, a MAPRO will likely be used to address a host of national security concerns, of which atrocity prevention is one.

Lastly, this study will investigate two case studies which further illustrate the importance and likelihood of regionalization of conflicts in the context of weak regions of states and how civilian agencies have had to adapt accordingly. These case studies provide the opportunity to highlight how and why the U.S. Government may have to contend with regional operations in future MAPROs. The first study focuses on the Vietnam war-era and the second deals with the current Counter Lord's Resistance Army Mission in Central and East Africa. These cases studies also help to highlight areas to improve regional interagency coordination for future atrocity prevention operations.⁹ The paper concludes with a summary of its findings and recommendations on a way forward to better prepare for regional MAPROs.

Responsibility to Protect: Concepts and Definitions

Responsibility to protect is a common term in the discourse of the international community but nonetheless, it is necessary to establish working definitions for the concept and associated terms to guide the reader through this study. Relying on J.L. Holzgrefe, this study defines humanitarian intervention as "...the threat or use of force across state borders by a state or group of states aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied."¹⁰ Humanitarian intervention was the precursor to mass atrocity prevention and response operations. For purposes of this study, *The Responsibility to Protect* and PSD-10 were used to define mass atrocities as violations of the human rights of a particular group

⁹ Unless otherwise specified, interagency is used in this paper to refer to both U.S. government civilian and military agencies or departments.

¹⁰ This definition is adapted from J.L. Holzgrefe to include elements pertinent to the policy discussion at hand. J.L. Holzgrefe, "The Humanitarian Intervention Debate" in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, eds. J.L. Holzgrefe and Robert O. Keohane (Cambridge, UK: Cambridge University Press, 2003), 18.

or groups on a large scale, to include mass sexual violence, murder, genocide, displacement, or starvation.¹¹

One might reasonably ask what the criteria are for determining whether or not a particular event qualifies as a mass atrocity. Is there a numerical threshold for the number of people killed or displaced before an event is characterized as a mass atrocity? Unfortunately, as of the date of this publication, there is no consensus in the policy community. There will likely be none as such a determination is subjective, that is based on a particular nation's perspective, which is highly politicized. In a sense, U.S. and international community leaders make the determination as to what constitutes a mass atrocity and necessitates a response.

Humanitarian intervention used to respond to mass atrocities has become known as mass atrocity response operations (MARO) or MAPRO.¹² However, unlike Holzgrefe's definition of humanitarian intervention cited above, a MAPRO could conceivably focus on preventing a non-state actor from committing mass atrocities and the external interveners might have the permission of a government of that state to conduct the intervention. Conceptually, MARO is used in reference to an intervention to halt mass atrocities while MAPRO encompasses prevention, that is actions taken before an event escalates to a mass atrocity, as well as an intervention. However, actions aimed at preventing, as opposed to halting, an event from escalating to a mass atrocity could also necessitate an intervention. As such, this paper uses the

¹¹ Canada, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*; U.S. President, "Presidential Study Directive/PSD-10: Presidential Study Directive on Mass Atrocities." This definition is adapted from *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* and "Presidential Study Directive /PSD-10."

¹² Sewall, Raymond and Chin, 17; EUCOM and AFRICOM, "Mass Atrocity Planning and Intervention Conference" (Conference, Oberammergau, Germany, November 7-9, 2012). MAPRO was a term used at a EUCOM and AFRICOM conference attended by the author. The term refers to both atrocity prevention and intervention.

broader term, MAPRO, to refer to intervention operations focused on halting an impending or active mass atrocity.

MAPRO Principles, Policy and Guidance: Bilateral Not Regional

This section argues that current policy, strategic and operational documents related to MAPRO do not sufficiently address regional considerations. It begins with a review of pertinent policy and strategic documents that codified mass atrocity prevention and response. The policy review then leads to a discussion of current operational considerations relevant to MAPROs, to include nascent doctrine and best practices. Each of the key MAPRO documents alludes to regional issues that the international community and the U.S. Government may face, but falls short of capturing the complexity of regional dynamics and the implications that they have on operations.

The Responsibility to Protect, published in 2001, was the first in a series of international treatises that codified principles pertaining to the international community's use of interventions to halt mass atrocities. The report was authored by the International Commission on Intervention and State Sovereignty (ICISS), an entity created by the Canadian Government and private foundations. ICISS was responding to then UN Secretary-General Kofi Annan's plea for the international community to explore options to respond to mass atrocities. The publication's central theme was, "sovereign states have a responsibility to protect their citizens from avoidable catastrophe — from mass murder and rape, and from starvation — but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states." ICISS wrote that coercive interventions, principally military, are justified in response to a threat, real or implied, of "large scale loss of life" or "large scale ethnic cleansing."¹³ They

¹³ Canada, VIII, XII.

argued that the international community must aim to prevent the atrocities before pursuing military intervention.

ICISS identified a few regional issues that may be relevant to intervention operations. The report supported atrocity prevention “policy, planning and programmes” that target “national, regional and international levels.”¹⁴ ICISS noted that drivers of instability, including refugee flows and predatory armed groups, often “spill over” across borders.¹⁵ However, their discussion stopped short of addressing the implications that such actions would have on a potential response. In addition, they did not explore the variables that contribute to regionalization. Since its publication, responsibility to protect has gained considerable support in the international community, particularly among western democracies.

From the 1990s until May of 2010, U.S. Presidents pursued policies that generally avoided military intervention which had protecting civilian as their primary objective. In Rwanda, the U.S. did not act until well after the genocide was over. If America had intervened in Rwanda, it would likely have required a regional approach as militant groups used eastern Democratic Republic of the Congo (DRC) as a refuge. Even in the subsequent election, candidates Bush and Gore expressed support for President Clinton’s decision not to commit troops to Rwanda.¹⁶ During the G.W. Bush administration, the U.S. Department of Defense’s working policy on humanitarian intervention reflected a similar reticence. The Weinberger-Powell doctrine held that

¹⁴ Ibid., 23, 26.

¹⁵ Ibid., 53.

¹⁶ Nicholas J. Wheeler, “Humanitarian Intervention After September 11, 2001,” in *Military Intervention: Cases in Context for the Twenty-First Century*, ed. William J. Lahneman (Lanham, MD: Rowman and Littlefield Publishers, Inc., 2004), 192.

only defense of “vital national security interests” warranted humanitarian intervention, and values did not meet that threshold.¹⁷

The Obama Administration’s decision to classify mass atrocities a “core national security interest” clearly deviated from this precedent.¹⁸ In the 2010 *National Security Strategy*, the Obama Administration expressed its commitment to responsibility to protect and asserted that it would apply all instruments of national power to prevent or respond to mass atrocities.¹⁹ The first intervention by the international community openly based on the logic and justification of responsibility to protect was the Libya operation. In response to the Qadhafi regime’s violent suppression of an internal rebellion movement, the international community imposed a no-fly zone to degrade the regime’s ability to target civilians.²⁰ The Libya case represented a significant commitment of the Obama Administration to support intervention, albeit with a “no boots-on-the-ground” limitation, to protect civilians. It promoted responsibility to protect in the midst of significant U.S. military commitments in Iraq and Afghanistan, which suggests the Obama Administration’s commitment to the principle.²¹ In Libya, however, the intervention aimed to

¹⁷ Tom J. Farer, “Humanitarian Intervention Before and After 9/11: Legality and Legitimacy” in *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*, eds. J.L. Holzgrefe and Robert O. Keohane (Cambridge, UK: Cambridge University Press, 2003), 54.

¹⁸ U.S. President, “Presidential Study Directive/PSD-10: Presidential Study Directive on Mass Atrocities.”

¹⁹ U.S. President, *National Security Strategy* (Washington, D.C.: Government Printing Office, May 2010), 48, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf (accessed August 30, 2011).

²⁰ UN Security Council, *UNSCR 1970* (New York, NY: Feb 26, 2011), 4-6, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1970%20%282011%29 (accessed February 26, 2011); UN Security Council, *UNSCR 1973* (New York, NY: Mar 17, 2011), 3-4, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973%20%282011%29 (accessed March 17, 2011). In February and March of 2011, the UN Security Council passed UNSCR 1970 and UNSCR 1973, which imposed sanctions and then authorized the use of a no-fly zone to protect civilians from the regime.

²¹ Some claim the U.S. engaged in the Libya operation to further other national interests. As with every decision to commit U.S. forces to an action, there were likely multiple interests at stake. Atrocity prevention was cited as the principal reason for the intervention. A detailed debate of this issue is beyond the scope of this paper, so it will not be addressed.

contain a state actor whose actions were restricted to the borders of one nation-state. As such, the U.S. did not have to implement a regional approach as will be discussed in a subsequent section of this paper. The Libya intervention marked a significant departure in U.S. policy that has continued to evolve.

Building on the *National Security Strategy* and following the Libya operation, on August 4, 2011, President Obama issued PSD-10, which created an interagency Atrocities Prevention Board (APB) and ordered a review of pertinent U.S. policy. PSD-10, which is currently being implemented, directed the interagency to develop policies on mass atrocity prevention and response and to recommend the structures and processes needed to address potential U.S. involvement.²² The decision to classify the prevention of mass atrocities as a core national security interest was aimed at institutionalizing atrocity prevention into the national security structure.²³

Of note, the President did not establish a threshold for the number of displaced people or deaths necessary for a violent event to be considered a mass atrocity.²⁴ This was likely owing to the reluctance that such a threshold would trigger a requirement to intervene, thus constraining senior policy-makers. For instance, if the U.S. was heavily committed militarily and could not dedicate the resources necessary for an intervention, the President must have the space to decline to intervene on the basis of national security concerns. As with all matters concerning national security, policy-makers must balance competing interests with risks and opportunities. The President's decision to elevate mass atrocities to a core national security interest will have implications for State, DoD and USAID, all of whom may be required for a response.

²² U.S. President, "Presidential Study Directive/PSD-10: Presidential Study Directive on Mass Atrocities."

²³ Ibid.

²⁴ Ibid.

PSD-10 does highlight some regional considerations pertinent to MAPRO. Through the document, the President expressed that "...our [U.S.] security is affected when masses of civilians are slaughtered, refugees flow across borders, and murderers wreak havoc on regional stability and livelihoods."²⁵ Similar to the ICISS report, PSD-10 does not explicitly address regional operations, but does imply that there may be regional issues that have bearing on a mass atrocity. The ICISS report and PSD-10 are mainly policy and strategic level-documents. Operational-level issues are addressed in a second set of documents.

Mass Atrocity Response Operations: A Military Planning Handbook is the primary document that has addressed military operational concerns related to intervention. The handbook was authored by representatives from the Harvard Carr Center for Human Rights (HCCHR) and the U.S. Army Peacekeeping and Stability Operations Institute (PKSOI). Of note, the handbook was released in late 2010, prior to the release of PSD-10. HCCHR and PKSOI documented a number of planning considerations that the U.S. military must consider when faced with potential mass atrocity response operations. The authors posited that the military needs to consider adopting specific doctrine and training to be prepared to respond.²⁶

In terms of regional considerations, the authors of MARO wrote that "the crisis and any potential responses may be affected by regional and international factors such as the involvement of neighboring states, boundary disputes, and trans border tribal issues."²⁷ They also recognized that victims of mass atrocities may have linkages across borders and that planners may need to monitor the potential for mass atrocities in neighboring states.²⁸ Despite recognizing these regional dynamics, the handbook did not address why these regional dynamics may be important.

²⁵ U.S. President, "Presidential Study Directive/PSD-10: Presidential Study Directive on Mass Atrocities."

²⁶ Sewall, Raymond, and Chin, 1, 29.

²⁷ Ibid., 43.

²⁸ Ibid., 43, 46.

It also did not explore the implications that regional issues may have upon coordination mechanisms, particularly with civilian agencies and host-country governments.

The MARO handbook served as a point of departure for the Joint Chiefs of Staff's process to develop doctrine specific to these types of operations.²⁹ In November of 2011, AFRICOM and EUCOM convened a conference attended by members of the academic, defense, development, and policy communities to explore future MAPROs. The conference's objectives were to explore policy considerations for MAPRO, the function and structure of the APB, and the use of instruments of national power to prevent or intervene to stop mass atrocities.³⁰ Breakout groups from the conference highlighted the need for interagency training, doctrine or best practices, and new organizational constructs to handle planning and operations in the field.³¹ Conference attendees did not delve into discussion concerning the likelihood of future MAPROs involving a regional approach, although in fairness, the main focus of the conference was on training and doctrine.

In summary, the international community, including the U.S. Government, has expressed support for the principle of responsibility to protect. The Obama Administration's decision to elevate atrocity prevention to a core national security interest requires that the U.S. interagency must be adequately prepared to respond when called upon. A host of actors are exploring operational considerations for future atrocity prevention operations, but given that such deliberations are still nascent, regional operations have not yet been adequately addressed. The ICISS, President Obama, and the HCCHR/PKSOI all acknowledge to a greater or lesser degree

²⁹ Joint Doctrine focused on mass atrocity prevention operations should be released in spring of 2012.

³⁰ EUCOM and AFRICOM, "Mass Atrocity Planning and Intervention Conference." These observations were derived from the author's participation in a MAPRO conference in Oberammergau, Germany.

³¹ Ibid.

that there are certain socio-cultural or conflict dynamics that may be regional, but stop short of exploring why that is or what they mean for future operations. The following section will help to answer the “why” question while the remainder of the paper will respond to what regional MAPROs will require in terms of U.S. civilian agencies’ organization, personnel, and training.

Sovereignty, Weak States, Weak Regions and Overlapping Borders/Boundaries

The previous section outlined extant policy and nascent operational documents, all of which noted some degree of regional considerations. This section builds on that understanding and lays out why international borders are increasingly irrelevant. First, it demonstrates how weak domestic sovereignty and the inability of nations to control their borders correlate with weak states. It illustrates how weak states form weak regions. It then discusses how state actors, non-state actors and civilian populations operate in these weak regions. It argues that in weak regions, state actors may ignore borders and be less tied to their citizens, while non-state actors and civilian populations construct overlapping boundaries. For example, the absence of government presence in particular areas, coupled with poorly controlled borders and people’s socio-cultural ties, helps to explain why citizens in weak states, or non-state actors, may ignore international borders and adopt borders which align closer with their reality. Taken together, this section argues that the international system is changing and the importance of international borders is waning, thus MAPROs may need to be regional to properly address this reality. To help focus the discussion, this section uses sub-Saharan Africa as an example but many of the concepts can easily be applied to other regions of the world.

Actors and organizations interpret what constitutes sovereignty in different ways. ICISS argued that there are two distinct forms of sovereignty - internal sovereignty, or how a state deals with its citizens; and external sovereignty which is how a state interacts with others in the international system. Responsibility to protect is principally concerned with internal sovereignty.

ICISS posited that sovereignty should be conceived of as a responsibility as opposed to simply a right.³² This notion is at odds with proponents of a strict interpretation of state sovereignty, to include the right to determine internal affairs, as expressed in the UN Charter.³³ However, a number of academics subscribe to broader interpretations of sovereignty.

There are several academic schools of thought regarding sovereignty. One school has argued for legal justifications for the violation of state sovereignty. The UN charter upholds state sovereignty and expressly prohibits member states from taking action that would otherwise infringe on the territorial integrity of another member.³⁴ Arguments against the traditional notion of sovereignty are increasingly common. Citing Chantal de Jonge Oudraat, William Lahneman has argued that Chapter VII of the UN charter enables the Security Council to intervene in a state if the conflict in the state or region constitutes a “threat to international peace and security,” which is intentionally vague.³⁵ Patricia Marchak posited that violation of sovereignty may also be justified under the 1949 Universal Declaration of Human Rights, which states that “individuals have rights irrespective of the rights of their sovereign states.”³⁶ UN authorized security missions, including East Timor, Kosovo, and even recently, Libya, were all undertaken with the aim to protect civilians; these support her case.³⁷ Likewise, Marchak has pointed out that the Genocide

³² Canada, 8, 13.

³³ United Nations, *Charter* (New York, NY: 1949), <http://www.un.org/en/documents/charter/chapter1.shtml> (accessed September 12, 2011).

³⁴ Canada, 12; United Nations, *Charter*.

³⁵ William Lahneman, “Military Intervention: Lessons for the Twenty-First Century” in *Military Intervention: Cases in Context for the Twenty-First Century*, ed. William J. Lahneman (Lanham, MD: Rowman and Littlefield Publishers, Inc., 2004), 174.

³⁶ M. Patricia Marchak, *No Easy Fix: Global Responses to Internal Wars and Crimes Against Humanity* (Québec, Canada: McGill-Queen’s University Press, 2008), 45.

³⁷ Marchak, 55; Eric Schwartz, “Intervention in East Timor,” in *Military Intervention: Cases in Context for the Twenty-First Century*, ed. William J. Lahneman (Lanham, MD: Rowman and Littlefield Publishers, Inc., 2004), 151-163; UN Security Council, *UNSCR 1973*, (New York, NY: Mar 17, 2011), 3-4, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973%20%282011%29 (accessed March 17, 2011).

Conventions provide another legal exception to the interpretation of sovereignty as articulated in the UN Charter.³⁸ She argued that politicians may be loath to label an event as a genocide as it would trigger an obligation to respond under the Genocide Conventions. She cited Rwanda and Sudan as examples of the international community's lack of political will to respond to atrocities.³⁹ In addition to the legal school, there are those who argue that that state sovereignty with regard to internal affairs is anachronistic and does not account for large differentiation in strength and weakness between states in the international system.

Academics in the field of international relations have offered some nuance to the concept of sovereignty that move beyond the legal arguments. Robert Keohane has argued that sovereignty really exists in gradations. Citing Stephen Krasner, he identified four distinct types of sovereignty: *domestic*- control inside of given border; *interdependence*- flows across borders; *legal recognition*; and, *Westphalian*- external entities have no right to interfere with internal matters of another nation-state.⁴⁰ Traditionally, the international community has been concerned with legal or Westphalian sovereignty, but responsibility to protect has increased the recognition of “domestic” and “interdependence” sovereignty. Academics have also made the case that the international system grants states full sovereignty with little regard for their ability to provide security for their own citizens or manage international borders.⁴¹ Looking at this issue in the context of a specific region, in this case sub-Saharan Africa, helps to illustrate how these typologies of sovereignty partially explain weak states and weak regions.

³⁸ Marchak, 45.

³⁹ Ibid., 45.

⁴⁰ Robert Keohane, “Political Authority After Intervention: Gradations in Sovereignty” in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, eds. J.L. Holzgrefe and Robert O. Keohane (Cambridge, UK: Cambridge University Press, 2003), 285.

⁴¹ Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton, NJ: Princeton University Press, 2000), 103; Robert Keohane, 307.

Jeffery Herbst, a noted scholar on sub-Saharan Africa, wrote that the region has many states that are unable to project sufficient power outside of their capitals to control their respective populations or borders.⁴² Returning to Keohane and Krasner's typologies, these states do not exercise interdependence or domestic sovereignty.⁴³ Herbst proposed a considerable number of historical reasons as to why African nations have suffered from these issues, including history and politics. He argued that historically, former colonial powers traditionally focused on capitals and ignored the periphery as they encountered diminishing returns when trying to expand their power outward. Once African nations gained independence, leaders assessed the costs of projecting power to the borders as too high and maintained the urban-rural divide that largely characterized the colonial-era states. Furthermore, the borders were defined by then-colonial powers with little regard for traditional ethnic or socio-cultural boundaries. During the transitions to independence, African rulers were reluctant to challenge the territorial boundaries for fear that they would face legitimacy crises and lose power.⁴⁴

In sub-Saharan Africa, there is inherent tension between the legal and Westphalian sovereignty conferred on states and the responsibilities associated with domestic and interdependence sovereignty.⁴⁵ Herbst made a strong case for a number of factors that have contributed to state weakness in sub-Saharan Africa and helps to support this paper's argument that crises in the region may not be constrained by international borders. Using Herbst, a connection can be made between weak states and their inability or unwillingness to protect citizens. Data from The Fund for Peace, a non-profit that focuses on conflict prevention, tells a similar story and helps place these issues in a regional context.

⁴² Herbst, 21-29.

⁴³ Keohane, 285.

⁴⁴ Herbst, 100-102.

⁴⁵ Keohane, 285.

Figure 1 below, from *The Failed State Index*, helps to illustrate the preponderance of weak states in sub-Saharan Africa.⁴⁶ This index rates state strength based on a series of indicators. The index includes indicators for government security apparatuses, state legitimacy, economic development, human rights, refugees/IDPs, grievances, and levels of external intervention.⁴⁷ Further, it shows that many African states cluster into weak regions, particularly in West Africa, the Sahel, Central Africa, and East Africa. A closer examination of the historical and geographic context in East/Central Africa clarifies this assertion.

The Democratic Republic of Congo (DRC) has little control over its vast territory, particularly in the East where roving armed groups have historically moved virtually unimpeded by the state.⁴⁸ To the North, the government of the Central African Republic (CAR) is focused on the capital, Bangui, and projects little power to its eastern border, a region that has little formal governance save the UN presence.⁴⁹ To the East, the Government of Sudan and security forces from the recently formed Republic of South Sudan (RoSS) have historically been embroiled in civil war and ethnic conflict and despite a peace accord the nations teeter on the brink of another war.⁵⁰ South of RoSS, Uganda remains stable relative to its neighbors, but it too has little control

⁴⁶ The Fund for Peace, *The Failed State Index 2011*, <http://www.fundforpeace.org/global/?q=fsi-grid2011> (accessed December 15, 2011).

⁴⁷ The Fund for Peace, *The Failed States Index 2011*, under “About the Failed State Index,” <http://www.fundforpeace.org/global/?q=fsi-grid2011> (accessed December 15, 2011). South Sudan had not voted on the referendum for independence at the time of this ranking, but given the weakness of the nascent government, it will rank low.

⁴⁸ International Crisis Group, “DR Congo Conflict History,” February, 2010, <http://www.crisisgroup.org/en/publication-type/key-issues/Research%20Resources/Conflict%20Histories/DR%20Congo%20Conflict%20History.aspx> (accessed December 15, 2011).

⁴⁹ International Crisis Group, “Central African Republic: Anatomy of a Phantom State,” Africa Report No. 136, December 13, 2007, <http://www.crisisgroup.org/en/regions/africa/central-africa/central-african-republic/136-central-african-republic-anatomy-of-a-phantom-state.aspx> (accessed December 15, 2011).

⁵⁰ International Crisis Group, “South Sudan: Compounding Instability in Unity State,” Africa Report No. 176, October 17, 2011, <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/south-sudan/179-south-sudan-compounding-instability-in-unity-state.asp> (accessed December 15, 2011).

of its northern and eastern regions, where armed militias from Sudan and DRC have historically moved relatively unimpeded.⁵¹ In addition, this region has also been destabilized by a number of regional conflicts and security threats.

From 1998-2002, Uganda, DRC and Rwanda were embroiled in a regional war in which civilians were intentionally killed by state and proxy forces.⁵² In addition, the Lord's Resistance Army (LRA), a Ugandan rebel group that kidnaps, maims, kills, and displaces civilians, has been operating throughout the region as will be explained in the case study near the end of this paper. DRC, CAR, Sudan, and Uganda all rank high on the Fund for Peace's 2011 *The Failed States Index* with ranks of 3, 4, 8 and 21, out of 177 ranked nations, respectively. Collectively, these

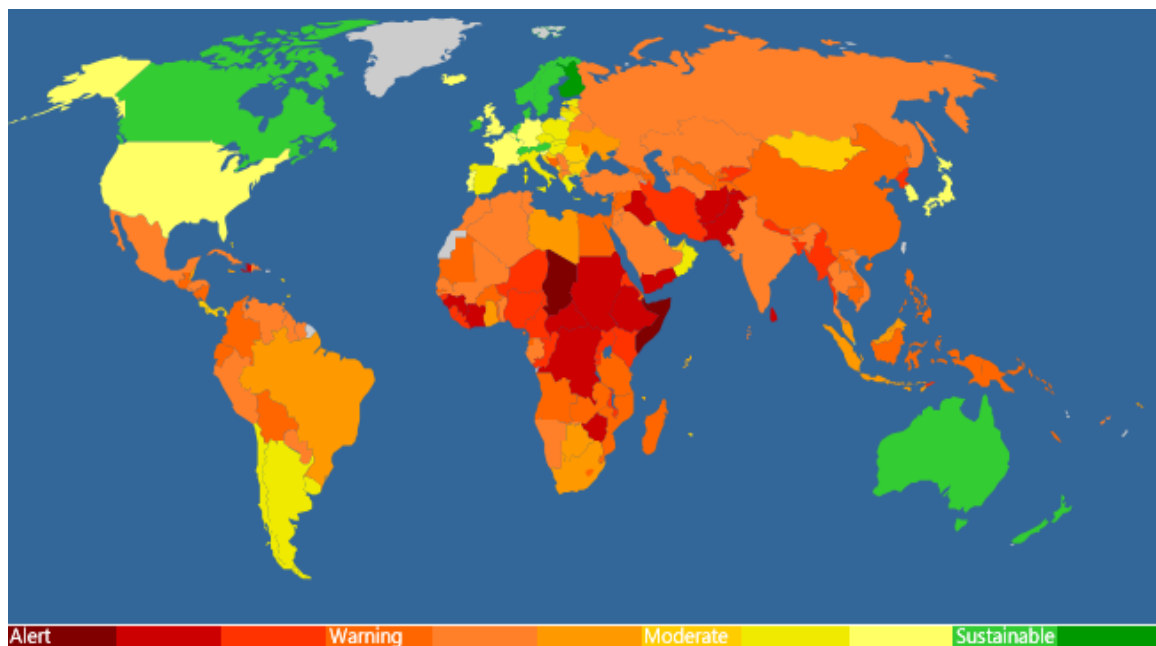


Figure 1: *The Failed State Index*, 2011.⁵³ Reprinted with permission of the publisher.

⁵¹ U.S. Department of State, "Background Notes: Uganda," <http://www.state.gov/r/pa/ei/bgn/2963.htm> (accessed December 15, 2011).

⁵² International Crisis Group, "DR Congo Conflict History."

⁵³ The Fund for Peace, *The Failed State Index 2011*, <http://www.fundforpeace.org/global/?q=fsi-grid2011> (accessed December 15, 2011), reprinted by permission of the publisher.

factors increase the vulnerability of civilians throughout the region. As the map above shows, clusters of weak states in other regions of sub-Saharan Africa share similar problems.

This discussion of weak regions in sub-Saharan Africa provides evidence to support the assertion that MAPRO in this area may need to be regional to be effective. There are three useful perspectives through which one can view how weak states and borders lead to regionalization and increased risks to civilian populations: non-state actors create their own operational borders across states; state-actors deliberately prey on populations in their ungoverned areas or within the border of neighboring states; and civilian populations' boundaries being cognitively distinct from international boundaries. What is important to note here is that boundaries are defined and maintained by actors, which may or may not align with international borders.⁵⁴ Thus, interventions that focus solely on single nation-states may not necessarily be sufficient to prevent mass atrocities.

Some argue that national borders are typically reinforced by states through state institutions, for example education, which help to generate a narrative of national identity.⁵⁵ However, the absence of the national government presence in rural areas means that there are unlikely to be institutions which propagate the narrative of national identity.⁵⁶ Thus, if the government does not provide services to the people, the people are less beholden to the government and there may be no Hobbesian social contract between the state and its citizens. Absent a social contact, Herbst argued that some African leaders were not dependent on the support of rural populations to stay in power as they traditionally focused on urban areas.⁵⁷ The

⁵⁴Anssi Passi, "Boundaries and Social Processes: Territoriality and Postmodernity: An International Relations Perspective" in *Boundaries, Territory and Postmodernity*, ed. David Newman (Oxford, UK: Frank Cass Publishers, 1999), 75.

⁵⁵ Passi, 76.

⁵⁶ Ibid.,75-77.

⁵⁷ Herbst, 18.

absence of a social contract makes it easier for state actors to create a narrative of “us” versus “others.”⁵⁸ Thus, in weak states, predatory African leaders or states could be more inclined to exploit populations for their own advantage as there are fewer consequences and barriers in doing so. This was certainly the case in Sudan, where the Government of Sudan exploited and killed Darfuris in eastern Sudan and civilians in what is now the Republic of South Sudan.⁵⁹ The absence of state-security institutions also means that citizens are vulnerable to attack from neighboring state actors, as was the case during the decades of conflict between the DRC, Uganda and Rwanda.⁶⁰ During the conflict, civilians were killed or displaced by neighboring state security forces or proxy militias they supported.⁶¹

If boundaries are created and maintained through social interaction and discourse as some academics would argue, then it stands to reason that populations living in ungoverned spaces that do not interface with state institutions may not construct their boundaries in the same way.⁶² In some cases, national identity may be much less salient than ethnic, religious, or cultural identity. Populations may form traditional ethnic boundaries or boundaries defined by activities relating to economic livelihoods. Conversely, even if international borders were pronounced, people may still maintain overlapping boundaries. These points are important in that livelihoods of populations could be tied to other cognitive or physical boundaries, so aspects of an intervention that aim to support social safety nets may need to look beyond international borders.

⁵⁸ Passi, 75.

⁵⁹ International Crisis Group, “Sudan Conflict History,” December 2010, http://www.crisisgroup.org/en/publication-type/key-issues/research-resources/~/_link.aspx?_id=72C22F29E8464D868B43E78F43E4593F&_z=z (accessed March 25, 2012).

⁶⁰ International Crisis Group, “DR Congo Conflict History.”

⁶¹ Ibid.

⁶² Passi, 75.

Lastly, non-state actors also construct borders or boundaries that may overlap international borders. The absence of state governance or security in weak regions, as well as the prominence of local as opposed to national identities, could mean that non-state actors have the opportunity to create their own boundaries. Groups may use territorialization, a “spatial strategy,” to wield influence over people or resources in an area.⁶³ A group with sufficient power, operating alone or with support from a state actor, could implement such a strategy and establish a de facto territory around ethnic, national, or territorial identities.⁶⁴ Once a non-state actor establishes de facto control of an area that runs across several states, the resident population may be subject to the violent whims of the group as will be discussed in subsequent sections of this paper. If security forces of a state or international community pursue these groups, they can simply move to a neighboring state and escape harm.

In summary, responsibility to protect has contributed to fundamental changes in the discourse on sovereignty by casting sovereignty as an obligation, not simply a right. It aims to justify the violation of a state’s sovereignty by external actors if a state fails to uphold its obligations to protect civilians from mass atrocities. Generally speaking, weak states in sub-Saharan Africa may not be able to maintain domestic and interdependence sovereignty. In such states, borders or boundaries constructed and maintained by states are weak. Thus, borders or boundaries created and maintained by non-state actors and civilian populations may not align with national boundaries. When several adjacent states share similar characteristics, ungoverned spaces become regionalized. In such cases, civilian populations are particularly vulnerable. Civilians in weak regions may fall prey to non-state actors, non-state actors acting as proxies for state actors, their own government, or neighboring state security forces. Much of sub-Saharan

⁶³ Paasi, 69-70.

⁶⁴ Ibid.; David Newman, “Geopolitics Renaissance: Territory, Sovereignty and the World Political Map” in *Boundaries, Territory and Postmodernity*, ed. David Newman (Oxford, UK: Frank Cass Publishers, 1999), 5.

Africa possesses the conditions ripe for instability that is likely to be regional in nature. These regional dynamics pose a particular challenge to future U.S. supported atrocity prevention operations.

This section established why regionalization may be so important for future MAPROs. So it is necessary at this point to turn to the question of whether or not the U.S. civilian agencies are organized to respond to regional issues. The following section reviews the operational structure of the U.S. civilian agencies overseas. It identifies some of the regional challenges they may face in a MAPRO. It then argues that those agencies will have to adopt a regional focus to effectively support MAPROs.

Civilian Agency Organizational Structures and Personnel: Moving from Bilateral to Regional

This section examines the current mandate, structure and personnel of civilian agencies operating in Washington-D.C. and overseas to determine if they are prepared for regional operations. MAPRO operations are by their very nature interagency. Civilian organizations, in conjunction with the military, must plan for and conduct operations related to a host of issues. This study finds that while U.S. civilian agencies have made some progress in focusing regionally, adaptations must be made if they are to focus regionally.

In order to understand how civilian agencies in the U.S. Government operate overseas, it is necessary to review the Washington D.C. based civilian agencies or departments that are responsible for regional issues. In Washington, State and USAID both utilize a regional bureau structure. At State, the Undersecretary for Political Affairs (P) oversees the regional bureaus which have overall responsibility for foreign affairs in a given region.⁶⁵ USAID/Washington is

⁶⁵ U.S. Department of State, *Foreign Affairs Manual Volume 1 — The Undersecretaries of State*, (Washington, D.C.: Government Printing Office, June 7, 2011), 1 FAM 041.2, <http://www.state.gov/documents/organization/84147.pdf>, (accessed January 21, 2012). For further discussion of regional bureau responsibilities see U.S. Department of State, *Foreign Affairs Manual Volume 100 — Geographic Bureaus*,

also aligned regionally. USAID's bureaus "design, implement and evaluate regional and country strategies and programs."⁶⁶ Of note, the regional orientation of State does not align with DoD's combatant commands, thus further complicating coordination issues in the field. For example, State's Bureau of African Affairs is responsible for foreign affairs in sub-Saharan Africa while the Bureau of Near Eastern Affairs is responsible for North Africa.⁶⁷ Conversely, AFRICOM is responsible for the entire continent save Egypt.⁶⁸

In addition, there are Special Envoys or Special Representatives, each of whom may deal with regional issues. In the Bureau of African Affairs, for example, Ambassador Princeton Lyman is the Special Envoy for Sudan and South Sudan.⁶⁹ Special Envoys are appointed on an as needed basis to assume responsibility for high-level policy issues, but are not permanent positions within the Department. However, they do provide a valuable and flexible mechanism to interface with pertinent individuals concerning important foreign policy matters. They often travel around set regions, but again, are typically not involved in operational issues. As such, they may be

(Washington, D.C.: Government Printing Office, May 2, 2011), <http://www.state.gov/documents/organization/84162.pdf> (accessed January 21, 2012). State Regional Bureaus are the Bureaus of African Affairs, East Asian and Pacific Affairs, European and Eurasian Affairs, Near Eastern Affairs, Western Hemisphere Affairs, and South and Central Asian Affairs.

⁶⁶ U.S. Agency for International Development, *ADS Chapter 101: Agency Programs and Functions*, (Washington, D.C.: Government Printing Office, March 15, 2012), 101.3.1.17 Regional Bureaus, 101, <http://www.usaid.gov/policy/ads/100/101.pdf> (accessed January 21, 2012). USAID's Regional Bureaus are Africa, Asia and the Near East, Latin America and Caribbean, and Europe and Eurasia.

⁶⁷ U.S. Department of State, "Bureau of African Affairs: Countries and Other Areas," <http://www.state.gov/p/af/ci/index.htm> (accessed January 21, 2012); U.S. Department of State, "Bureau of Near Eastern Affairs: Countries and Other Areas," <http://www.state.gov/p/nea/ci/index.htm> (accessed January 21, 2012).

⁶⁸ House Armed Service Committee, *Statement of General Carter F. Ham USA, Commander, U.S. Africa Command*, April 5, 2011, 4, <http://www.africom.mil/pdfFiles/2011PostureStatement.pdf> (accessed January 21, 2012).

⁶⁹ U.S. Department of State, "Special Envoy to Sudan and South Sudan," <http://www.state.gov/s/sudan/index.htm> (accessed March 1, 2012).

essential personnel for a future regional MAPRO, but are not operationally focused. Operational issues for a MAPRO will be handled predominantly by principals at the country-level.

Country-level coordination across a region is essential for a MAPRO for a litany of reasons which span the policy, country-strategic and operational-levels. On the civilian side, coordination for designation of entities as sponsors of terrorism, travel bans, requests for impositions of sanctions or freezing of assets, mediation or negotiation with state and non-state actors, overtures for amnesty, and building and maintaining regional coalitions must be coordinated between U.S. Missions in a region. In addition, U.S. Missions must articulate, coordinate and consistently message U.S. policy positions in a region. Missions must also grapple with issues and programs dealing with the protection of vulnerable populations, strengthening civil security, support to local conflict resolution mechanisms, provision of humanitarian assistance, and reducing trafficking in arms, all of which could have regional implications.⁷⁰

There are also a host of civilian-military issues that have possible regional implications. These include basing and over-flight rights, coordination of rules of engagement, interfacing with bilateral nation political and military leaders, provision of security force assistance, intelligence gathering and analysis, use of flexible deterrent options and electronic warfare, and non-combatant evacuation operations.⁷¹ Collectively, civ-civ and civ-mil coordination and planning in many of these areas demand a logical regional organizational structure and training necessary to do so. But are U.S. Government civilian agencies currently structured for the task?

⁷⁰ Dwight Raymond, Donald Braum, Ken Zurcher, and Cliff Bernath, *Mass Atrocity Prevention and Response Options (MAPRO) A Policy Planning Handbook* (Carlisle, PN: U.S. Army Peacekeeping and Stability Operations Institute, March, 2012), 84, <http://pksoi.army.mil/PKM/publications/collaborative/collaborativereview.cfm?collaborativeID=11> (accessed March 24, 2012). This list was adapted from lists compiled by U.S. Army's PKSOI in conjunction with the Department of State.

⁷¹ Raymond, 84. This list was adapted from lists compiled by U.S. Army's PKSOI in conjunction with the Department of State.

As of the date of this publication, most U.S. Missions' mandates are focused on bilateral relations as opposed to regional relations.⁷² However, this may change in the near future. Due to their traditional bi-lateral focus, cross-border issues have not received their due attention. The Quadrennial Diplomacy and Development Review (QDDR), the civilian sister of the Quadrennial Defense Review, made the case that U.S. Missions need to improve engagement and coordination on regional issues. To accomplish this task, State will designate "regional hubs" in areas of interest where a bilateral U.S. Mission would also have a regional focus.⁷³ Implementation of the QDDR is ongoing as of the date of this publication. In the future, a regional hub might be the locus of coordination and planning for regional MAPROs. However, in the near term, other options must be explored.

It is first necessary to look at how U.S. Government civilian agencies are organized overseas to determine their ability to look beyond borders and prepare for regional MAPROs. U.S. civilian missions overseas are led by the U.S. Ambassador who serves as the Chief of Mission (COM). The COM is responsible for "...direction, coordination, and supervision of all Government executive branch authorities in that county..."⁷⁴ As COM, the Ambassador is authorized to integrate and organize executive branch entities as he or she deems appropriate.⁷⁵ However, U.S. Missions differ considerably in terms of a number of characteristics.

⁷² Notable exceptions include U.S. Missions to multilateral organizations such as the African Union, ASEAN or the European Union.

⁷³ U.S. Department of State and U.S. Agency for International Development, *Quadrennial Diplomacy and Development Review*, 54.

⁷⁴ U.S. Department of State, *Foreign Affairs Manual Volume 1—Organization and Functions* (Washington, D.C.: Government Printing Office, May 2010), 1 FAM 010, 5, <http://www.state.gov/documents/organization/84009.pdf> (accessed October 19, 2011).

⁷⁵ U.S. Department of State, *Foreign Affairs Manual Volume 2-General* (Washington, D.C.: Government Printing Office, May 2010), 2 FAM 110, 6-7, <http://www.state.gov/documents/organization/84388.pdf> (accessed October 19, 2011).

Ambassadors preside over U.S. Missions of varying size and scale. The larger the Mission, the greater the likelihood that staff can assume additional functions beyond their standard duties. Returning to sub-Saharan Africa, the size of U.S. Missions can be explored in more detail. U.S. Missions in sub-Saharan Africa vary in size and agency composition. For example, the U.S. Mission to South Africa employs 310 U.S. direct hire employees and 560 local staff.⁷⁶ Conversely, in early 2011, the U.S. Mission to Guinea had only 27 direct hire employees and 335 locally employed staff.⁷⁷ In general, large U.S. Missions may have the capacity to focus more on regional issues. Conversely, smaller missions may experience more challenges assuming additional responsibilities pertaining to a regional MAPRO.

Similarly, USAID plays an important role in many U.S. Missions in sub-Saharan Africa. USAID typically works through USAID Missions, run by a Mission Director. However, it does not maintain presence in all countries, to include CAR of Burundi. Absent a formal country presence, USAID Regional Missions run programming for countries in which it has programs. For example, East African Mission in Kenya is responsible for CAR, Burundi, Djibouti, and Somalia.⁷⁸ Thus, in general, U.S. Missions may have entities that focus on discrete regional issues, but most are focused on bilateral relations. USAID Missions are also generally bilateral with the regional missions being the exceptions.

In terms of personnel, in the Department of State, Foreign Service Officers (FSOs) serve as generalists who work in a “cone” or sectoral area concerned with economics, politics, public

⁷⁶ U.S. Department of State, “U.S. Diplomatic Mission to South Africa-About Us,” <http://southafrica.usembassy.gov/about-us.html> (accessed March 3, 2012). U.S. direct hire employees are from various U.S. agencies operating in the country.

⁷⁷ U.S. Department of State and the Broadcasting Board of Governors Office of Inspector General, *Inspection of Embassy Conakry, Guinea*, June 2011, Report Number ISP-I-11-44A, 2, <http://oig.state.gov/documents/organization/169422.pdf> (accessed March 3, 2012).

⁷⁸ U.S. Agency for International Development. “USAID East Africa,” <http://eastafrica.usaid.gov/en/home> (accessed November 16, 2011).

diplomacy, management, or consular issues.⁷⁹ USAID FSOs also have specialties called backstops, which range from economics to crisis stabilization and governance.⁸⁰ Many of these officers have developed invaluable experience working in unstable environments in Iraq and Afghanistan over the last decade which will prove invaluable for future MAPROs. FSOs, coupled with their locally employed staff, know the key actors and understand local cultural, political, and socio-economic dynamics in a given country. They may also aid in the understanding of border regions in weak states. In a crisis, their intimate knowledge will be essential to understanding the drivers of conflict in a region and relations between actors. While most officers work on bilateral issues, there are a few notable exceptions.

In some U.S. Missions, there may be some staff with regional portfolios. For example, State's Bureau for Population, Refugees and Migration (PRM) has a regional officer in Uganda who is responsible for programming related to refugees and internally displaced persons in Uganda, DRC, Burundi, Rwanda, Tanzania, and Gabon.⁸¹ These regional officers may play an important role in MAPROs and will likely be familiar with how vulnerable populations construct their own boundaries. However, the majority of mission personnel engage bilaterally with host-country governments, civil society and the private sector to advance U.S. interests.

FSOs have broad sectoral expertise in local politics, culture and economics. However, in a crisis all of these FSOs will be inundated with requirements to keep Washington apprised of developments on top of attending to their normal duties. In addition, MAPRO operations will require dedicated attention to conduct crisis action planning or contingency planning as well as

⁷⁹ U.S. Department of State, "Foreign Service Officers," <http://careers.state.gov/officer/career-tracks> (accessed December 15, 2011).

⁸⁰ U.S. Agency for International Development, "USAID's Foreign Service Officer Positions," <http://www.usaid.gov/careers/fso.html> (accessed March 4, 2012).

⁸¹ U.S. Department of State, "Great Lakes," http://www.state.gov/j/prm/map_overseas_assistance/182875.htm (accessed March 10, 2012).

field operations.⁸² This may necessitate the involvement of expeditionary teams from USAID's Office of Foreign Disaster Assistance (OFDA), USAID's Office of Transition Initiatives (OTI) or State's Bureau of Conflict and Stabilization Operations (CSO). These offices focus on the provision of humanitarian assistance, stabilization programming, planning, assessment and expeditionary diplomacy.⁸³ Collectively, these staff members can augment U.S. Mission staff and/or establish a stand-alone entity with U.S. Mission representatives and experts deployed to support a regional MAPRO.

In terms of internal functioning of U.S. Missions, most Ambassadors assemble an executive working body, commonly called the "country team," which includes the senior representatives from all executive body entities represented in country. The effectiveness and capacity of this entity depends on the members of the team, which vary considerably from country to country. Typically, country teams serve as a coordination and information sharing enterprise, while also serving as a forum where staff receive the COM's guidance. Country teams, by their nature, function as the executive forum through which the COM can develop and implement policy for a given country. The QDDR has highlighted the need for regional policy coordination, but it has not yet been implemented so regional mandates are not the norm.⁸⁴ Below

⁸² U.S. Department of State, Bureau of Conflict and Stabilization Operations, "Course Calendar: Year 1 Courses," <https://crs.state.gov/Pages/CourseDates.aspx> (accessed December 4, 2011). The Department of State's Bureau for Conflict and Stabilization Operations (CSO) offers several pertinent courses including, Foundations in Conflict Prevention and Response and Integrated Assessment and Planning for Stability, and Conflict Prevention and Response. Foreign Service Officers that serve as Civilian Response Corps Members as well as those serving in CSO can enroll in these courses, but there are few spaces relative to the size of the service.

⁸³ For more information on OFDA, OTI and CSO, see U.S. Agency for International Development, "Disaster Assistance," http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/ (accessed March 11, 2013); U.S. Agency for International Development, "Transition Initiatives," http://www.usaid.gov/our_work/cross-cutting_programs/transition_initiatives/ (accessed March 11, 2012); U.S. Department of State, "Bureau of Conflict and Stabilization Operations," <http://www.state.gov/j/cso/index.htm> (accessed March 1, 2010).

⁸⁴ U.S. Department of State and U.S. Agency for International Development, *Quadrennial Diplomacy and Development Review*, 54.

the country team, U.S. Missions often have action-officer level entities or working groups that focus on areas or cross-cutting issues. For example, at U.S. Mission Kabul, national-level working groups are organized based on lines of effort from key theater strategic planning documents, but also cross-cutting areas as well.⁸⁵ These structures will need to be involved in regional MAPROs, but given the absence of a regional mandate, they may not be sufficient in and of themselves.

In summary, this review has highlighted the mandate and structures for State and USAID in Washington as well as U.S. Missions' mandates, structures and personnel overseas. While D.C. based regional bureaus will be engaged in MAPROs, operational responsibilities will largely fall to U.S. Missions overseas. Until the QDDR is implemented overseas and State designates regional U.S. Missions, they will not have a regional mandate save regional USAID Missions. U.S. Mission size varies considerably and size may help determine their ability to handle regional issues. However, some form of structural augmentation or adaptation may be necessary for a regional MAPRO.

In terms of their internal organization, U.S. Missions have coordination structures for the COM to manage the U.S. civilian presence and policy formulation or coordination. These structures will need to be incorporated into planning and operations for future regional MAPROs to support senior civilian and military leaders. However, it is likely that new coordination structures may need to be set up to deal with the operational concerns given the bilateral mandate of most U.S. Missions. For example, below the country team, any entity charged with planning MAPROs must have access to principals across a region in order to keep them apprised of

⁸⁵ For additional information see Maria Stephan, "Navigating Civil-Military Relations in Kabul," *Interagency Journal* 3: no. 1 (Winter 2012): 23, <http://thesimonscenter.org/wp-content/uploads/2012/02/IAJ-3-1-pg23-30.pdf> (accessed March 4, 2012). The author of this paper also worked in the Civ-Mil Planning and Assessments Sub-Section (CMPASS) at Embassy Kabul. The CMPASS office was responsible for coordinating these civ-mil working groups.

developments and to gain guidance for planning efforts. In general, an action-officer level entity must have the capabilities for effective regional interagency information-sharing, intelligence access and inputs, and civ-civ and civ-mil planning and assessments.⁸⁶

U.S. Mission staff possess intimate knowledge of social, cultural, and socio-economic ties of various peoples, which may enable them to understand cross-border ties in a region. However, in a crisis, many staff will likely be occupied with requirements to keep Washington informed of events as a crisis unfolds while also attending to normal duties. Thus, embassy personnel may need augmentation to help manage the crisis and to conduct planning, logistical and field-oriented tasks needed for a regional MAPRO. This would require the request of an Assistant Secretary of State or Chief of Mission. Collectively, this section helped to support the argument that interagency coordination and personnel structures overseas may need support to conduct a regional MAPRO. The remaining sections of this paper are dedicated to two case studies which illustrate the complications associated with conflicts that become regionalized and in particular, how civilian agencies have or have not adapted to deal with regional violence.

Case Studies- Regionalization and Civilian Agency Adaptations

Faced with the challenges of conflicts that have expanded regionally and violent state and non-state actors, U.S. civilian agencies and military counterparts have tried several approaches to dealing with regional issues. These cases support the central argument that the MAPRO should look regionally. Before proceeding with the case studies focused on regional civilian-military coordination structures, this section will discuss the rationale for the selection of some case studies and the exclusion of others. The selected case studies explore several models for field-

⁸⁶ EUCOM and AFRICOM, “Mass Atrocity Planning and Intervention Conference”; The author of this study participated in an interagency working group on MAPRO intervention from which these capabilities were derived. A discussion of interagency planning processes for a MAPRO is beyond the scope of this study. For a more thorough discussion see Raymond, Braum, Zurcher, and Bernath, *Mass Atrocity Prevention and Response Options (MAPRO), A Policy Planning Handbook*.

based — outside of the U.S. — regional interagency civilian-military coordination. The section focuses on country-level entities and D.C. based counterparts, but does not directly address State or USAID Regional Bureaus or Special Envoys. Regional Bureaus and Special Envoys will be intimately involved in developing and executing policy for any future MAPRO. However, Chiefs of Mission, Combatant Commanders, and subordinate entities, will be charged with implementation and operational oversight of a regional MAPRO so they will be the principals for any such mission.

These cases further demonstrate that regional issues may require U.S. civilian agencies to adapt their organization and/or training. They help to elucidate the types of regional issues the U.S. Government may face. Two case studies will be explored which were chosen because they represent regionalized conflict and regionally mandated entities that State established to coordinate civilian-military matters. The first study focuses on the Coordinating Committee for U.S. Missions in Southeast Asia (SEACoord), an example of an organization set up to address a regional conflict during the Vietnam War.⁸⁷ Next, this paper explores the current Counter Lord's Resistance Army (C-LRA) Mission in sub-Saharan Africa. The C-LRA mission illustrates the regionalization of mass atrocities by a non-state actor in a weak region. It also highlights the corresponding U.S. organizational structures established to help African nations capture or remove the LRA's leadership.⁸⁸

⁸⁷ Graham A. Cosmas, *MACV, The Joint Command in the Years of Escalation 1962-1967* (Washington, D.C.: Center for Military History, 2006), 163, 376; H.R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, and the Joint Chiefs of Staff and the Lies that Led to Vietnam* (New York, NY: Harper Collins, 1997), 171-172.

⁸⁸ The U.S. President to the Chairmen and Ranking Members of the House and Senate Committees on Appropriations, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations, "Letter from the President on the Strategy to Support the Disarmament of the Lord's Resistance Army," November 24, 2010, The White House, http://www.c-r.org/our-work/uganda/documents/US_strategy_LRA_Nov2011.pdf (accessed December 4, 2011).

Coordinating Committee for U.S. Missions in Southeast Asia (SEACoord)

– Regional War and a Regional Country Team

The U.S. civ-mil experience in the Vietnam, Laos and Thailand provides a reference for the exploration of the issues of regionalization as it was particularly salient during the Vietnam War. At that time, Laos and Cambodia were both weak states ripe for exploitation.⁸⁹ In light of the inability or unwillingness of the Laotian and Cambodian security forces to interfere, the North Vietnamese Arms and Viet Cong transited arms, personnel and supplies through these states and into South Vietnam.⁹⁰ According to a declassified Air Force Study, Ambassador Taylor, then U.S. Ambassador to Vietnam, “concluded that the conflicts in Laos and Vietnam could no longer be kept separate; they were both part of a larger Southeast Asia war.”⁹¹ Faced with the challenges of coordinating officially acknowledged and unacknowledged military and civilian activities in the region, Ambassador Taylor proposed the creation of SEACoord in 1964.⁹² Ambassador Taylor felt that a team of high ranking U.S. civilian and military officials from the region should meet to coordinate regional issues.⁹³ This case study suggests that the U.S. Government should acknowledge the regional issues that could be pertinent for a MAPRO. It also helps to show that extant interagency coordination structures may need to be augmented or new structures stood up to support a regional operation.

The Department of State’s Terms of Reference for SEACoord established its mandate to “coordinate policy recommendations and military operational matters affecting more than one

⁸⁹ Cosmas, 163-64.

⁹⁰ Ibid., 164.

⁹¹ Victor B. Anthony and Richard R. Sexton, *United States Air Force in Southeast Asia: The War in Northern Laos 1954-1973* (Washington, DC: Center for Air Force History, 1993), 140, http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB248/war_in_northern_laos.pdf (accessed January 21, 2012).

⁹² Cosmas, 163, 376; McMaster, 171-172.

⁹³ Anthony and Sexton, 140.

mission.”⁹⁴ In particular, SEACoord was to coordinate “military and relating operational matters” across the region as well as to serve as a vehicle to exchange information and intelligence on such operations between neighboring countries.⁹⁵ Moreover, SEACoord was to deliberate and propose “possible U.S. courses of action in Southeast Asia” to Washington, implying that SEACoord would assume some level of responsibility for planning operations in the region.⁹⁶ SEACoord’s executive committee was to be chaired by the Deputy Chiefs of Missions or Deputy Ambassadors (second in charge) from the three principal member U.S. Missions (Saigon, Bangkok and Vientiane), Commander in Chief Pacific (CINCPAC) or his representative, and subordinate commands as needed.⁹⁷ The terms of reference noted that SEACoord was not empowered with executive authority over member entities, thus it would be decision by consensus as opposed to an overarching civilian-military command.⁹⁸

Below this executive committee structure, a military committee was initially planned. Deputy commander-level participants from Commander U.S. Military Assistance Command Vietnam (MACV), Military Assistance Command Thailand (MACTHAI), and a representative from U.S. Mission Vientiane, designated by Ambassador Sullivan, were to be members.⁹⁹ Ambassador Taylor indicated that General Westmoreland, Commander COMUSMACV, requested the separate military committee.¹⁰⁰ However, on November 5, 1964, SEACoord

⁹⁴ Ambassador Maxwell Taylor to the U.S. Department of State, “Telegram 1068,” October 10, 1964,” in vol. 3 of *The Pentagon Papers, Gravel Edition* (Boston, MA: Beacon Press, 1971), 579-580, <http://www.mtholyoke.edu/acad/intrel/pentagon3/doc207.htm> (accessed December 4, 2011).

⁹⁵ Ibid.

⁹⁶ Anthony and Sexton, 140.

⁹⁷ Taylor, “Telegram 1068 - October 10, 1964,” 579-580.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ambassador Maxwell Taylor to the U.S. Department of State, “Telegram— Saigon No. 1415,” November 6, 1964, in vol. 1 of *Vietnam: Foreign Relations of United States 1964-1968*, ed. Jon P. Glennon and Edward C. Keefer (Washington, DC: Government Printing Office, 1992), 894.

members determined that such a committee was no longer necessary based on the “political-military composition of the SEACoord and experience to date.”¹⁰¹

It is unclear exactly why the decision was made to stand down the military sub-committee. Graham Cosmas has argued that Ambassador Taylor stood down the committee in deference to the Joint Chiefs of Staff (JCS) and CINCPAC, but Department of State cables do not support that position.¹⁰² Cosmas implied that the JCS and CINCPAC were concerned that the Embassies would step into the military’s lane, so Westmoreland assured them that he would protect military interests.¹⁰³ HR McMaster’s account supported Cosmas’ position that CINCPAC was concerned that “...SEACoord might confuse military command channels and result in ‘reduced effectiveness’.”¹⁰⁴ It is also possible that the Ambassadors felt that their authority would be diluted with a separate military committee. It is likely that all of these reasons impacted the decision. This aspect of SEACoord demonstrates the challenges of regional civ-civ and civ-mil coordination the U.S. Government may face with a regional MAPRO in a politically charged environment. In particular, overall command and control is likely to be a controversial subject with multiple U.S. Government principals in a region.

Despite the absence of a regional military sub-committee, future SEACoord principals were involved in the planning of operations for the initial air strikes in Laos. For example, in July of 1964, prior to the establishment of SEACoord, DoD developed plans to interdict North Vietnamese/Viet Cong infiltration routes into South Vietnam through Laos in response to the

¹⁰¹ Taylor, “Telegram- Saigon No. 1415,” 892.

¹⁰² Cosmas, 164.; Taylor, “Telegram- Saigon No. 1415,” 893. Cosmas bases this assertion of a review of CINPAC history and the Westmoreland Historical Files located at the Center for Military History which this author was unable to access.

¹⁰³ Cosmas, 164.

¹⁰⁴ McMaster, 172.

regionalization of the war.¹⁰⁵ While Ambassador to Laos Sullivan initially had reservations, he supported the effort following consent from State and DoD.¹⁰⁶ One of the chief issues confronting Ambassador Sullivan was the need to balance respect for Laotian sovereignty with operational priorities.¹⁰⁷ In future regional MAPROs, a Chief of Mission to one country may adamantly object to specific operations based on relations with that government. As was the case concerning Laos, rules of engagement in such nations will particularly relevant to a regional MAPRO.¹⁰⁸

Despite regional consensus on the importance of interdicting enemy lines of communication in Laos, President Johnston was unwilling to commit US air assets to anything more than photo reconnaissance Missions.¹⁰⁹ Once SEACoord was formed in October 1964, Ambassador to Vietnam Taylor sent a telegram to the Department of State to inform them that he and his fellow Ambassadors to Laos and Thailand agreed at a SEACoord's meeting that the issue should be revisited by Washington.¹¹⁰ SEACoord deemed that U.S. aircraft participation was "...essential if such operations are have the desired military and psychological effect."¹¹¹ Despite support from General Westmoreland and the JCS, President Johnston continued to restrict the utilization of U.S. aircraft for strikes.¹¹² SEACoord renewed its request to utilize U.S. aircraft for the strikes on November 6th.¹¹³ This example highlights the type of cross-border

¹⁰⁵ Anthony and Sexton, 137.

¹⁰⁶ Ibid., 138.

¹⁰⁷ Ambassador William Sullivan to the U.S. Department of State, August 6, 1965, in vol. XXVII of *Foreign Relations of the United States, 1964-1968: Laos*, ed. Edward C. Keefer and David Patterson (Washington, DC: Government Printing Office, 1998), 387-388.

¹⁰⁸ Ambassador Maxwell Taylor to the U.S. Department of State, "Saigon 1063," October 9, 1964, in vol. 3 of *The Pentagon Papers Gravel Edition*, 578-579, <http://www.mtholyoke.edu/acad/intrel/pentagon3/doc206.htm> (accessed December 4, 2011).

¹⁰⁹ Anthony and Sexton, 140.

¹¹⁰ Taylor, "Telegram — Saigon 1068," 821.

¹¹¹ Ibid.

¹¹² Antony and Sexton, 140.

¹¹³ Taylor, "Telegram — Saigon 1415," 893.

coordination pertinent to civilian and military regional operations. Furthermore, it demonstrates the importance of forming unified positions to influence senior-level policy decisions.

SEACoord was involved in a considerable number of additional regional issues as well.

Three years after its initial formation, in 1967, SEACoord was attended by Ambassador Bunker (Vietnam), Ambassador Sullivan (Laos), Ambassador Martin (Thailand), Admiral Sharp (CINCPAC), and General Westmoreland.¹¹⁴ During this time, the group was concerned with Viet Cong (VC)/North Vietnamese Army's (NVA) use of Cambodia to infiltrate South Vietnam. At the meeting, the group recommended worldwide diplomatic actions and a targeted public affairs campaign to expose VC/NVA use of Cambodia for infiltrating South Vietnam.¹¹⁵ The group agreed that it would lay the "political groundwork" for an escalation if one should be needed, but that they had no wish to "expand the war across the border."¹¹⁶ They also established a Cambodia Group to increase information sharing on the issue and "formulate policy and action recommendations from the field." In this very same meeting, the group reviewed Operation Dye Marker, the DMZ operation to stop infiltration into South Vietnam.¹¹⁷ The group also debated Operation Southpaw, which was a General Westmoreland planned deployment of ARVN into Laos to attack bases near the border.¹¹⁸ Here SEACoord developed global strategic communications strategies, regional political strategies, and regional contingency plans for escalation. Thus, all operations impacting neighbors were brought to forum to discuss regional

¹¹⁴ Ambassador Ellsworth Bunker to the President, "Saigon 2289 — For the President from Bunker," August 2, 1967, Box 1 Lot, Record Group 92D306, Entry A1 3372 A, Section 3, National Archives, College Park, MD.

¹¹⁵ Bunker, Section 3.

¹¹⁶ Ibid.

¹¹⁷ Ibid.; Fly Army, "Project Dye Marker Information for 3 MAR DIV DMZ Barrier." http://www.flyarmy.org/panel/battle/67071401.HTM_ (accessed January 10, 2012).

¹¹⁸ Bunker, Section 4.

political and operational considerations. These types of activities will likely need to be carried out in regional MAPROs.

Despite critiques of its efficacy, the SEACoord structure endured. State cables from 1964-1967 seem to indicate that it was a useful entity for coordinating operational issues, intelligence sharing, and the development of political strategies for the overall effort. However, military accounts differ slightly. Based on a review of General Westmoreland's historical files, Graham Cosmas indicated that SEACoord sprung a large number of committees and developed processes that overtime, proved to be cumbersome.¹¹⁹ Civ-mil tension over the fact that Ambassador Sullivan retained authority over a number of issues, including vetoes of particular airstrikes was a chief source of tension.¹²⁰

Applicability of SEACoord to Future Regional MAPROs

It is highly unlikely that the U.S. would get embroiled in a war on the scale of Vietnam solely to prevent mass atrocities. However, one cannot dismiss the SEACoord's model on that basis alone as some relevant lessons can be distilled from this case study. During the Vietnam War, the NVA and the Viet Cong capitalized on the presence of ungoverned spaces in the weak states of Cambodia and Laos to transit supplies and personnel.¹²¹ The principal regional issue the U.S. Government faced was how to interdict enemy lines of communication that crossed the borders of adjacent states. Extant rules of engagement and issues of Laotian and Cambodian sovereignty impeded the ability of the U.S. to take necessary action. This case study helped to demonstrate that regionalization poses some particular challenges to U.S. agencies operating overseas. SEACoord had to address regional policy coordination, intelligence sharing,

¹¹⁹ Cosmas, 376.

¹²⁰ Ibid.

¹²¹ Cosmas, 163-164.

information sharing, public affairs, rules of engagement, and operational planning concerns in a regional context.¹²²

The U.S. Government may face a similar situation during future regional MAPROs. For example, the U.S. agencies may have to engage a state actor or non-state actors that have conceptual and physical boundaries associated with history, culture, and identity that do not align with international borders. Within these borders, violent state actors or non-state actors may commit atrocities. Civilian agencies may have to address the tension between violating the sovereignty of additional states and protecting civilians. As such, SEACoord offers some approaches to help mitigate those challenges. To begin with, organization must be addressed.

A regional country team, similar to SEACoord, with representation by multiple U.S. Missions, could be extremely valuable to a future regional MAPRO. The principal benefit of this type of structure is that it builds on existing personnel and bears similarity to typical civilian agency structures. Like SEACoord, it could help to ensure that information flows do not stop at borders and that high-level policy and operational issues are coordinated between missions. The SEACoord's case demonstrated the utility of having senior U.S. Mission representatives, such as the Deputy Chiefs of Mission sit on such a committee. Principals will be needed to make rapid decisions to avert civilian casualties. In addition, senior military commanders should be integrated as members of a regional country team. Senior leaders can provide top cover for operations and have the authority to encourage interagency partners, to include the military, to work together regionally. That said, at any given time, U.S. Missions have many competing priorities, so it may be unrealistic to propose a structure that requires Ambassador or Deputy Ambassador-level participation unless the MAPRO is the number one national security concern for U.S. Missions in a region.

¹²² Cosmas, 163-164; Anthony and Sexton, 140; Ambassador Maxwell Taylor to the U.S. Department of State, "Telegram 1068."

SEACoord also highlighted the need to have clear articulation of authorities concerning civilian and military roles in a particular operation. In addition, it demonstrated the danger in creating parallel civilian and military organizations, similar to SACoord and MACV, with insufficient linkages. It also makes the case for limiting the proliferation of new organizational structures to those that are “necessary” as opposed to those that are “nice to have” as increased layers of bureaucracy do not necessarily lead to efficiency. Given the scale of the Vietnam War, it is worthwhile to examine an intervention on a much smaller scale with significantly less military and civilian resources attached to it: the Counter-Lord’s Resistance Army (C-LRA) Mission to Uganda, Central African Republic, Democratic Republic of Congo (DRC), and the Republic of South Sudan (RoSS).

Counter-Lord’s Resistance Army Mission – Regional Boundaries of a Non-State Actor and U.S. Civilian Agency Response

This case study explores the U.S. Government’s response to counter the Lord’s Resistance Army (LRA) in sub-Saharan Africa. For the C-LRA mission, the U.S. Government uses diplomatic, development/humanitarian, and military efforts, albeit in a scaled down manner relative to SEACoord, to accomplish its mission. The C-LRA mission is pertinent to this study for several reasons. First, it represents a case in which a non-state actor has defined its own boundaries across four nation-states in a region and has committed atrocities against civilian populations in that region. Second, it is arguably the second deployment of U.S. military forces to prevent violence against citizens.¹²³ Third, it demonstrates that the current structure of bilateral U.S. Missions may not be sufficient to address regional MAPROs. If it is successful, this

¹²³ The first being the U.S. and NATO imposition of the Libya no-fly zone. While the Administration did not evoke its atrocity prevention policy for the C-LRA mission, the mission fits within the parameters of its policy.

operation could be a model for future MAPROs against non-state actors, particularly those operating regionally.

The LRA arose in Uganda in the mid-1980s as an insurgency against the Government of Uganda led by Yoweri Museveni.¹²⁴ Joseph Kony, its leader, initially had the support of northern Ugandans, but his erratic behavior eventually led to his isolation.¹²⁵ Subsequently, he turned to the brutal practices for which he is known today — kidnapping children, forcing them to watch or take part in horrific acts of violence (killing or maiming of civilians) — thus indoctrinating them into a life of violence.¹²⁶ A 2006 joint UNICEF and AVSI quantitative study of LRA abductions estimated that as of that date, upwards of 66,000 people, mainly children, had been abducted by the LRA.¹²⁷ However, at the time, the LRA had a wider base of support.

The LRA enjoyed support from President Bashir of Sudan for some time and operated training bases out of southern Sudan, now the Republic of South Sudan, and the Democratic Republic of Congo. Museveni's Ugandan Peoples Defense Force (UPDF) eventually forced the main element of the LRA to leave Uganda and a government-sponsored amnesty program helped to reduce its ranks. Following the peace agreement between Bashir and the Southern Sudanese in 2005, in 2006, the government of Uganda and the LRA entered into negotiations to end the conflict. However, the negotiations broke down in 2008. The Uganda Peoples Defense Force (UPDF), aided by the DRC's Army and U.S. intelligence, attempted to raid the LRA's camps in DRC, but failed to kill or capture Kony or his top lieutenants. Since late 2008, the International

¹²⁴ Anthony Vinci, "Existential Motivations in the Lord's Resistance Army's Continuing Conflict," *Studies in Conflict and Terrorism* 30 (2007): 338.

¹²⁵ *Ibid.*

¹²⁶ Jeannie Annan, Christopher Blattman, and Roger Horton, *The State of Youth and Youth Protection in Northern Uganda: Findings from the Survey for War Affected Youth* (New York, NY: UNICEF and AVSI, September 2006), 51-56, <http://chrisblattman.com/documents/policy/way/SWAY.Phase1.FinalReport.pdf> (accessed December 10, 2011).

¹²⁷ Annan, 55.

Crisis Group estimates that the LRA has killed 2,400, abducted another 3,400, and displaced over 440,000. The LRA is now known to be operating out of eastern CAR, DRC, and RoSS.¹²⁸

The LRA conflict helps to illustrate a case in which a non-state actor has capitalized on the existence of ungoverned spaces in weak states and a weak region to define its own boundaries. The LRA operate in the weak region comprised of CAR, DRC and South Sudan. In these areas, due to the absence of state security apparatuses, the LRA has been able to reterritorialize, or define new boundaries, in an ungoverned space. In this reterritorialized space, civilians are vulnerable to atrocities perpetrated by the LRA in several adjoining states. Thus, this case illustrates both the regionalization of a conflict and a violent non-state actor that has established de facto territorial boundaries that do not correspond with international borders. To counter this group, the U.S. had to develop a regional approach.

In the context of more than two decades of atrocities, the U.S. Congress, lobbied extensively by advocacy groups, took action. In January of 2010, the U.S. House of Representative and Senate passed the *Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009*.¹²⁹ The act called for a regional strategy to address the LRA issue. It stated that it is U.S. policy to counter the LRA by “providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord’s Resistance Army....”¹³⁰ President Obama signed the bill into law on May 24, 2010.¹³¹

¹²⁸ International Crisis Group, “The Lord’s Resistance Army: End Game?,” November 17, 2011, 2, <http://www.crisisgroup.org/~media/Files/africa/central-africa/182%20The%20Lords%20Resistance%20Army%20--%20End%20Game.pdf> (accessed December 5, 2011).

¹²⁹ U.S. Congress, Senate, *Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009*, Public Law No: 111-172, 111th Cong., 2d sess., January 5, 2010, 1067, <http://www.govtrack.us/congress/billtext.xpd?bill=s111-1067> (accessed December 5, 2011).

¹³⁰ U.S. Congress, Senate, *Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009*, Public Law No: 111-172, 1067.

¹³¹ Resolve, “LRA Disarmament and Northern Uganda Recovery Act of 2009,” <http://www.theresolve.org/lra-disarmament-and-northern-uganda-recovery-act-of-2009> (accessed December 15, 2010).

At the same time, the Departments of State and Defense, USAID, and the intelligence community, in conjunction with the National Security Staff, developed an interagency strategy to comply with the *Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009*. While the strategy had been in development for some time prior to its release, on November 24, 2011, President Obama transmitted the plan to Congress.¹³² The strategy recognized that the U.S. effort to counter the LRA will depend on diplomatic, military, economic development, and humanitarian assistance in a regional context.¹³³ Consistent with the *Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009*, the strategy has four pillars or strategic objectives concerning the protection of civilians, the capture or removal of Kony and other top leaders, DDR (disarmament, demobilization and reintegration) of remaining LRA combatants, and the provision of humanitarian assistance to civilian populations in need.¹³⁴ To implement the military aspect of this strategy, on October 14, 2011, President Obama notified Congress that he ordered approximately 100 U.S. special operations forces (SOF) to Central/East Africa to aid and advise regional military forces in the capture or removal of the LRA leadership.¹³⁵ The U.S. Government then had to determine how to implement the strategy.

The civilian element of the C-LRA mission is an interesting hybrid of traditional capital-based diplomatic responsibilities and somewhat novel operational or field-based responsibilities. Given the number of issues facing the region, State recognized that existing staff at U.S. Missions

¹³² The U.S. President to the Chairmen and Ranking Members of the House and Senate Committees on Appropriations, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations, "Letter from the President on the Strategy to Support the Disarmament of the Lord's Resistance Army."

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ U.S. President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, "Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate Regarding the Lord's Resistance Army," October 14, 2011, The White House, <http://www.whitehouse.gov/the-press-office/2011/10/14/letter-president-speaker-house-representatives-and-president-pro-tempore> (accessed December 10, 2011).

in the region would not be able to dedicate full attention to the LRA portfolio. Following the issuance of the policy, State established a D.C.-based Special Assistant for LRA Issues in the Bureau of African Affairs.¹³⁶ Concurrently, at the request of the Department of State's Bureau of African Affairs, State's Bureau of Conflict and Stabilization Operations deployed a civilian to serve as full-time Field Representative for LRA Issues.¹³⁷

In the field, the State representative is dual-hatted. On one hand, the officer acts as a political/diplomatic coordinator, which entails working in regional capitals through U.S. Missions and bilateral partners; this work tends to be political or strategic in nature. Concurrently, the officer must also play a more operational role which entails working with the U.S. SOF, regional militaries, and civilian staff working on development and humanitarian programs. As it stands, the coordinator is the only U.S. civilian employee in the region with this type of regional mandate. This broad mandate necessitates numerous reporting chains and concurrent responsibilities. The officer must report to the Ambassadors or Deputy Chiefs of Mission for four countries (Uganda, DRC, CAR, and RoSS), the office of a Deputy Assistant of State for African Affairs in Washington, and the Bureau of Conflict and Stabilization Operations (CSO).¹³⁸ Collectively, these entities represent U.S. policy and national security interests as well as partner nation priorities.

Outside of the U.S. Government the Field Representative, in conjunction with U.S. Mission staff, must interface with the Governments of Uganda, DRC, CAR, and RoSS. Each country naturally has their respective national security priorities. On the multilateral side, U.S. Government efforts must be coordinated with the United Nations Organization Stabilization

¹³⁶ U.S. Government Official 2, interview by author, via telephone, December 10, 2011. This source's identity is kept confidential based on mutual agreement.

¹³⁷ U.S. Government Official 1, interview by author, via telephone, November 25, 2011. This source's identity is kept confidential based on mutual agreement.

¹³⁸ U.S. Government Official 1.

Mission in DRC (MONUSCO), United Nations Mission in South Sudan (UNMISS), and the UN presence in Central African Republic. These UN Missions have to deal with LRA affected areas, albeit within the borders of a single country. In addition, there are numerous other bilateral partners and non-governmental organizations that deal directly or indirectly with LRA affected areas and populations. The sheer number of actors makes policy and operational coordination quite challenging. To accomplish the requisite regional and multi-lateral coordination to advance the U.S. Government's C-LRA strategy, the Field Representative chose not to establish formal working group structures. Instead, the officer developed an informal network of interested parties.¹³⁹ Thus, the coordinator has been able to conduct regional coordination with multiple U.S. Missions without establishing new organizational structures such as the regional country team used by SEACoord. Depending on the complexity and size of a future MAPRO, it may be possible for U.S. civilian agencies to follow the C-LRA model and have a regionally mandated representative or team, without placing the burden of regularly occurring coordination meetings on Mission staff.

In terms of integration with the military elements of the C-LRA mission, the Field Representative regularly interfaces with U.S. SOF, which helps maximize several key functions of the position. The officer provides policy-related guidance and advice to the U.S. military as it is set by Washington D.C. and U.S. Missions in the region. Secondly, the officer and military counterparts interface with military commanders from bilateral partners in the region. This relationship furthers the sharing of intelligence and open source information from neighboring countries. Lastly, as the concept of operations is developed, the coordinator will provide pertinent civilian input and considerations to the planning process for regional operations.¹⁴⁰ Given the

¹³⁹ Ibid.

¹⁴⁰ U.S. Government Official 1.

breadth of actors in the region and the associated complex political environment, it is essential that the civ-mil relationships are as seamless as possible. U.S. Government civilian agencies engaged in future regional MAPROs will likely face similar concerns.

One of the most serious impediments to effective coordination of policy and operations in a regional context is information sharing. Most actors operate within the borders of a particular country but the LRA has committed atrocities across the region irrespective of international borders. The Field Representative emphasized that in some cases, information essentially stops flowing at a border. For example, UN country presence mandates are bilateral, so cross-border communication can be challenging.¹⁴¹ Reports of LRA activity in CAR might be known to local civilian populations or the government in that area, but that information may not be accessible to the UN in DRC or the UPDF working in the area. As the operation progresses, this may remain a serious impediment. Thus, the Field Representative has been working to create the connections necessary to increase the flow of information across the borders.¹⁴² This U.S. Government will likely have to deal with similar issues in future regional MAPROs as well.

The U.S. Government currently faces a very austere budget environment which means that it must work to leverage international community resources due to dim prospects for additional U.S. funding for the C-LRA mission. Thus, the C-LRA mission needs to be very effective in determining ways in which existing U.S. Government and non-U.S. Government programs in South Sudan, CAR, and DRC can be leveraged to achieve specific effects that contribute to the overall strategy. The same applies for leveraging UN programming in the region.¹⁴³ Taken together, this means that field-based regional diplomacy is essential to the

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ U.S. Government Official 1.

success of the mission as it must help to offset limited U.S. Government funding in the near to mid-term.

The efficacy of the C-LRA mission would be seriously undermined if there was not a D.C. based Special Assistant for LRA Issues in the State Department's Bureau of African Affairs. The Special Assistant for LRA Issues and the Field Representative for LRA Issues both agreed that that the D.C. position is essential, especially with such a light field presence.¹⁴⁴ In D.C., State established an LRA Working Group that meets weekly to discuss regional policy, strategy and operational concerns. The D.C. based position is the conduit through which information from the field is fed into the D.C. working group. In addition, the Special Assistant for LRA Issues is responsible for enabling the execution of regional policy guidance from senior leaders, engaging with congress, and interfacing with the AU and UN all to advance the strategy. Under the direction of senior leaders, the representative provides overarching policy guidance to DoD for planning products to ensure that regional partner interests are appropriately represented.¹⁴⁵ Given the highly political nature of MAPRO, a D.C.-based interface helps to ensure field operations stay in line with the policy debates in the capital.

Applicability of the C-LRA Regional Model to Regional MAPROs

The C-LRA operation marks the first MAPRO type of mission that the Obama Administration has undertaken since the release of "PSD-10." While the administration has not framed the mission exclusively in terms of atrocity prevention, its civilian protection mandate falls within the parameters of the new policy. As a non-state actor, the LRA group operates in a region of weak states, moving freely across international borders within its self-defined regional boundaries. Thus, civilians living within the boundaries of LRA operations, and outside of formal

¹⁴⁴ U.S. Government Official 2; U.S. Government Official 1.

¹⁴⁵ U.S. Government Official 2.

government security apparatuses, are vulnerable to atrocities committed by the group. To address these issues, the U.S. Government has had to adopt a regional approach to support its African partners in their mission to counter the LRA. However, given that extant civilian agency coordination structures and mandate were not sufficient for a regional operation, they had to be created. In light of the foregoing, the C-LRA mission provides valuable insight into U.S. civilian-military coordination for future regional MAPROs.

The U.S. Government can glean several key lessons concerning regional operations from the C-LRA mission. To begin with, regional operations are inherently more complicated than bilateral operations in terms of the number of actors involved. In a regional context, the political landscape becomes increasingly complex with multiple national governments and their militaries, multilateral entities, non-governmental organizations, and international community representatives and militaries. In addition, disparate political agendas of multilaterals and multiple national governments must be addressed. Activities must be coordinated across many states. Thus, bilateral U.S. Missions may have trouble addressing regionalization absent a specific regional mandate. To address this complexity, the C-LRA case implemented a model that may be useful for future operations.

This case study helps to confirm this author's assertion that bilateral U.S. Missions may not have the manpower necessary for a regional MAPRO. As such, at the request of a Chief of Mission or Assistant Secretary, the U.S. Government may wish to consider appointing a team with a regional mandate, similar to the C-LRA team. The size of a team will depend on the scope of the operation, but at a very least, several field positions and a D.C. based coordinator may be necessary. Ideally, for future regional MAPROs, the U.S. Government could deploy a field based interagency team to focus on key areas such as planning, intelligence, logistics, as well as experts in particular sectors, for example, security sector reform. A larger team may enable further specialization and expand the number of issues that it could address concurrently. If the U.S.

Government were to adopt this type of structure, it could simultaneously engage partners in capitals, while also interfacing with U.S. military and partner militaries at operational and tactical levels in the field. In terms of operational concerns, close civilian coordination with military counterparts, particularly through the planning phases will be essential to ensure that plans are consistent with the interests of regional and multilateral players.

In the future, State and USAID should explore establishing more formal structures and clear reporting chains to maximize the efficiency of any field-based regional operations teams. The C-LRA cases demonstrated that it may not be necessary to create a regional country team similar to SEACORDS if the regionally mandated team can conduct its regional policy and operational coordination less formally. More meetings do not necessarily lead to improved coordination or action. On the Washington, D.C. side, the field-based MAPRO team needs an advocate that can navigate the complex political and policy environment to ensure its success.

In closing, the LRA conflict provides an example of how non-state actors may develop their own boundaries across multiple weak states. Within these boundaries, civilians lack the protection of government affiliated security forces and are vulnerable to violent acts committed by the LRA. If the U.S. Government intends to pursue these groups and protect civilians from atrocities, it may need to adopt a similar regional approach and designate a regionally mandated team. The regionally mandated team the U.S. Government developed for the C-LRA mission may be useful for future regional MAPROs. While the C-LRA mission is ongoing, it could prove to be a model for future efforts as it requires only a small U.S. footprint and the limited amount of resources during a time of austere budgets.

Conclusion and Areas for Future Research

President Obama's decision to elevate mass atrocities to a core national security interest represented a significant shift in U.S. policy on the issue. That policy shift has operational implications for the future use of military and civilian personnel and assets. The study sought to

answer the question of whether or not preparation for, and thinking related to, MAPRO captures the potentially regional nature of atrocities and requisite regional approaches to address such atrocities. The argument that MAPRO does not sufficiently reflect regionalization would seem to be correct.

By reviewing the two central policy-level documents on responsibility to protect, ICISS' *The Responsibility to Protect* report and PSD-10, this study has demonstrated that both of these documents addressed regional dynamics and actors that could be associated with a mass atrocity. However, neither document explicitly recognized the likelihood that some MAPROs may have to be regional if the international community is serious about preventing mass atrocities. On the operational side, the MARO handbook's guide for military planners similarly recognized that planners must be aware of the possibility of atrocities in nearby regions. Second, all of the documents stopped short of recognizing the possibility of, and complications associated with, regional operations. Moreover, these the documents do not explore why regionalization of mass atrocities may become an issue in the first place.

To address the issue of regionalization it was useful to explore the idea of sovereignty. Specifically, how sovereignty relates to weak states and weak regions. Essentially, states are conferred with full sovereignty in the international system despite their inability to protect their citizens or control their borders. The sovereignty issue then led to a discussion of weak states in sub-Saharan Africa, demonstrating that governments in weak states may have little state presence outside of major urban and economic areas. Clusters of these weak states may form into weak regions as illustrated by sub-Saharan Africa. The absence or weakness of social contracts between governments and their citizens in these weak states increases the likelihood that governments could generate a narrative to support actions that prey upon vulnerable populations. Conversely, non-state actors may capitalize on the absence of government institutions in these areas, create their own boundaries that cut across international borders, and commit atrocities against

vulnerable populations in those areas. Lastly, civilians in weak regions with little connection to their state may construct their own physical and cognitive boundaries around cultural or socio-economic ties that cut across the borders. Thus, their local security networks may be tied to these boundaries. If the U.S. aims to prevent atrocities in weak states, it may need to take a regional approach to targeting perpetrators and supporting civilians as boundaries of non-state actors or civilian populations may not correspond with international borders. The paper then turned to a discussion of regional coordination structures and found that standard bilateral mandates and coordination structures overseas may be insufficient to handle regional operations.

The QDDR has acknowledged the need for U.S. Missions to look regionally given the current state of the international system. The QDDR process is currently being implemented. Once it is complete, certain U.S. Missions will be designated as regional hubs which should improve the ability of civilian agencies overseas to look regionally. As it stands, some U.S. Missions have regional officers, but mainly focus on bilateral issues. Some USAID regional missions, which are part of a specific U.S. Mission, may focus regionally. However, these regional USAID Missions typically focus on countries in which they do not have a country presence. As such, the discussion focused on extant U.S. civilian agency organizational structures and determined that they may not be sufficient for regional operations.

By looking at current organization, this paper found that the U.S. Government civilian agencies may need to designate teams with regional mandates and corresponding organizational structures to handle the burden of a regional MAPRO, while also working to integrate existing country team constructs. Large U.S. Missions may be better placed to handle new structures as they may have sufficient personnel to staff such an entity. Smaller missions may require augmentation. In terms of personnel, U.S. Mission staff from a region will be essential to the success of a MAPRO owing to their intimate knowledge of the operational environments. However, they may not have the requisite planning and operational skills needed for a MAPRO

or may simply be too burdened to devote their full attention to a regional MAPRO. Thus, it may be advisable for a U.S. COM or Assistant Secretary of State to request augmentation teams from USAID's OTI or OFDA and State's CSO if these principals see a gap in mandate or personnel. The issues of regionalization of conflict and civilian agency personnel, mandate and coordination structures were further supported by two case studies.

The case studies on SEACoord and the C-LRA Mission indicated that regionalized conflict in weak regions presents a distinct set of challenges for the U.S. Government. The case studies found that the U.S. Government needs to think more broadly about atrocity prevention and response in the context of the current international system. To deal with those challenges, U.S. civilian agencies were forced to adopt novel regional organizational approaches and mandates, but those approaches have not been institutionalized within the U.S. Government. In Vietnam, the U.S. faced an enemy that capitalized on the presence of ungoverned spaces in weak states to run lines of communication into South Vietnam. In this case, the actors simply ignored international borders.

To address the regional nature of the conflict, the Department of State adopted a regional country team model, SEACoord, which could be relevant for future MAPROs. SEACoord was attended by principals from U.S. Missions and U.S. Military entities operating in the region. SEACoord was used to share information, intelligence, coordinate regional or international policy, communications, propose rules of engagement, develop public affairs campaigns, and plan operations. Military and civilian entities seemed to have disagreed about its efficacy, but given that the organization survived for so many years, it must have been somewhat effective in addressing the aforementioned issues. SEACoord helped show that for future regional MAPROs, some regional principal-level committee could be very useful to address high-level policy concerns. However, it may not be realistic to expect the persistent presence of high-

ranking officials for a regional MAPRO. In closing, it seemed to suggest that civ-mil chains of command and authorities may be the biggest impediment to success of such a model.

The C-LRA case study suggested that weak regions, particularly those in sub-Saharan Africa, may give rise to a power vacuum that can be exploited by violent non-state actors. In Central and East Africa, the LRA created their own operational boundaries that currently cut across several international borders. Within their boundaries, the LRA continues to commit mass atrocities against civilians. To address the regional nature of the conflict, the USG civilian agencies created a small two person organizational structure with a regional mandate. The civilian presence was soon followed by U.S. SOF. The principal civilian element is the Field Representative for LRA Issues who interfaces with U.S. civilian and military leaders as well as bilateral and multilateral partners at the country-strategic and operational levels. The Field Representative works to improve regional coordination and information sharing between U.S. Government, bilateral partners, and UN organizations while also leveraging their support in a funding constrained environment. Unlike the SEACoord regional country team model, the C-LRA mission adopted a less formal coordination mechanism recognizing that more formal working groups do not necessarily lead to improved coordination. Depending on the complexity and size of an operation, the less formal C-LRA augmentation model could be used for future MAPROs if the U.S. Government properly resources it with people and funding. In summary, a person or team with a regional mandate can dedicate its focus solely on a regional MAPRO, working to bring in pertinent stakeholders as necessary.

Collectively, this study has shown that the U.S. Government and the academic community have not paid due attention to the possibility of regional MAPROs. The USG, through the APB process, needs to flesh out how it would deal with regional operations. A study focusing on regional operations such as this one should be augmented with more in-depth analysis by the policy community as well as the development and military establishments. In

particular, there are additional case studies that could be explored for future regional MAPROs. The Civil Operations and Revolutionary Development Support (COORDS) program in Vietnam and the Provincial Reconstruction Teams (PRTs) currently used in Iraq and Afghanistan are excellent sources of lessons learned for field-based civ-mil operations. In addition, the U.S. Government's civilian South Sudan Stabilization Teams, field-based entities working on local stabilization initiatives, may also yield key lessons for civilian operations with an atrocity prevention focus.

The U.S. Government should improve its readiness to deal with future MAPROs through training and exercises. U.S. Government civilian and military agencies and department should look at undertaking joint exercises.¹⁴⁶ These exercises should have an element that focuses on atrocity prevention. In addition, it is advisable for the scenarios to include mass atrocities in a regional context given the likelihood that the U.S. Government may face a similar problem in the future. This type of exercise, if properly staffed by civilians and military, could help expose further gaps in organizational structures, training and staffing. In terms of training, the Department of State and USAID, perhaps in partnership with the U.S. Institute of Peace (USIP), should develop an atrocity prevention course to sensitize its staff to the indicators of mass atrocities. Civilians in this type of course could learn about the processes through which civilian populations and non-state actors create and maintain their own borders and boundaries. In doing so, they might be able to more effectively identify impending regional mass atrocities and potential civilian support networks necessary to keep them safe. Alternatively, MAPRO concepts could be integrated into current training for Civil Service Foreign Service Officer without developing stand-alone courses.

¹⁴⁶ The author of this study participated in a working group at a EUCOM/AFRICOM conference in Germany. This working group recommended joint exercises. EUCOM and AFRICOM, "Mass Atrocity Planning and Intervention Conference."; Sewall, Raymond, and Chin, 92.

To date, the U.S. Government has engaged in two missions with atrocity prevention mandates, the Libya and C-LRA operations. In both cases, it has done a commendable job adjusting to the operational environment and devising a plan and structures appropriate to atrocity prevention and response. However, following PSD-10, the U.S. Government must institutionalize its mechanisms to respond to future mass atrocities. Absent an investment in resources to improve its understanding of mass atrocities in a regional context, the U.S. Government risks finding itself embroiled in a regional MAPRO with little guidance or lessons learned on how it should respond. If the U.S. Government is serious about contributing to the preventing mass atrocities around the world, it should dedicate the resources necessary to develop such an understanding as it will save the lives of victims and perhaps even its own troops.

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