

WHATEVER HAPPENED TO THE ATROCITIES PREVENTION BOARD?

I should be analyzing the Administration's case for war to punish Bashar al-Assad because someone in his regime allegedly used chemical weapons against civilians. I will do so soon.

But I keep thinking back to the President's Atrocities Prevention Board.

Back in August 2011, Obama rolled out an effort to figure out how to prevent attacks like the one that occurred on August 21. It was a then-NSC Senior Director for Multilateral Affairs and Human Rights and now UN Ambassador Samantha Power baby, closely in line with the Responsibility to Protect standards an attack on Assad would ultimately serve.

And while it suffered from some potentially fatal problems (notably, a remarkable selectivity about which atrocities actually counted as such and which should, for expediency, be ignored), it was a thoroughly laudable effort, an attempt to find new tools to prevent the mass killing of civilians.

Here are some things a May update reported have been going on in Syria.

On Syria, the State Department and USAID have deployed experts to support targeted projects that lay the foundation for accountability and a democratic transition that protects the rights of all Syrian people, such as building a cross-sectarian network of civilian activists by training local leaders and activists, including women and minorities.

[snip]

In Syria, the United States has strongly promoted accountability efforts,

supporting organizations that are collecting and reviewing evidence to establish criminal responsibility and that are leading efforts to help the organized opposition begin the process of developing Syrian-led accountability mechanisms.

I raise the APB not to declare its failure, but to point to parts of the framework that seem absent from the discussion of how to respond to the Syrian CW attack.

For example, the APB emphasizes multilateral work, with the UN a key player.

Our diplomats will encourage more robust multilateral efforts to prevent and respond to atrocities. An effective atrocity prevention and response strategy – in which burdens are appropriately shared by other nations – will require cultivating deeper and broader support among our bilateral partners, as well as international and regional organizations:

[snip]

- *UN System Capacity: The United States will work with the United Nations to strengthen UN capacity for conflict prevention and crisis management, including through preventive diplomacy and mediation, especially when UN missions encounter escalating atrocity threats.*
- *Regional Capacity:*

The United States will also work with our partners to build the capacity of regionally-based organizations to prevent and respond to atrocities.

Now UN Ambassador Power is not so optimistic about UN's use here.

Recall: In July Russia blocked nonbinding #UNSC resolution condemning any CW use; last week even blocked press statement against CW attack.

Syrian regime must be held accountable, which #UNSC has refused to do for 2+ years. US considering appropriate response.

In 2011, Power's Board believed one potential response to a crisis was a civilian surge.

Civilian Surge: State and USAID will increase the ability of the United States Government to "surge" specialized expertise in civilian protection on a rapid response basis in crisis situations.

Whereas here we're going to surge cruise missiles, nothing more.

And the APB emphasized legal accountability for atrocities.

Denying Impunity Abroad: The U.S. government will support national, hybrid, and international mechanisms (including, among other things, commissions of inquiry, fact finding missions, and tribunals) that seek to hold accountable perpetrators of atrocities when doing so advances U.S.

interests and values, consistent with the requirements of U.S. law. State, DOJ, and DHS will develop options for assisting with witness protection measures and providing technical assistance in connection with foreign and international prosecutions. And we will continue to work with Congress to expand State's authority to make reward payments for information that leads to the arrest of foreign nationals indicted for war crimes, crimes against humanity, or genocide by international, hybrid, or mixed criminal tribunals.

In recent years, the US has only managed to deliver Saddam a grisly hanging and Qaddafi an even more brutal death (though Libya is working on holding Qaddafi's son responsible).

But it's unclear how a strike that will rush UN investigators away from the task of collecting evidence against Assad, but a strike not designed to end his reign, will serve that kind of accountability. (There was a significant DOD component to the APB, but it seemed to assume DOD would be on the ground.)

I get that things are a lot harder in real time than in efforts to plan a response. I get that Syria is a difficult problem on all counts.

But the endorsement of a quick, symbolic and legally dubious strike doesn't seem consistent with the framework the Obama Administration envisioned two years ago for precisely this kind of moment.