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# PeaceWatch

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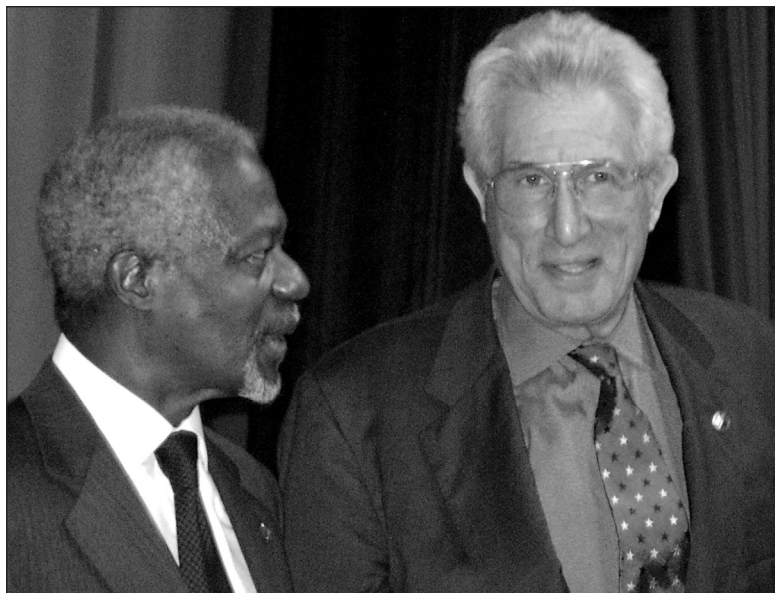
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# Reforming the UN

Commissioned by Congress to develop a plan in six months, the Institute Task Force met the target date with a widely praised report

In December 2004, Congressman **Frank Wolf** (R-VA)—deeply concerned about the UN's failure to act against genocide in Darfur, by the Oil-for-Food scandal, and by the ongoing disgrace of a UN Human Rights Commission composed of a rogues' gallery of human rights violators—gave the Institute a mandate: organize a bipartisan Task Force on reforming the United Nations that should report to Congress in six months with actionable recommendations on how to make the United Nations more effective in realizing the goals of its Charter. The legislation authorizing the project specified that the Task Force should consist of experts from six public policy forums: the American Enterprise Institute; the Brookings Institution; the Center for Strategic and International Studies; the Council on Foreign Relations; the Hoover Institution; and the Heritage Foundation. In consultation with



**UN Secretary General Kofi Annan and Institute President Richard Solomon discuss *American Interests and UN Reform: Report of the Task Force on the United Nations*, the Institute's 154-page report developed by former Speaker of the House Newt Gingrich and former U.S. Senate Majority Leader George Mitchell at the request of Congress.**

Congressman Wolf, the Institute solicited nominations for twelve Task Force members from these organizations. The members were a diverse and experienced group of distinguished Americans from

a variety of professions and backgrounds. **Newt Gingrich**, former Speaker of the House of Representatives, and **George Mitchell**, former Senate Majority Leader,

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## Reforming the UN

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agreed to serve as co-chairs of the Task Force. **George Ward** and Institute President **Richard Solomon** organized and oversaw the bipartisan effort.

The study was to have a clear focus: U.S. interests, and how the United Nations could be reformed to better fulfill those interests. As Speaker Gingrich noted, the United States, as the single largest stakeholder in the UN and as one of its charter members, has a responsibility to ensure that the UN operates “effectively, honestly, and decently.” And as Senator Mitchell remarked, “We have carried out this mandate in the firm belief that an effective UN is in American interests.”



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Within six months, the Task Force had a report in hand. Remarkably, it represented a consensus document, containing a wide range of recommendations on everything from the prevention of genocide and the alleviation of poverty to a radical overhaul of the UN’s management systems.

United Nations, I think the adoption of [this] report . . . would quite frankly do it.”

Public reaction to the report has been remarkably favorable. In a top-of-the-column editorial titled “Dr. Gingrich: Wise Prescriptions,” *The New York Times* praised the report as “balanced

*The New York Times praised the report as “balanced and thoughtful,” and said it offers “useful proposals on restraining nuclear and other weapons proliferation, and on peacekeeping and peacebuilding, human rights, economic development, and strengthening the UN’s badly discredited management systems.”*

Among the most important of these recommendations:

- Establishing a single, senior official as chief operating officer;
- Empowering the secretary-general to replace his or her top officials;
- Creating an Independent Oversight Board that has the audit powers to prevent another scandal like Oil-for-Food.
- Action by the U.S. government to call upon the UN and its members to “affirm a responsibility of every sovereign government to protect its own citizenry and those within its borders from genocide, mass killing, and massive and sustained human rights violations.”
- Abolition of the current UN Human Rights Commission, and establishment of a new Human Rights Council, ideally composed of democracies and dedicated to monitoring, promoting, and enforcing human rights.

At a congressional hearing held in late June to discuss the findings and recommendations of the report, Congressman Wolf said, “If you really want to save the

and thoughtful,” and said it offers “useful proposals on restraining nuclear and other weapons proliferation, and on peacekeeping and peacebuilding, human rights, economic development, and strengthening the UN’s badly discredited management systems.” Secretary General **Kofi Annan** also welcomed the report, saying that he “supports many of the recommendations and believes that the task force’s strong commitment to working with other member states and the UN staff is the best basis on which to pursue and achieve lasting reform.” Annan particularly praised the report’s focus on addressing the crisis in Darfur.

The report focused on five substantive areas, each of which was examined by a task group composed of distinguished members and experts drawn from the public policy organizations specified in the legislation authorizing the study. The five areas were: preventing and ending conflicts and building stable societies; preventing and responding to genocide and gross human rights violations; preventing catastrophic terrorism and the proliferation of weapons of mass destruction; ensur-

ing the effectiveness, integrity, transparency, and accountability of the UN system; and fostering economic development and reducing poverty. In pursuance of their work, Task Force members made fact-finding trips to Libya, Liberia, Haiti, Canada, Indonesia, France, Germany, and Ghana, among other countries.

In their joint testimony to the House Appropriations Subcommittee on Science, State, Justice and Commerce chaired by Congressman Wolf, co-chairs Gingrich and Mitchell discussed some of the larger conceptual issues framing their recommendations. Senator Mitchell said the report concluded that reform was needed at two levels. The first, he said, is institutional change—reform of a type that the UN itself recognizes is badly needed. A particular problem is that management systems common to other public and private institutions are often lacking in UN agencies, making it difficult to hold managers accountable. For example, the secretary-general is not able to hire or fire his top officials. Effective whistleblower protections are not in place. There is no chief operating officer tasked with overseeing the day-to-day operations of the organization.

The second recommendation, said Mitchell, is operational. The UN needs to craft more effective responses to genocide and mass killings of the sort currently seen in Darfur. The report called on the UN to ask its member states to affirm the responsibility to protect their citizens from genocide and massive human rights violations. It also recommended that the rich nations of the world help address the needs of the poor.

Gingrich began his testimony by outlining three principles that should undergird any effort by the U.S. to reform the UN: First,

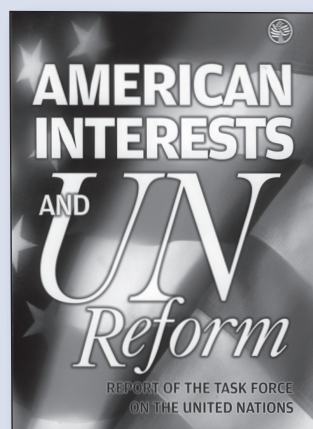


**George Mitchell and Newt Gingrich discuss the report on reforming the UN at a conference at Columbia University.**

that telling the truth and standing up for basic principles is more important than winning meaningless votes or conciliating dictators. Second, that reform proposals should focus on what is right and necessary, not what is easy and acceptable. And third, that the members of the UN should understand that the U.S. is genuinely committed to reforming the UN, but will explore new avenues for effective multilateral action if the UN refuses to reform itself.

Gingrich then enumerated five principles that he thought Congress ought to keep in mind as it considers the future relationship between the U.S. and the UN.

1. There is an unacceptable gap between the ideals of the UN Charter and the institution that exists today.
2. Notwithstanding these failures, the United States has a significant national interest in working to reform the UN and making it an effective institution.
3. The Task Force strongly recommended that the UN abolish its Human Rights Commission.
4. A fair test of whether there is meaningful UN reform is whether there is a dramatic improvement in the way that the UN treats Israel.
5. There are inherent limitations of the UN that are not subject to reform—an organization



**The Institute-published report assessed reforms that would enable the United Nations to better meet the goals of its 1945 charter and offered Congress an actionable agenda to strengthen the UN.**

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whose majority is composed of states that are not full-fledged democracies will likely remain an imperfect instrument for the foreseeable future.

The Institute has held a series of public meetings to further propagate the recommendations and findings included in the reports. Gingrich and Mitchell also testified before the Senate Foreign Relations Committee, where they were warmly received by senators on both sides of the aisle. In addition, the report has been mentioned in several hundred news articles, mostly in the United States but also in countries ranging from Pakistan to Egypt to Japan. “We’ve been deeply gratified by the response,” said Solomon: “We believe it has provided Congress and the Executive Branch some of the nation’s best thinking about how to reform the UN.”



# The Institute's Grant Program Ventures into IRAQ

Modest grants with large goals: seeding civil society and developing democracy

Sama Haddad and Yasser Alaskary visited the Institute in September to discuss the Babylon project, which provides students at the University of Babylon with an opportunity to participate freely in discussions about the country's future.

It is perhaps only appropriate that Babylon, its name synonymous with the proliferation of tongues and the sewing of discord among humankind, should be the site of a unique Institute project aimed at bringing into dialogue Iraqis' diverse and often conflicting visions of a post-Hussein Iraq. The project, centered at the University of Babylon, consists of a newsletter and debating society run and operated by students. In its first six months of operation, the society has become the largest membership organization on campus, and provided students with an opportunity to participate freely in discussions about the nation's future—an opportunity all-but-forbidden under Hussein's totalitarian regime. In the process, it has introduced students to a new kind of discussion, one based on persuasion rather than fiat, on inclusiveness rather than adherence to a party line.

The \$42,000 project is just one of dozens supported by the Institute's grant program, which has devoted over \$2.5 million to work with Iraqis to prevent and reduce interethnic and interreligious violence, speed up stabilization and democratization, and ultimately reduce the need for a continuing U.S. presence in Iraq. The money is part of the \$10 million appropriation to the Institute approved by Congress in November 2003 and a \$2.85 million transfer from the State Department in 2005.

"We sought to fund projects that develop Iraqi capacity for a democratic and pluralistic self-government," says **Judy Barsalou**, head of the Institute's grant program. "These projects are meant to outlive their funding cycle by giving participants the tools to participate in a self-governing country."

The Babylon project was originally intended to provide a moderate voice in opposition to the extremism and radical movements gripping many university campuses in Iraq. Since these movements generally have a strong religious component, the students decided to devote several pages of their newsletter to discussions about the place of religion in contemporary Iraq. One of the first articles the newsletter published argued that today's democrats draw their inspiration in part from the late Islamic scholar, **Muhammad Baqr al-Sadr**, a great uncle of the radical cleric **Muqtada al-Sadr**. Followers of the nephew's politics were deeply unhappy about the article, arguing that it made Muqtada sound



like a "tool of America." Rather than dismiss their complaints, the editors asked the radicals to write a rebuttal, offering their own analysis of Muqtada's philosophy. "This in itself was a shock to them," the editors reported, "and caused many of them to rethink their outlook on the issue."

Another project that has had unusual success came as an over-the-transom proposal from an Iraqi delegation of handicapped people—an especially large group in a country that has survived several devastating wars over the past two decades. (Indeed, Iraq is thought to have one of the highest per capita number of disabled, with a conservative estimate of 1.5 million handicapped people out of a population of 26 million.) The goal of the project was to increase dialogue and cooperation among the handicapped of differing ethnic and sectarian groups—using their handicapped status as a sort of "bridge" between the sometimes antagonistic groups—in order to increase public awareness of their plight and to address their needs within the constitutional process. As a result of a \$70,000 Institute grant, Iraq is now one of only a few countries, such as Canada, that explicitly recognize the rights of the handicapped in their Constitution.

"A lot of what funders do is laying foundations for processes and institutions that come to fruition over time," says Patricia Karam, a program officer who has helped coordinate the Institute's Iraqi grants. "But we have been extremely encouraged by the results we have seen to date, and we look forward to continuing our work with the brave men and women who are doing so much to build a new, democratic, and pluralistic Iraq." 

# Help for A Neglected People

Senior Fellow Don Steinberg spent his fellowship year seeking solutions for Internally Displaced People

**D**on Steinberg, a member of this year's graduating class of Jennings Randolph Senior Fellows, remembers the moment that crystallized his commitment to working on the problem of internally displaced people. It was in the late 1990s, and he was the U.S. ambassador to Angola, a country long devastated by civil war. "When I first went to Angola, a peace agreement had been signed, but people weren't going home. They congregated in camps for the internally displaced, waiting to see if the agreement would hold. And I remember visiting one camp just at the moment when a woman, who had been out gathering firewood or food, was brought in after stepping on a landmine. She was pregnant, and the blast from the mine induced premature labor—I saw her giving birth and getting her leg amputated at the same time. As we left, the doctor told us it was unlikely that either she or the baby would survive."

Internally displaced people, or IDPs, are among the most neglected of the world's many desperate peoples. Unlike refugees, who have crossed internationally recognized borders and for whom there is a both a body of law and a set of institutions to address their needs, IDPs are presumed to be under the care of their own government—even if it is their own government that has pushed them from their homes. "There are 25 million IDPs—significantly more than the number of refugees in the world," says Steinberg. "Yet the world is poorly equipped to deal with their plight." Often, he adds, the government views them as either inherently hostile or as partial to rebel movements fighting against the government.

Steinberg's project at the Institute was to develop practical ideas for better incorporating IDPs into the international structure of protection. He has conducted fact-finding missions to Sudan and Sri Lanka, and hopes to go to Kosovo and Colombia before his fellowship expires. During the year, Steinberg developed a five-point plan to deal with IDPs based on realistic assumptions about the world's willingness to take on another major responsibility.

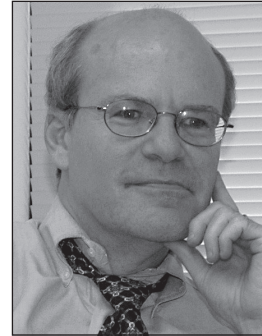
1. We should extend the concept of the "responsibility to protect" to IDPs. If governments fail to protect IDPs, they should be seen to forfeit their right of

sovereignty and open the door for international intervention.

2. We should codify existing principles regarding IDPs, as enshrined in a hodgepodge of treaties adopted under international law, and thereby create a set of Guiding Principles for IDPs that can be adopted by regional organizations such as the African Union or the Organization for American States.
3. That one UN agency—preferably the High Commission on Refugees—take responsibility for IDPs. One problem now is that the UN has adopted a "collaborative" approach towards dealing with IDPs—with the predictable result that no one agency has assumed accountability for the success of any given mission.
4. That AID—and not the State Department—be given the lead organization status in dealing with all future IDP crises.
5. And finally, that there is an urgent need to create a domestic political constituency for IDPs, so that as crises develop, there will be a constituency demanding that the United States take action. This constituency could be modeled after the Darfur or land mine campaign.

Steinberg says that his year at the Institute—after 29 years of active service in the State Department—gave him a unique opportunity to consolidate his thoughts and digest his experiences, many of which were in Third World countries. "I've been able to do a great deal of public speaking and writing op-eds and other articles. And what has struck me the most is the level of interest and concern of ordinary Americans in helping those who are trapped in humanitarian tragedies."

Steinberg's next assignment is to head the New York office of the International Crisis Group, a leading research and analysis think tank that advocates early interventions in potential and existing crises. As vice president for multilateral affairs, Steinberg will have on-going opportunities to work on the issue that has seized his attention since his days in Angola. 🌐



Don Steinberg spent his fellowship year seeking solutions for internally displaced people.



# A Summit of Peacemakers

## Drawing lessons for future peace operations

In March, the Institute brought together many of the leading practitioners in postconflict reconstruction and stabilization missions from around the globe for an unprecedented two-day conference to extract key lessons for future peace building operations. Participating in the conference were current and former special representatives for the United Nations secretaries-general (SRSGs) and their top deputies, as well as high-ranking U.S. special envoys and other mission leaders. The first day was a frank, off-the-record discussion with Ambassador **Carlos Pascual**, the chief of the Department of State's Office of the Coordinator of Reconstruction and Stabilization. The second day brought public panels attended by representatives from approximately 200 nongovernmental organizations (NGOs), think tanks, and U.S. and international officials as well as journalists, academics, and congressional staff.

**Richard Solomon**, president of the Institute, opened the public day of the conference by noting the sea change in the U.S. foreign policy agenda following the terrorist attacks of September 11, 2001. "Last century we were preoccupied with the rise of great states and the challenge of defending freedom from powerful totalitarian regimes. Today, our principal security concerns arise from weak and failed states, which can be the breeding ground for terror and drug networks. We are struggling to learn how to deal with these new challenges, and our role at the Institute is to try to extract lessons learned

and best practices from those in the field and pass this experience on to new generations of practitioners."

Pascual began his presentation by explaining what his newly created office is meant to accomplish: "Our goal is to prevent—or in the alternative plan and prepare for—international conflict, to respond quickly when the demand arises, and to aid in the rebuilding of countries in the aftermath of conflict." However, he said, it is important to understand that increasing U.S. capacity for reconstruction and stabilization in no way means reducing U.S. support for international institutions engaged in similar activities. To be successful, he said, the United States must be prepared to "get in quickly with others and work together with people on the ground."

There are four phases to postconflict reconstruction, said Pascual. The first and most immediate requirement is to initiate political transition to order and security, feed the people, and provide basic services. "We must do a better job of capturing this moment of necessity," said Pascual. Second comes promoting local governance capacity, so that the international community acts more as a supporter than as a provider of key services. This phase also involves dealing with the factors that caused the conflict—for example, the exploitation of natural resources. There are invariably powerful new challenges at this stage, because there are always vested interests that wish to maintain the status quo ante. The third phase is developing the rule of law and the laws governing the economic system, from creating regulatory

agencies to drafting a new constitution. Finally, the international community has to nurture the "demand side"—those civil society institutions that can hold government institutions accountable. None of these phases is easy, Pascual said; nor are they discrete and sequential.

Pascual noted that three lessons can be drawn from this analysis. First, "What we do up front must be focused on making the transition from outsiders *doing* what is necessary to outsiders *enabling* local people to provide the resources and services they need." The second lesson is that countries will inevitably hit an "absorptive capacity." Making the transition from doing to enabling is therefore "neither simple nor fast." Finally the international community must do a better job of engendering reconciliation among the parties and pushing them to develop a consensus on the key challenges facing them.

Pascual concluded by echoing Solomon on the importance of the challenge of rebuilding and stabilizing failed states. "The well-being of U.S. citizens and people in other countries once depended on maintaining a balance of strength between the great powers. Today, it depends on the ability of the United States and the international community to make sovereignty work—to establish government structures that improve rather than degrade human lives. If we are successful—if more people come to affirm principles of political legitimacy based on freedom and the rule of law—that can only be in our interest."

Presentations on Iraq, Afghanistan, and the Balkans followed.



Ambassador **James Dobbins** noted that observers “could be forgiven for thinking the intervention in Iraq was the first time the United States had ever attempted to stabilize and rebuild a nation.” In fact, as he pointed out, it was the sixth time in a decade—and five of those previous efforts had been in Muslim countries. If the United States hadn’t learned lessons from the previous U.S. and UN efforts, that was because the Republican party had spent eight years systematically criticizing the Clinton administration for “doing international social work.” When, after September 11, it came their turn to engage in postconflict reconstruction and stabilization, they were determined “to do it differently and do it better,” he said—“and they certainly succeeded in the first.” Dobbins nevertheless ended on an optimistic note, pointing out that the proxy wars during the Cold War killed perhaps as many as half a million people a year. Now, he said, despite what is happening in Iraq or Darfur, the number of wars and their intensity are both diminishing.

**Nicholas Burns**, the recently appointed undersecretary of state for political affairs, underscored the linkages between U.S. and international interests in transforming weak or failed states. “Whether it’s human trafficking, terrorism, narcotics, or the spread of disease—we’re seeing increasingly the dark side of globalization.” Reconstructing and stabilizing war-torn states is now a key problem facing U.S. foreign policy, he said, and there is a global recognition of the need to work together, to have what the military call a “unity of effort” among allies, the United Nations, and the increasingly important NGOs. “We have an opportunity to build a seamless web of international institutions to deal with these situations,” he said. And he pointed out that in spite of the much-discussed differences of opinion among NATO allies, nearly all of

them are now part of the reconstruction and training program in Iraq.

**Rend Rahim Francke**, the executive director of the Iraq Foundation, pointed out that the situation in Iraq was very different from other situations the international community had previously confronted. “We did not go into Iraq to stop a conflict; nor was it a failed state. What the removal of Saddam Hussein amounted to was a social revolution, the overthrowing of an established order and the reversal of the communal power structure.” But she, too, pointed to some errors of execution in the postconflict phase of the Iraq occupation. “There was no unity of purpose, no strategy. Different [U.S.] agencies had different ideas, and

Ivory Coast and Sierra Leone as cautionary examples of how one failed state can lead to others. When he arrived in Liberia, he said, it was divided into three regions, each under the control of a warlord and his personal soldiers. The country had been in a more or less continuous state of war since the overthrow of the Tolbert regime in 1980. And during all those years of often gruesome violence, no one had been charged, indicted, or punished for their crimes. “An entire generation has come of age knowing neither peace nor justice,” Klein said.

Among the most important problems peacemakers face, Klein said, is resolving the “peace dilemma.” The peace dilemma is

*If more people come to affirm principles of political legitimacy based on freedom and the rule of law—that can only be in our interest.”*

—Carlos Pascual

Iraqi groups exploited these differences.” Francke was also blunt about the failure to impose martial rule and the Coalition’s failure to respond to the insurgency aggressively in the early stage. Finally, she criticized the failure of the Coalition’s public diplomacy: “There were no media channels at first, and the ones they eventually established were dismal failures.” The only successful diplomatic effort came when the Coalition Provisional Authority went out and engaged citizens one-on-one.

Of course, in a sense Iraq is an exception rather than a typical instance of international intervention. **Jacques Paul Klein**, special representative for the secretary-general in Liberia, suggested in his opening remarks that the larger geopolitical climate can play a vitally important role in the success of the mission. The example of Liberia, he said, suggested that failed states could be “contagious”—and he pointed to Liberia’s neighbors of

the question of how to deal with the despots causing the mayhem, and whether to mainstream them and try to give them a stake in the new government. Although the worst of Liberia’s despots, Charles Taylor, has been exiled to Nigeria, he continues to intervene in the political transition called for under the Comprehensive Peace Accord of 2003. The other warlords seemed more inclined to perpetuate the peace process than to move forward. Klein also pointed out that it was a constant struggle to attract resources commensurate with the problem and the task he’d been given. “I’ve lost forty-three peacekeepers to cerebral malaria, dengue fever, heart attacks, and accidents,” said Klein. “We’ve spent billions of dollars. It would be tragic if we lost this opportunity because of the want of relatively small investments. Together we must mobilize the necessary funds to spare Liberia the

See *Summit*, page 10



### Islam at the Ballot Box

With democratization emerging as a defining goal of U.S. foreign policy in the Middle East, the question of whether the democratic process is likely to moderate the Islamist parties has come to the fore. In fact, most Islamist parties are already strongly democratic—if only because they command the allegiance of the majority in most of these countries. But is their commitment to democracy merely procedural—a way to gain power? Or will the process of participating in politics lead to greater tolerance and a respect for pluralism? The Institute’s Grant Program held a roundtable in mid-April to discuss findings of some recent research. Presiding was **Judy Barsalou**, director of the Grant Program for the Institute. **Carrie Rosefsky Wickham** of Emory University discussed calls for changes in goals and strategies by Islamist parties in Egypt, Jordan, and Kuwait. **Janine Astrid Clark**, of the University of Guelph, discussed a coalition of thirteen opposition groups in Jordan. **Sultan Tepe**, of the University of Illinois, Chicago, focused on the dilemmas facing the Justice and Development Party in Turkey. **Daniel Brumberg**, of Georgetown University and a Special Adviser on the Institute’s Muslim World Initiative, was the discussant.

The consensus appeared to be that democratic participation tended to have only a limited impact on moderating political Islam, and then only in certain exigent circumstances. As Brumberg concluded, “Islamist inclusion in democratic processes is still very challenging, since Islamists represent different civilizational agendas from secular parties.” At the moment, said Brumberg, “the Arab ruling elites allow inclusion and consultation but not real power. They are ‘liberal autocracies.’ The paradox of Middle East modernization is that we may see a movement toward democracy

without pluralism.” The Islamic reformation may take two hundred years or more, said Brumberg. In the meantime, the challenge is to create “a competitive political arena so that Islamists are both encouraged and constrained to pursue nonideological political goals.”

### Bangladesh on the Radar Screen, at Last

Bangladesh, participants at a Current Issues Briefing held at the Institute in April agreed, rarely gets the attention it requires. Compared to India and Pakistan, the problems facing this moderate Muslim country have attracted little attention from the world since its painful birth in 1971. Since then, its progress in human and economic development has been exceptional. Indeed, along with Turkey, Bangladesh is often cited as a country that exemplifies the coexistence of Islam and democracy, having held three mostly free and fair elections since 1991.

But this period of relative political calm and economic growth may be at risk. While some participants argued that Bangladesh is not yet in crisis, they all agreed that signs were ominous. At the heart of Bangladesh’s problems lies a zero-sum political culture that gives the opposition party a minimal role in governance. That encourages irresponsible and destabilizing reactions from the losing party, and gives a dangerously strong role to otherwise marginal and extremist parties, including hard-line Islamists.

The consequences include the rise of political violence perpetrated by Islamist militants, and a concomitant rise in authoritarian tendencies on the part of whichever party is in power at the time. Driven by the imperatives of their Islamist allies in parliament, the ruling parties have attacked the efforts of domestic nongovernmental organizations and international agencies to push forward a social

welfare agenda that gives greater power to women and provides educational and health care benefits to the nation. Unfortunately, panelists agreed that while the United States should vigorously encourage Bangladeshis to settle their differences through legal redress and the holding of free and fair elections, they ultimately conceded that it was up to Bangladesh’s political class to abandon its Faustian bargain with the hitherto marginalized extremist Islamists. The meeting was moderated by **C. Christine Fair**, a program officer in the Research and Studies program.

### Justice, at Last?

General Augusto Pinochet’s arrest in London in October 1998 and subsequent extradition proceedings sent an electrifying wave through the international community. The case ignited new prosecutions of crimes by militaries in Latin America and elsewhere and gave new prominence to the idea of “universal jurisdiction”—the transnational prosecution of international crimes by national courts. Subsequent developments, however, have exposed limitations on the use of universal jurisdiction to combat impunity.

The Institute held a discussion on the “Pinochet Effect” and the future of universal jurisdiction in late March to coincide with the publication of **Naomi Roht-**



**Arriaza’s** Institute-funded book, *The Pinochet Effect*. Roht-Arriaza, a professor of law at the University of California’s Hastings College of Law, gave a presentation and responded to discussants **Margaret**

*Photo this page:* Naomi Roht-Arriaza and Institute Rule of Law Fellow Laurel Miller discussed universal jurisdiction at an Institute event in March.



**Popkin**, of the Due Process of Law Foundation, and **Luc Reydam**, a professor of political science at the University of Notre Dame. Roht-Arriaza argued for the buildup of a sensible jurisprudence and the need to be strategic in moving forward with transnational prosecutions. Reydam was more skeptical about the process, arguing that universal jurisdiction is a “contradiction in terms” because it fails to establish a link between the alleged crime and the competence of the court. The results: arbitrariness, leading to the reinforcement of the power of stronger countries; false hopes for victims; and a strong presumption of guilt because of the exceptional nature of the prosecution. The meeting was moderated by the Institute’s **Laurel Miller**; **Judy Barsalou** gave the opening remarks.

### KEDO, at Ten

In early March, three leading experts discussed what has been learned since the Korean Peninsula Energy Development Organization (KEDO) was established ten years ago to implement the provisions of the 1994 Agreed Framework between the United States and the Democratic People’s Republic of Korea. The Framework required, among other conditions, that North Korea cease nuclear weapons production in return for help in building a nuclear reactor. KEDO was the institutional mechanism for providing that assistance. The speakers focused especially on their experience in negotiating with North Korea and conducting multilateral diplomacy in northeast Asia. Charles Kartman, executive director of KEDO, pointed out that KEDO was successful at least in delaying North Korea’s nuclear ambitions,

and that it had a positive effect in helping to build mutual trust among participants from North Korea, Japan, and the United States. **Choi Young-Jin**, the Permanent Representative (Designate) of the Republic of Korea to the United Nations, pointed out that there was always a certain degree of ambiguity built into KEDO. And **Stephen Bosworth**, now dean of the Fletcher School of Law and Diplomacy, Tufts University, pointed out that disagreements over how to proceed now that North Korea is moving aggressively forward on its nuclear weapons program come from the different threat perceptions envisioned by each of the relevant countries. **Paul Stares**, vice president of the Research and Studies Program, moderated the panel.



### New Institute Book Lays out Intervention Strategies

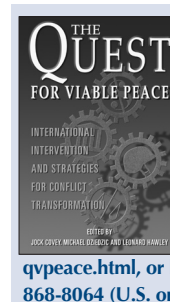
A new book published by the Institute press focuses on the challenges of postconflict stabilization and reconstruction through the prism of international operations in Kosovo. Entitled *The Quest for Viable Peace: International Intervention and Strategies for Conflict Transformation*, and edited by **Jock Covey**, **Michael J. Dziedzic**, and **Leonard Hawley**, the book is less of a case study than a manual or template for other postconflict situations. It is what Covey called, in an event held at the Institute to honor the book’s publication, “a sourcebook of practical tradecraft.” Covey, who was the principal deputy special representative of the UN secretary-

general at the United Nations Interim Administration Mission in Kosovo (UNMIK), stressed that the book is about the need to engage in an “early systematic transfer of postconflict responsibilities to the inhabitants without their renewing the conflict.” Hawley, who was U.S. deputy assistant secretary of state in 1999–2001, emphasized the need for realism: “Interventions are never easy, fast, or cheap.

They cannot be maintained indefinitely.” And Dziedzic, a program officer in the Research and Studies Program at the Institute who was the strategic planner for UNMIK and principal drafter of its “Standards for Kosovo,” which are being used to assess Kosovo’s readiness for a determination of its political status, challenged policymakers to consider first the sources of conflict. Playing on the oft-quoted observation of Von Clausewitz, he said that “peace is often the continuation of violent conflict by other means.”

One of the book’s main arguments is that while traditional diplomacy usually focuses on the diplomatic and humanitarian aspects of postconflict situations, it has often overlooked the political economy that undergirds conflict. By leaving this economy undisturbed, interventions can have the effect of merely suspending the resumption of conflict. “We have to undercut the economic foundations of spoilers,” said Dziedzic, “and we have to strengthen the domestic coalition for peace by making sure that peace pays.”

The book has already been purchased by the entire faculty of National Defense University, and is serving as the strategic framework for the planning process at the State Department’s Office of Reconstruction and Stability, run by **Carlos Pascual**.



*The Quest for Viable Peace* is available for \$22.50. Information about ordering it is available at [www.usip.org/pubs/catalog/vppeace.html](http://www.usip.org/pubs/catalog/vppeace.html), or by calling (800) 868-8064 (U.S. only).

*Photo this page:* Institute Research and Studies Vice President, Paul Stares; Dean of the Fletcher School, Tufts University, Stephen W. Bosworth; former Executive Director of KEDO, Charles Kartman; and South Korea’s ambassador to the UN, Choi Young-Jin, participated in a retrospective discussion of the Korean Peninsula Energy Development Organization.



The list of 2005-2006 Jennings Randolph Fellows arrived in early October and includes one returning member—Phebe Marr—as well as experts on human rights during the twilight of the Cold War and on the justice system in Rwanda after the genocide.

**Professor Anatoly Adamishin**

Former Ambassador, Institute of Europe, Academy of Sciences of Russia, in a joint project with

**The Honorable Richard Schifter**

Guest Scholar, Former U.S. Assistant Secretary of State for Human Rights and Humanitarian Affairs “The USSR/US Dialogue on Human Rights 1986-1990”

**In Residence:** October 2005-July 2006

**Mr. Gorka Espiau Idoiaga**

Director and Spokesperson, Elkarri, the movement for dialogue in the Basque region “New Opportunities for Peace in the Basque Region and Spain: A Civil Society’s Unique Contribution to Conflict Transformation”

**In Residence:** October 2005-July 2006

**Dr. Dana Eyre**

Senior Advisor, USAID-Iraq “Re-Inventing Iraq: Understanding Iraqi Society and the Evolution of Coalition Democratization”

**In Residence:** October 2005-July 2006

**Dr. Stephen Farry**

General Secretary, Alliance Party of Northern Ireland “Inside Out: An Integrative Critique of the Northern Ireland Peace Process”

**In Residence:** October 2005-July 2006

**Mr. Gerald Gahima**

Legal Counsel, Dane Associates “National Prosecutions of the Rwanda Genocide”

**In Residence:** October 2005-July 2006

**Mr. Salman Haidar**

Ambassador (retired), India “A Framework for South Asian Peace and Security”

**In Residence:** October 2005-July 2006

**Mr. Pierre Hazan**

UN correspondent for *Libération* and *Le Temps* “International Justice in the Post 9/11 Era”

**In Residence:** October 2005-July 2006

**CDR Charlotte Hunter**

Navy Chaplain Fellow, Head of Training, Education and Professional Development Branch, Navy Chief of Chaplain’s Office, U.S. Navy “Training for Diversity: Strategists, Planners, and Religious Issues in U.S. Military Operations”

**In Residence:** September 2005-June 2006

**Professor Melvyn Leffler**

Edward R. Stettinius Professor of History, University of Virginia “Why the Cold War Lasted as Long as It Did”

**In Residence:** September 2004-December 2004; July 2005-December 2005

**Dr. Phebe Marr**

Research Professor (retired), National Defense University “Iraq’s Emerging Political Leadership”

**In Residence:** October 2005-July 2006

**LTC Kurt Meppen**

Army Fellow, Central Asia Policy Manager, Office of the Secretary of Defense, U.S. Army “U.S. Security Assistance in Central Asia: Political Leverage and Policy Goals”

**In Residence:** August 2005-May 2006

**Dr. Albaqir Mukhtar**

Regional Campaign Coordinator, Amnesty International “The Cultural Roots of Human Rights Violations in Sudan: Identity and the Civil War”

**In Residence:** October 2005-July 2006

**Professor Roxanne Myers**

Lecturer, University of Guyana “Transforming Ethnopolitical Conflict in Guyana”

**In Residence:** October 2005-July 2006

**Dr. Babak Rahimi**

Professor, University of California, San Diego “The Sistani Factor: The Relevance of Ayatollah Sistani to the Democratization of Post-Saddam Iraq”

**In Residence:** June 2005-August 2005; June 2006-August 2006

**Professor Abraham Sagi-Schwartz**

Professor and Director, Center for the Study of Child Development, University of Haifa “Chronic Exposure to Catastrophic War Experiences and Political Violence: Links to the Well-being of Children and their Families”

**In Residence:** October 2005-July 2006

## Summit

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repetition of its history. Fifty percent of UN missions fail, mainly because we refuse to stay the course. Let that not be the case in Liberia.”

**Wesley Clark**, the former Supreme Allied Commander of NATO Forces and Democratic presidential candidate, gave the concluding address. He began by lauding the SRSGs, who were, he said, “real heroes”—always in trouble with the United Nations, the local power brokers, and their own state departments, yet always pushing ahead with the “thankless” task of helping to rebuild and stabilize war-torn states. Whenever the international community enters one of these countries, it has the same two goals, said Clark: “First, we want to create or recreate democratic, prosperous states, and second, we want to leave.” But if the goals are clear, the means of attaining them rarely are: “We face a complex mix of economic, social, political, and international constraints and conflicts, and we make do with different resources, donor groups, legal and international obligations and mandates.”

Interventions have suffered in the past, Clark argued, when it was assumed that it was possible to go in, stop the conflict, and leave. In fact, he said, “We have to do a better job of understanding and disrupting the whole interrelationship between political conflict and corruption.” Furthermore, we must not go in to a situation with “proportionate” force, but with an “overwhelming, dominant force.”

“We can’t do without the UN acting as a peacekeeping force,” he said, “it is a legitimate, unavoidable element of the UN’s work. And the people who lead these missions are heroes, worthy of international emulation and respect. But the truth is that our record so far is not very good. We can and must do better.”



# Letter from Baghdad

Beneath the headlines is a story of brave people trying to make a go of it

By A. Heather Coyne

The bad news from Iraq seems relentless. Bombings and assassinations dominate the headlines, interrupted only by reports of a political process languishing as politicians wrangle over the spoils of office. Overall, the press coverage conveys a sense of despair about a rapidly deteriorating environment.

But despair is the last characteristic I would associate with the Iraqis I work with here as the head of the U.S. Institute of Peace's Iraq Office. On the contrary, every new attack only strengthens their conviction that their efforts to develop peaceful and inclusive means of managing conflict are essential. Every additional report of increasing sectarian tensions encourages them to redouble their efforts to build bridges between communities. As a counterpoint to the daily allotment of violence, consider the experience the Institute had with the civil society leaders it trained to facilitate intercommunal dialogue in their communities.

One of these facilitators noted that the long delay in forming the government had exacerbated ethnic and sectarian tensions in his Baghdad neighborhood, where he serves as a local council chairman. He was concerned about accusations pervading the Iraqi "street" that one group or another was holding up the process because of its unreasonable demands. He also detected signs that extremists were taking advantage of the common frustration to undermine confidence in the government. He believed that most of the frustration was due to a lack of awareness of how difficult negotiations are and how hard it is to fashion a workable compromise between vital interests.

So he decided to conduct a workshop to raise awareness on how the government was formed. He invited party advisors, academics, and religious and tribal leaders to make presentations on the issues and debates the parties had to manage in creating the accord on forming the government. Most importantly, he put the participants through simulated negotiations to impress on them how hard even a simple negotiation can be and how easily it can break down into deadlock. The point came across clearly when one pair of participants resorted to threatening each other over the Ramadi Tuna dispute (an Institute negotiation exercise that teaches participants to look past positions to identify core interests). After analyzing that interaction, the group decided to hold these sessions monthly to increase awareness about conflict management and negotiation. Their attitude was: Forget about the National Assembly and its interminable debates, we need to work on our own ability to negotiate!

A second facilitator, based in Kirkuk, is focusing on rising ethnic tensions that threaten stability there. He launched a series of intercommunal dialogue workshops for university students, who, in the words of the workshop slogan, "hold the pen to write the future of Iraq." The purpose was to identify ways to build national unity and reduce the role that sectarianism and ethnicity played in shaping policy. The workshops were an instant success, with hundreds of students signing up to take part in future sessions. There were so many applicants that the facilitator helped the university departments create student-faculty associations

to manage the selection of students for the workshops. Local sheikhs volunteered to fund the series, and a variant was developed for Kirkuk government officials, which focused on the need for fair treatment of Kirkuk citizens by government employees, regardless of their ethnicity. The workshops encourage the participants to share this experience with others through articles in the local press and discussion groups—an invitation at which the students (and some professors) have jumped.

The experience the Institute has had with these facilitators—and indeed, with most of our colleagues here—shows that, far from despairing, many Iraqis are responding to the situation with energy, creativity, and hopefulness. This is not to dismiss the continuing and serious threat to stability here, nor do our Iraqi colleagues underestimate the immense challenges they face. But the images of chaos and destruction conveyed by Western media should be balanced by a recognition of the dedication and enthusiasm Iraqis show on a daily basis to the rebuilding of their society. In Baghdad or Kirkuk, among students or politicians, and on issues of national import or just a neighborhood gripe, the most compelling characteristic of Iraqis citizens is not despair—it is a thirst for alternatives to violence, a hunger for new techniques and tools to manage the diversity in their society, and a willingness to embrace new ideas and opportunities for debate.

Let's see more of that in the daily news.

*A. Heather Coyne was the Institute's Chief of Party in Iraq for over a year.*

# Recent Publications

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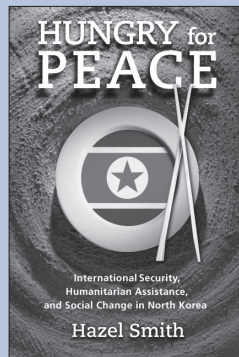
- *Strategies for Promoting Democracy in Iraq*, by Eric Davis (Special Report 153, October 2005)
- *The U.S. Experience with Provincial Reconstruction Teams in Afghanistan: Lessons Identified*, by Robert Perito (Special Report 152, October 2005)
- *Ancestral Domain in Comparative Perspective*, by Astrid S. Tuminez (Special Report 151, September 2005)
- *Orphans of Conflict: Caring for the Internally Displaced*, by Donald Steinberg (Special Report 148, October 2005)
- *Provincial Reconstruction Teams: Military Relations with International and Nongovernmental Organizations in Afghanistan*, by Michael J. Dziedzic and Colonel Michael K. Seidl (Special Report 147, August 2005)

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