



September 14, 2011

The Honorable Thomas E. Donilon  
National Security Advisor  
The White House  
Washington, DC 20500

Re: Recommendations for the Atrocities Prevention Board

Dear Mr. Donilon:

We believe President Obama's Presidential Study Directive on Mass Atrocities is an important step toward institutionalizing in government bureaucracy mass atrocity prevention and response policy, a goal Human Rights First has long advocated. Whether the Atrocities Prevention Board mandated by PSD-10 fulfills the potential expressed in the Directive will depend in large part on the breadth, depth, and coordination of the 100-day interagency review, as well as the composition and operation of the Board.

We welcome consideration by the interagency review of comments and recommendations from outside experts. In that spirit, we recommend that the interagency study and the Atrocities Prevention Board maintain the transparency demonstrated by the President in his Directive. When the Atrocities Prevention Board is established after the 100-day interagency review, we urge that it be based on a public document setting forth the composition and mandate of the Board, the events that will trigger its action, the guidelines by which it will operate, and other standards that will allow the public to assess its potential and progress. We recommend that, when the President announces the formation of the board, he do so by issuing this foundational document in a public statement.

We urge you and the other officials undertaking the review to incorporate the following recommendations, organized according to the three categories on which the President directed the study to focus, into your recommendations for the Board.

#### Operational Protocols for the Atrocities Prevention Board

- The Board's mandate should explicitly include **identifying and disrupting third-party enablers of atrocities**—those states, commercial entities, and individuals that provide goods and services to perpetrators of atrocities. The attached Human Rights First briefing paper, *Disrupting the Supply Chain for Mass Atrocities*, provides a further explanation of this class of actors. The Board's mandate should furthermore require that identifying and disrupting enablers be addressed in all interagency discussions on situations where

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atrocities are threatened or are underway, and that enablers be addressed explicitly in policy measures focused on the situations of concern. When the President releases the public document establishing the Board, we urge that he highlight the importance of tackling third-party enablers of mass atrocities to an effective government-wide strategy to prevent and mitigate such atrocities.

- The mandate of the Atrocities Prevention Board should explicitly provide for **regular consultations with outside experts as well as with Congress** on its work. In order to ensure that the Board has strong support from Congress even before it is established, we urge you or your designees to brief interested members of Congress at least twice before Board is established: once to gather comments and questions regarding the 100-day review and once to explain the results thereof. After it is established, the Atrocities Prevention Board should brief Congress annually, or more often as requested.

#### Intelligence Community Support for the Board's Mission

- In order best to support the Board's mission, the relevant parts of the intelligence community and related agencies should be tasked by the Board with **collecting and analyzing intelligence on enablers** where atrocities are threatened or are occurring. Policy makers, led by the Board, should ensure that distribution of relevant intelligence is coordinated and comprehensive. The collection, analysis, and distribution of intelligence on enablers should support policy makers' efforts to pressure third-party actors on whom the potential or actual perpetrator depend. As necessary, resources allocated to regions at risk of mass atrocities should be increased to ensure adequate human intelligence networks in countries at risk and coordination among those networks monitoring different stages of the supply chain.

We concur with the recommendations of the Genocide Prevention Task Force on intelligence gathering to prevent and respond to mass atrocities:

- i. The director of national intelligence should initiate the preparation of a national intelligence estimate on worldwide risks of genocide and mass atrocities;
- ii. The national security advisor and the director of national intelligence should establish genocide early warning as a formal priority for the intelligence community as a means to improve reporting and assessments on the potential for genocide and mass atrocities; and
- iii. The national security advisor should make warning of genocide or mass atrocities an automatic trigger of policy review.

#### Tools and Authorities

- **Public condemnation of the enabling of atrocities by third parties** should become routine for the President, the Secretary of State, the Secretary of Defense, and other officials throughout the government, and should be included in **bilateral and multilateral diplomacy**.

As Secretary Clinton recently did in the case of Syria, officials should raise concerns about enabling governments' transfers of arms, ammunition, and other goods to potential or actual perpetrators of atrocities. U.S. officials should be prepared to consider a range of political, economic and other tools that may be effective in pressuring those involved in enabling activities.

- The Atrocities Prevention Board should lead Administration efforts to seek from Congress adequate funding for the **Department of the Treasury's Office of Foreign Assets Control** to investigate third-party enablers of mass atrocities covered by existing executive orders. The Board should also identify situations that warrant new executive orders allowing for sanctions to be imposed under the International Emergency Economic Powers Act (IEEPA). The interagency study should review all Treasury Department tools used to combat terrorism, narco-trafficking, and other transnational threats in order to identify those tools the Board may use to pressure perpetrators and enablers of mass atrocities.
- All relevant agencies, particularly the State Department, the Defense Department, and appropriate intelligence agencies, should **train new officers and analysts** on early warning and prevention of, as well as tools to respond to, mass atrocities. One component of those trainings should be "Shrouded Horizons," the table-top exercise developed by National Defense University, Human Rights First, U.S. Institute of Peace, the Kroc Institute for International Peace Studies at the University of Notre Dame, and the MAPRO project at the Department of Defense. This exercise, first run on June 2, 2011 with officials from a number of agencies, highlights many challenges to U.S. policy-making regarding atrocities. Briefings by U.S. government experts from other agencies should also be included in these trainings.
- The Secretary of State and the Secretary of Defense should request each regional bureau within their Departments **to identify a point person on atrocities prevention and mitigation**. Their responsibilities should explicitly include responding to and assisting the Atrocities Prevention Board.
- The Atrocities Prevention Board should **prepare operational plans** for prevention of and response to mass atrocities, including attention to third-party enablers, in countries or regions the intelligence community has identified as being at risk.
- The Atrocities Prevention Board should ensure that all relevant agencies, as well as the President, are engaged in **building coalitions with allies to disrupt third-party enablers** of mass atrocities before a crisis arises. Increasing information-sharing with those allies may encourage them to join in the imposition of sanctions and other measures.
- The **U.S. Permanent Representative to the United Nations** should lead other Security Council members to meet and publicly discuss options for multilateral action, including imposing, expanding, and better enforcing sanctions and other measures, to disrupt enablers of atrocities against civilians in Sudan, Democratic Republic of Congo, and other places at risk for mass atrocities. The discussions should include consideration of enablers identified in

relevant U.N. expert panel reports. Language condemning third-party enablers of atrocities should be made routine in U.N. Security Council resolutions regarding countries or regions where atrocities are probable, imminent, or occurring.

We look forward to the establishment of a strong Atrocities Prevention Board and stand ready to support the interagency study and the work of the Board. Because the roster of officials undertaking the interagency study has not been made public, we respectfully request that you circulate this letter among them.

Sincerely,



Elisa Massimino

Enclosures

Cc: Samantha Power  
Stephen Pomper