

Bridging the Regional-functional Divide in the US Atrocity Prevention Policy

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Rapporteur's Report
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On September 22, 2021, the Simon-Skjodt Center for the Prevention of Genocide at the US Holocaust Memorial Museum brought together scholars and current and former foreign policy practitioners to explore how the "regional-functional divide" in US foreign policy affects atrocity prevention with the goal of identifying ideas for mitigating the divide and avenues for future research on this subject. This rapporteur's report summarizes the key themes and observations raised during the seminar.

Introduction

The "regional-functional divide" refers to the recurring challenge of forging constructive relations between offices and officials responsible for managing day-to-day policy on specific countries and those with cross-cutting responsibility for a particular function or thematic agenda. While friction between regional and functional entities is a common feature of foreign policy bureaucracies, practitioners and scholars have cited it as one of the biggest impediments to effective US government action to prevent mass atrocities. The regional-functional divide appears to have become increasingly salient over the last two decades, as atrocity prevention became treated as a distinct goal or function of the US government, with associated staff and bureaucratic processes.

As the Center's first focused program on this topic, this seminar sought to explore the main determinants and consequences of the divide between functional and regional offices and how interactions between them vary across cases. The seminar allowed participants to share their perspectives and experiences researching and/or navigating the regional-functional divide within the US government with the goals of identifying ideas for addressing the regional-functional divide in US atrocity prevention policy and avenues for future research on this subject.

Manifestations and consequences of the regional-functional divide

The first section of the seminar gathered reflections from participants on regional-functional dynamics in cases where mass atrocities were threatened or ongoing. Center staff asked participants to consider two questions: (1) How have relations between regional and functional offices affected US atrocity prevention policy processes and outcomes in specific cases?; and (2) Across cases, what are the general ways in which the regional-functional divide affects US atrocity prevention policy?

One participant mentioned that when it comes to the types of knowledge and experiences leveraged, both sides of the divide often think they know more and fail to see the value in listening to their counterparts. The participant added that this can be shaped by the degree to which a country is viewed as a problem or a priority. For instance, internal opposition to atrocity prevention policies may be less likely to arise in policy contexts such as US-Cameroon relations, which policy makers generally perceive as a lower priority for US interests, than higher-priority contexts like China. In higher-priority countries, regional officials tend to view functional officials as an inconvenience. By contrast, the participant noted that regional personnel are often relieved when a country of lower US foreign policy priority receives attention from functional bureaus.

As several participants highlighted, the regional-functional divide persisted in spite of the development of the Atrocities Prevention Board (APB) during the Obama administration.¹ Perceptions of bureaucratic redundancy contributed to these tensions. One participant recalled the frustration that arose when regional National Security Council (NSC) directorates organized meetings at the same time as APB sessions. APB members perceived these actions as conscious efforts to undermine the APB's influence; regardless of intent, the result was an inefficient and contradictory policy process.

Several participants noted that the lack of clear policy directives and priorities from senior officials exacerbates the regional-functional divide. For example, one participant cited the development of conflicting policies during the Obama administration in response to mass atrocities in Syria. These policy conflicts undermined the coherence of interagency decision making on anti-Assad regime policies and counterterrorism objectives, which some former government officials linked to the US government's confused and ineffective atrocity prevention efforts.

Explanations for the regional-functional divide

For the seminar's second section concerning potential explanations for the regional-functional divide, Center staff asked attendees to consider three questions: (1) What features of US foreign policy explain the existence of the regional-functional divide?; (2) What accounts for variation in regional-functional dynamics across different functional issues?; and (3) What accounts for variation in regional-functional relations across atrocity prevention country cases?

Features of US foreign policy

Participants noted that the regional-functional divide was built into the State Department's design and evolution in response to the US foreign policy agenda during the postwar period. In consultations prior to the seminar, scholars noted the Department's diplomatic corps has, since

¹ In 2011, the Obama administration sought to establish a clear locus of policymaking on the prevention of mass atrocities with a charge to address specific country situations as well as cross-cutting issues such as training. Representatives to the APB from its eleven constituent departments and agencies, and the working-level staff who provided day-to-day support, came overwhelmingly from functional offices, and the Board's chair led a functional directorate at the NSC.

the beginning of the 20th century, seen regional offices as the central interlocutors with its global embassy network. In the 1970s, the Carter administration added an emphasis on functional issues like human rights; from this period forward, the Department also oversaw the addition of some functional offices in an attempt to improve the Department's capacity to manage technical issues (e.g., arms technology) and transnational topics. One scholar added that this process reinforced the resources and political influence of regional bureaus, rather than granting greater autonomy to functional offices within the agency. A participant summarized that, to this day, offices like the Under Secretary of State for Political Affairs (P) maintain far more influence over executive decision making than the Under Secretary for Civilian Security, Democracy, and Human Rights (J), a newer entity that takes the lead on atrocity-prevention issues.

These bureaucratic divisions also affect the organizational psychology of the State Department and other US foreign policy agencies. One participant noted that the State Department's structure is designed to reach consensus and reinforces an organizational mentality that is not conducive to creative thinking or policy innovation. The participant added that this attribute of the Department undermines the ability of regional and functional offices to manage competing objectives, because several policy options and designs exist across agencies. Another participant noted that without wholesale reorganization of agencies with a major stake in atrocity prevention policy, this divide will continue to pose obstacles to policy decision making and implementation.

Internal divisions between different types of personnel also hamper regional-functional collaboration. Attendees agreed there is a pronounced division between Foreign Service Officers (FSOs)—the professional diplomatic corps—and the civil service in both the State Department and USAID. A participant noted that FSOs have a more defined culture that excludes their colleagues in the civil service. Rotating FSOs tend to dominate regional offices, whereas the civil service dominates functional offices (within the State Department and USAID specifically). Additionally, regional officers have the “power of the pen” and serve as the first point of transfer for information from the embassies to State Department headquarters, which increases tension over control of the “policy narrative” across agencies. Additionally, a participant noted that regional officials may perceive talking points that functional offices add to agendas or other policy documents as threatening to their mission and relationship with specific foreign governments.

One participant observed, however, that the consequences of the regional-functional divide differ across agencies; at the Department of Defense, the command structure limits pronounced regional-functional divides.

Variation across different functional issues

One participant noted that bureaus accumulate power in different ways; for example, certain congressionally-mandated functions of the State Department's Bureau of Democracy, Human Rights, and Labor (DRL) can benefit the policy-making process by lending broader bureaucratic support to DRL's policy agenda. However, sometimes these mandates can complicate policy making by increasing antagonism between bureaus over certain contentious topics and

requiring focus on narrow congressional interests. Perhaps, the participant suggested, looking at the different modes by which functional offices derive their policy influence—e.g., by congressional mandate, public attention, or executive attention—might assist scholars and practitioners in drawing general conclusions about how the influence of functional offices varies across different issue areas.

Several participants stressed that different funding resources may also explain variation. One participant noted that the regional-functional divide can also determine whether a country receives priority in terms of funding and leadership may not want to allocate funds to US-designated low priority countries. Hence, as one participant detailed, funding may unite officials on certain prevention issues or lead to disagreements. For DRL, the authority to manage and determine substantial funding allocations has significantly enhanced its ability to influence human rights policy, according to one participant. As another participant summarized, funding can help bridge regional offices' initial hesitation about collaborating with functional counterparts and show the value of functional offices for program and policy design.

Variation in regional-functional relations across atrocity prevention country cases

According to one participant, the personality and commitment of individual leaders and officials drive whether atrocity prevention issues will receive attention in particular country cases. When personalities encourage collaboration across regional and functional entities, it can significantly mitigate natural bureaucratic friction. At the same time, a participant suggested, personality-driven cooperation can fall apart when key leaders move into new roles. One participant suggested that this dynamic was apparent in the evolution of the APB.

Participants agreed that regional bureaus generally have the support of ambassadors, which may either mitigate or intensify the regional-functional divide. If the ambassador supports atrocity prevention efforts, functional bureaus may have more opportunities to develop atrocity prevention policies. For example, a participant noted that the ambassador and the embassy in Burundi in the early/mid-2010s supported atrocity prevention efforts, which contributed to active preventive policy development by giving “top cover” to otherwise-contentious policy decisions. However, as one participant specified, the lack of confirmed ambassadors at embassies contributes to the development of incoherent policies and exacerbates the regional-functional divide because these *chargés d'affaires* do not have the authority to make autonomous policy decisions.

One attendee commented that the impact of the divide varies based on the extent and quality of experience the country team has had with atrocity prevention, affecting its comfort level towards collaborating with functional bureaus.

A participant noted that the national security interest of each region often, but not always, drives the policy process around specific countries. For example, even though the US government viewed Burundi as a low foreign policy priority, it received high-level atrocity prevention attention in the absence of substantial attention on other bilateral issues. One participant cited the counter-Lord's Resistance Army efforts as one example where officials effectively made the case that atrocity prevention efforts served a key national security interest and provided a

successful whole-of-government atrocity prevention model with a clear interagency response. The participant clarified, however, that this case's success resulted from several factors in addition to overlapping policy interests, including officials' personalities and inter-bureau relationships.

One participant noted that the US government's interest in establishing security cooperation with particular governments affects regional-functional relations in particular cases. The participant contended that where security cooperation exists, there will likely be a higher degree of antagonism because regional bureaus might perceive functional agendas as interfering with US security concerns. In these circumstances, the US government's regional approach may seek to safeguard security interests by dismissing human rights-based concerns. The participant cited the US government's policy in Myanmar as an example where this tension played out.

Strategies to mitigate the regional-functional divide

For the third section, Center staff asked participants to consider (1) What strategies (formal and informal) have been used in the past and to what effect?; and (2) What strategies are most likely to be effective going forward?

Past strategies

According to participants, efforts to effectively coordinate information across bureaus have appeared particularly successful at mitigating the regional-functional divide. For example, participants noted that creating a "common information picture" can increase the perceived value of functional offices within atrocity prevention policy, citing the counter-LRA operations during the Obama administration as an instance in which functional officials used this strategy to great effect. One participant added that as information access increases with social media and technological advancements, functional bureaus may be able to expand their information collection and communication skills towards improved atrocity prevention policy making. One participant emphasized communication with regional counterparts, in terms of bringing them into the discussion early, as an important step to avoid any perception of stovepiping. Additionally, a participant emphasized that functional bureaus and entities like the APB should focus on ensuring that atrocity prevention concerns are addressed and should be flexible about the specific bureaucratic modalities or channels employed, which might mean deferring to regional bureaus.

Participants also highlighted the importance of building relationships at the working level as one informal option for alleviating the regional-functional divide, which practitioners cited as effective in multiple agencies. One participant added that in their agency, working-level officials received top-level approval to convene meetings across regional and functional offices to develop cohesive talking points to avoid foreseeable roadblocks in policy development. Other participants recalled more tense relationships at the working level across bureaus posing hurdles for policy making, depending on an individual's understanding of broad regional concerns.

Participants also discussed unsuccessful efforts to foster regional-functional collaboration. One participant described a failed attempt at bringing regional and functional counterparts together on a small scale in response to increasing violence in a country where the US had multiple, sometimes-competing interests. The joint “policy-operations group” sought to bring functional and regional offices together to work through policy and programmatic issues. The effort encountered several hurdles, including members who worried about ceding power and an unwillingness to think creatively. Efforts to foster informal social relationships between participants were also unsuccessful. While collective individual behavior led to the failure of the efforts, the participant acknowledged a similar structure may work in other contexts.

Participants also discussed unsuccessful efforts in historical view. In particular, participants suggested that human rights officers—introduced following the Carter-era reforms to “mainstream” human rights issues within regional offices—had not been effective in overcoming the divide on human rights issues because of their relatively junior status and because offices have constrained their responsibilities to specific reporting tasks.

Strategies going forward

One participant noted that the majority of USAID funds are allocated towards multi-year health investments, which may address a limited set of atrocity prevention factors rather than deeper-set atrocity risks. Participants agreed that restricted budgets and unstable funding pose difficulties for atrocity prevention efforts. Thus, participants agreed that the allocation of multi-year, discretionary funds to address upstream risks is necessary.

Several participants identified the importance of political leadership in providing clear and direct policy objectives. One participant noted that officials have used the atrocity prevention priorities within strategy documents and presidential-level directives such as the National Security Strategy and President Obama’s Executive Order to justify atrocity prevention concerns in certain countries. Participants agreed that legislation like the Elie Wiesel Genocide and Atrocities Prevention Act and the Global Fragility Act provided critical legal justification and top cover for elevating these issues.

One practitioner emphasized integrating atrocity prevention and early warning with other elements of the foreign policy agenda like climate change, pandemic response, and democracy issues would help to mitigate aspects of the regional-functional divide and improve atrocity prevention as a whole.

Further, a participant mentioned the importance of institutionalizing and formalizing atrocity prevention knowledge and training continuously, especially considering leadership changes. Participants underscored that the Biden administration making a clear, public directive in support of atrocity prevention, like the Obama administration’s 2011 Presidential Study Directive on Mass Atrocities and 2016 Executive Order on a Comprehensive Approach to Atrocity Prevention and Response,² would bolster atrocity prevention efforts and mitigate the persisting

² PSD-10 and Executive Order 13729 articulated mass atrocity prevention as “a core national security interest and a core moral responsibility of the United States” (Federal Register 2016).

regional-functional divide by providing functional bureaus with justification for prioritizing atrocity prevention.

One practitioner commented that the atrocity prevention community must continue to provide clarity on what atrocity prevention means and why it is a critical US national interest. These efforts, the participant suggested, must go beyond moral arguments and link to national security interests to strengthen the attention level. Participants suggested the development of a compilation of previously implemented US government atrocity prevention policies for decision makers to draw on to improve understanding of and gather support for atrocity prevention across regional bureaus.

Another participant identified the need for increased reciprocal understanding between regional and functional bureaus to consider their respective agendas and priorities. The participant suggested that during FSO orientations, new officers could sit in on some functional bureau proceedings to understand major thematic concerns. The participant also agreed there should be more requirements for FSOs to serve in functional offices while acknowledging such a decision would likely be met with some pushback. One attendee noted that a similar and beneficial program already exists at USAID, where certain FSOs serve in Washington, DC before deploying abroad.

Additionally, attendees addressed procedural changes required to mitigate the regional-functional divide and improve atrocity prevention policy. One participant suggested adding a standing item on NSC Deputies Committee (DC) agendas addressing atrocity prevention concerns in a country. This would provide a seat for atrocity prevention officials in the DC, and if atrocity prevention recommendations did not have to be cleared, it would empower the J family of functional offices by allowing divergent views to be aired to begin to address long-standing power imbalances. Another participant suggested creating a split-memo process for channeling dissent if consensus across regional-functional offices is not reached. Participants acknowledged such procedural changes are very difficult to implement considering the levels of bureaucracy ingrained in the Department.

Attendees identified the lack of an intra-State Department decision-making structure around atrocity prevention issues. One participant suggested creating a smaller scale NSC-like structure as a place to independently address disagreements among regional-functional counterparts prior to interagency meetings.

Several participants agreed that looking at the regional-functional issue from an organizational psychology perspective may provide new and helpful insights. One participant noted that many issues of the regional-functional divide may be similar to conflicts in other organizations, and that this lens may provide ideas for how to remove tension from the structure.

Conclusions and next steps

Center staff requested ideas and recommendations for further research, convenings, or policy initiatives. Participants provided several tips for improving the project's clarity. One participant noted the effort needs a defined theory of change moving forward. Similarly, a participant added that a clear definition of the problem the Center is most concerned with would help focus the issue on solutions and structural change to lay the groundwork as participants may struggle to focus their positions on this issue subset if more convenings are held. One participant suggested the project should specify whether there is a difference between atrocity prevention policy versus human rights policy more generally within conversations of the regional-functional divide's implications.

Additionally, participants suggested that the Center should solicit feedback and perspectives from a more representative sample of practitioners, including regional stakeholders like bureau personnel or Chiefs of Mission, to increase project support beyond the community of atrocity prevention practitioners. A participant emphasized that information from these groups should be sought in a systematic way that gathers input on the ideas and potential solutions, including those this seminar's participants already suggested. To strengthen the effort, one participant proposed the Center partner with other entities with established relationships in the diplomatic community, such as the American Foreign Service Association, the American Academy of Diplomacy, or the Foreign Service Institute. One participant suggested further research could draw more attention to how budget processes impact the regional-functional divide. Another participant suggested that a structural changes options paper exploring how to mitigate the decision-making processes would be useful.