

COURIER



Provoking Thought and Encouraging Dialogue on World Affairs

THE STANLEY FOUNDATION | NUMBER 78 | SUMMER 2013

KENYA'S TRAVAILS

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Preventing Atrocities
Chinese Blue Helmets

Same Name, New Game

By Jennifer Smyser, Editor

In the 24 years since the first edition of *Courier*, our reason for publication hasn't changed that much—to provide readers with crisp, clear articles that convey the insights and perspectives gained from our work. We have always wanted to give readers a well-rounded picture of what we do and who we are, not by reporting on our activities but by writing about the ideas, trends, and policy advice that are borne out of our programs.

While the aim of *Courier* is the same, the Stanley Foundation itself has changed in the intervening years. For the last few years, each edition has been thematic from cover to cover, rotating through our current areas of programming focus: how countries in the G-20 can work cooperatively on global concerns, how to prevent nuclear terrorism through enhancing the security of weapons-usable material, how preventative policy can be used to avoid genocide and mass atrocities, and how our partnership projects in and around our hometown of Muscatine, Iowa, can promote global education and serve the community.

With this edition, we have given *Courier* a new look and diversified the content to include in-depth stories by journalists and experts as well as Q&As with leading thinkers. In this issue we ask Professor Alex Bellamy of Australia's Griffith University about the evolution of the Responsibility to Protect doctrine, while journalist Kira Kay of the Bureau for International Reporting shares insights from Kenya, where heavy international attention helped prevent an outbreak of the kind of major violence that engulfed the country after the disputed 2007 election. We also look at how two emerging powers, India and China, are engaged in multilateral peacekeeping efforts.

On the back cover, we have added a regular feature called "Consider This..." Here we will showcase a new idea, an important person, a big moment in history, an interesting fact, or maybe even a puzzle—the common thread being a connection to countries addressing global issues together. We recognize that for some people, *Courier* tells you as much as you might want to know about a topic, but we hope that for others, the articles pique your interest enough to get you to come to our Web site, www.stanleyfoundation.org, or request one of our resources to learn more.

We want *Courier* to be a resource not only for the engaged public but also for policymakers and influencers. We aim to write about the breadth of our work and give life to our vision, mission, and goals. We want to inspire you to join us in pursuing a secure peace with freedom and justice. As the cover says, this magazine should provoke thought and encourage dialogue about the world.

As we work to improve *Courier*, we would like to hear from our readers. Please share your thoughts about the content and our efforts to provide better insight into the work of the foundation. Your feedback is welcome at jsmyser@stanleyfoundation.org.



COURIER

Summer 2013 • ISSN 1044-5900
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Courier is published tri-annually and mailed without charge to interested readers within the United States. The views expressed here are not necessarily those of the foundation.

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Cover:
Despite a relatively peaceful presidential election this year, Kenya's problems aren't over as the political fight moves from the ballot box to the courtroom. (AP Photo/Ben Curtis/Corbis)



More than 1,000 people were killed in ethnic violence following a disputed 2007 election in Kenya, but this year heavy international and civil society attention helped prevent another outbreak of bloodshed during the national elections. (EPA/Dai Kurokawa/Corbis)

Kenya's Travails

From the Ballot Box to the Courtroom

By Kira Kay

In early January, I found myself staring anxiously at the sky. I was waiting for helicopters ferrying Kenya's then-presidential candidate Uhuru Kenyatta and his vice presidential running mate, William Ruto, through a jam-packed day of campaign appearances ahead of the March national elections. They were already a few hours late, and storm clouds were gathering, putting my video shoot for *PBS NewsHour* at risk.

But their delay gave me the opportunity to quiz Kenyans in Nyamache, a town in the western part of the country, about the upcoming vote. The country's last election, in December 2007, was followed by months of ethnic violence that left over a thousand people dead and hundreds of thousands displaced. Now, there was a true sense that this time had to be different, for the good of the country and its people.

Since the 2007-08 postelection violence, there has been an emphasis on rebuilding several of the state institutions that failed so tragically the last time—in particular the electoral commission and the judiciary. And, in 2010, a new constitution was created and approved through a peaceful national referendum.

Besides wishes for more development, less corruption, and better security, what was immediately on the lips of Nyamache's voters was the issue of the Hague-based International Criminal Court's (ICC) charges against Kenyatta, Ruto, and others for crimes against humanity for their alleged roles in the violence five years ago.

Resident Anok Bogonko told me he felt Kenyatta, a member of the Kikuyu ethnic group, and Ruto, a Kalenjin, had been unfairly singled out—that there were leaders of other ethnicities who should be held responsible as well.

Day laborer George Makori put it more starkly, saying, "I just consider them as soldiers who have been authorized to perform their duty. And you cannot blame a soldier, if he is going to fight."

FORMER FOES BECOME RUNNING MATES

During the last election, Ruto supported the main opposition candidate. But despite the fact that Ruto's Kalenjin and Kenyatta's Kikuyu communities targeted each other in the 2007-08 bloodletting, the botanist-turned-politician switched sides and became Kenyatta's running mate this year.

"This ICC indictment against Kenyatta and Ruto has forced them together to, in a sense, use the elections as a referendum against the ICC, accusing the international community of interference in the election process and using the election campaign to mobilize support in their defense," said Comfort Ero, Africa director for the think tank International Crisis Group.

At one point, public support for the ICC indictments stood as high as 70 percent. Buses adorned with the names of ICC judges became common sights on the country's unruly roads. But more recent opinion polls suggest the use of

the ICC indictments in campaign rhetoric has had some impact, with support dropping to around 54 percent.

In a December interview with a local radio station, Kenyatta said, "As I see it, [the international community is] trying to colonize us by imposing a certain leader on us because that leader will provide them with what they need."

The ICC charges came only after Kenya failed to create a special tribunal, which was recommended by the commission created as part of a peace agreement that ended the postelection bloodshed. At the time, a list of suspects was compiled, which was to be handed over—if all else failed—to the ICC. When it became clear that Kenya's government was not going to establish a domestic tribunal, peace broker Kofi Annan turned over the sealed envelope to the ICC—surprising many who thought justice might not be done.

Earlier this year, Kenya's Office of the Public Prosecutor announced that it had reviewed 6,000 cases of postelection violence and that due to shoddy investigations and lack of witness testimony, only several hundred might ever be tried in the domestic court system.

And so for many, the ICC became "the court of last hope."

PLAYING THE ETHNIC CARD

The rain never came that afternoon in Nyamache, but the helicopter finally did; the candidates gave speeches about the everyday needs of their countrymen but did not mention the looming ICC trials.

While Kenya's vote passed much more calmly this time than it did in 2007, analysts believe tensions between communities around the ICC indictments were intensified during the campaign by Kenyatta and Ruto, who won the election and were sworn in as the new president and vice president on April 9.

"These two gentlemen played the ethnic card, saying the ICC's targeting them and their people, when in fact they were protecting their people from their last elections," Ero said.

Given that little formal work has been done to reconcile Kenya's fractured communities, human rights observers worry about the long-term impact of this election-season rhetoric on a country with more than 40 ethnic groups.

The election of Kenyatta and Ruto presents a bind for foreign countries, too, on how to engage with Kenya, now that it joins Sudan as the second country in the world with an ICC-indicted leader.

But Kenya has East Africa's largest economy and is a close partner in antiterror operations in the region. And so the truth is that deeper interests may limit how much disengagement is possible or likely, unless something drastic happens.

There is a fear that even if the ICC trials go forward, the process has already been damaged by the election of the two indictees.

In fact, just as Kenyatta and Ruto were being elected, ICC prosecutor Fatou Bensouda announced that the court was dropping charges against one of the other Kenyan indictees, saying, "We do not feel that we have a reasonable prospect of conviction and therefore withdraw the charges against him." A witness had recanted his testimony and admitted to taking bribes.

"I shudder to think what witnesses would ever go to The Hague and give evidence against their president, knowing how much power the presidency has and knowing how much that would mean to people," said Maina Kiai, a prominent Kenyan human rights lawyer.

And so, although Kenya—and the world—breathed a sigh of relief for what was largely a peaceful election, it is clear that Kenya's political travails aren't yet over as the process shifts from the ballot box to a courtroom in The Hague.



Kira Kay is co-executive director and the primary reporter for the nonprofit Bureau for International Reporting (BIR). Prior to founding the BIR in 2007, Kay was a network news producer for 15 years, reporting internationally and domestically for PBS, ABC, CBS, and CNN. She is also a member of the Council on Foreign Relations.

FOR MORE INFORMATION:

- Video: "Memories of Violence Haunt Upcoming Presidential Election in Kenya," at <http://tinyurl.com/kirakaykenya>.
- Video: "Muslim-Christian Relations Strained by Violence in Kenya's Coastal Region," at <http://tinyurl.com/kirakaykenya2>.





A Smarter Approach

The Future of Indian Peacekeeping

By Audrey Williams

The death of five Indian peacekeepers in South Sudan set off a vigorous debate about the future of India's participation in UN missions worldwide, highlighting the need for a global discussion about the future of peacekeeping. (UN Photo/Martine Perret)

Peacekeeping has become an increasingly dangerous endeavor. Rebel groups today are better trained and equipped while UN missions suffer from overstretched resources, and at times, wavering political will. There are growing worries that domestic fallout from attacks on troops might spur some nations to pull out security forces from already over-stretched UN forces.

For India, an ambush earlier this year that killed five of its peacekeepers in South Sudan sparked a fierce domestic debate about its future role in UN missions, with some military officials calling for a “tactical rethink” of the country’s commitments.

With nearly 8,000 personnel involved in nine UN operations worldwide, India is the third largest contributor of peacekeepers—it also has the highest number of troops killed of any other country. New Delhi now finds itself stuck between two unfortunate realities: on the one hand, missions are getting more dangerous, and every additional loss India suffers creates new support for a shift in its contributions; and on the other hand, the resource situation for UN missions is so grim that India—also one of the largest contributors of equipment—cannot pull out without risking the endangerment, or even collapse, of some missions.

Like many countries, India began contributing to UN missions for two overarching reasons: first, to provide training for its soldiers and second, to improve its clout within the international community—which was especially true for New Delhi since it had its eye on a very specific, very significant prize, a permanent seat on the UN Security Council.

Now half a century after India joined its first peacekeeping mission, the country’s calculus has begun to change—the incentives that first held true for the country are no longer relevant. After decades of missions, the training benefits for India’s soldiers have plateaued, and a Security Council seat may be too ambitious a dream.

But a number of factors have kept India from pulling out—maybe the most important as a reaction to the resurgence of China as a world power. While Beijing was against any involvement in peacekeeping operations in the past, it has had a change of heart. The number of Chinese peacekeepers is nowhere near India’s, but it is growing. Much like India in its early peacekeeping days, China was swayed by the opportunities that sending troops abroad provided such as training its soldiers and increasing its standing in the international community.

Another issue that will likely keep Indian peacekeepers on UN missions in the future is New Delhi’s continued goal to be a world power. In many regards, India’s bureaucracy is slow to articulate—much less execute—the country’s foreign policy strategies, making peacekeeping one of the South Asian giant’s few foreign policy strategies that is both highly visible and well executed.

If a withdrawal is out of the question, then India's only recourse against the dangers of peacekeeping is a smarter approach to its present and future contributions. India will likely take more care in choosing new missions by instituting a reform process. Another key strategy, and challenge, will be encouraging other countries to step up their contributions. India does not want to see UN peacekeeping end, nor does it want to play any role in weakening the foundations of present or future missions. The South Sudan attack has not unleashed a wave of cynicism in India. Instead, it has highlighted the changing nature of peacekeeping as India seeks to start what will hopefully be a worldwide discussion about a smarter approach to using blue helmets.

FOR MORE INFORMATION:

- "UN Peacekeeping Missions: Who Provides the Most Troops," at <http://tinyurl.com/rogers-chalabi>.
- "Indian Peacekeeper Deaths Pose Tactical Questions," at <http://tinyurl.com/muralikrishnan>.
- "India and UN Peacekeeping: Declining Interest With Grave Implications," at <http://tinyurl.com/varunvira>.
- "India's Strategic Future," at <http://tinyurl.com/rajamohan>.

Audrey Williams is the policy programming intern at the Stanley Foundation. She recently graduated from the University of Iowa with a B.A. in political science and French. She will start work in Washington, DC, as a Herbert Scoville Jr. Peace Fellow in the fall.



Peacekeeping is an increasingly dangerous task. In the last decade, there has been an average of 100 peacekeeper fatalities annually. (UN Photo/Isaac Alebe Avoro)



A large crowd of people is gathered, likely at a protest or public demonstration. In the foreground, a man is seen from the side, holding a white sign. The background is filled with many other people, some looking towards the camera and others looking away. The sky is overcast with grey clouds.

Waving the Red Flag: Preventing Atrocities

The Stanley Foundation recently sat down to talk with Alex Bellamy, a professor at Australia's Griffith University, who has written extensively about the need for policymakers to apply an "atrocities prevention lens" when dealing with crises.

How can we prevent man-made carnage from happening? Governments worldwide have a responsibility to protect their populations from atrocities, so why do some countries fail to do that, and what can the international community do? (UN Photo/Jason Founten)

For all the setbacks and frustrations in responding to mass atrocities, the world has come a long way. It's been almost a decade since the United Nations adopted the doctrine of the Responsibility to Protect, more commonly known as R2P, which outlines steps for the international community to stop and prevent some of the most devastating man-made carnage.

THE STANLEY FOUNDATION (TSF): What is the atrocity prevention lens?

BELLAMY: The idea of the atrocity prevention lens is to basically develop an analytical tool or a policy process that works with, rather than replicates, existing processes and mechanisms. So basically I've defined it in other places as creating an atrocity prevention seat at the policy table.

It's not about building a new table or having new bureaucracies or a mess of new programs, but rather bringing that perspective to bear in existing work. So in normal times, at times outside of crises, it would involve somebody providing analysis on the atrocity-specific risks in a country, somebody analyzing current programming to see how it impacts on those risks, you know, a do-no-harm sort of analysis, make sure it doesn't impact negatively, look at where programming can be tweaked to improve its preventive effects, and being open to receiving information that comes from the field that might be atrocity relevant.

The lens or the offices with that sort of responsibility have direct access to the most senior decision makers in the organization, so they can kind of wave the red flag. Of course, the red flag is something that you wouldn't want to wave very often, and you certainly wouldn't want to get

it wrong, because it's the last time you'll get listened to if you wave the red flag and get it wrong, but that option needs to be there.

TSF: Why have past attempts to stop atrocities been fairly unsuccessful, and how could that change in the future?

BELLAMY: The problem with prevention as a whole and measuring success of prevention is, of course, we're always talking about a dog that doesn't bark. It's difficult to know the dogs that would have barked, had it not been for something that somebody did. That's a perennial problem with prevention.

And historically it's been why it's been so hard to mobilize resources from governments, even for conflict prevention, because it's so hard to draw a causal link between specific work that somebody has done and the absence of something later. It's much easier to draw a link between work and then something that does happen. When you look at it, I'm not sure that the field [of atrocity prevention] has been that unsuccessful. I think we've had some recent clear successes, and obviously the Kenya election this year was one such success, where a clear threat was identified in advance, multiple resources brought to bear, and the results seem to have been positive.

TSF: What has been the difference between the international responses to Libya and Syria?

BELLAMY: Libya is an interesting [case] in that the crisis was not anticipated in advance. For whatever reason, I think analysts around the world are going back and looking at what the reason was. Libya simply did not appear on anybody's list of countries likely to experience heightened risk. I think one of the principle reasons may have been the relative wealth of the country and the fact that most of our methodologies look at economic wealth as one of the key indicators. But I am sure there are a range of other factors. But Libya didn't get on anyone's list until after the crisis had erupted. What you saw in that case was the [UN] Security Council act very, very quickly. It was the first resolution [from the Security Council] that sort of threw everything in the preventive armory at the Libyan situation, including targeted sanctions, including a political process, including referrals to the ICC [International Criminal Court]. The [UN] secretary-general got personally involved, calling [then Libyan leader Muammar] Qaddafi and recommending strongly that he comply with the resolution.

But sometimes, when actors are determined to use violence, or when they think they can achieve what they want through violence, there is little that outsiders can do.

That gets me to another point about prevention that as crises escalate, the space for prevention shrinks. So the more upstream you can act in building the processes and mechanisms and institutions within countries that can deal with the problems, the better. The space for a preventive action is greater the further upstream and the further removed from a crisis you are, and shrinks as the crisis emerges.

On Syria, it's worth pointing out that everything that's unfolded from the first days of the protest was predicted in advance, including by the secretary-general and his special advisor on R2P. The fact that the international community hasn't been able to reach a consensus on Syria is not through a shortage of information and advice about prevention. But it is partly due to the fact that the parties themselves seem to prefer a violent way of pursuing their differences rather than a negotiated settlement. Both parties violated the cease-fire agreement...within hours of it being agreed, and neither party has shown much in the way of willingness to reach a political settlement. But ultimately everybody knows it's needed if Syria is to recover from the current crisis.

TSF: What still needs to be done on the R2P front?

BELLAMY: The debate is no longer about whether we should have a principle of R2P or about what that principle means. Both of those things are now deeply embedded in international consensus. The [UN] General Assembly has discussed it multiple times. It's been reaffirmed multiple times by the Security Council. So there is no issue on the principle itself. The issue comes around to implementation, and there we've got two sets of related issues. One is around building the institutional infrastructure that's needed to move forward on atrocity prevention and the protection of populations.

The other area comes from the bottom up and is about what sorts of sets of measures can be used in individual countries. Here I think the debate is moving. We used to have a debate about whether R2P should be applied in this or that case, as if there are situations where states don't have a responsibility to protect their populations. I think now it's widely understood that R2P is universal and enduring, and it applies everywhere, and it applies all the time. So the question now is when we look at individual countries, what is the range of challenges in individual countries and what are the best mixtures of policy responses to those? And that's going to be different for every country, and it's also a challenge that every country needs to take up. There is no country that doesn't have some history in relation to R2P, that doesn't have some of the risk factors associated with R2P.

So this is really a challenge that everyone has to face together.

FOR MORE INFORMATION:

- Video of this interview: <http://tinyurl.com/TSFbellamy>.
- "Mass Atrocities and Armed Conflict: Links, Distinctions, and Implications for the Responsibility to Prevent," Stanley Foundation Policy Analysis Brief, February 2011.
- "Assisting States to Prevent Atrocities: Implications for Development Policy, Stabilization Assistance, and Post-Conflict Peacebuilding," Stanley Foundation Policy Dialogue Brief, December 2012.
- "Assisting States to Prevent Atrocities," Stanley Foundation Policy Memo, October 2012.

More Star Trek Than CSI

By Rei Tang

In one episode of a popular television show in China, *Chinese Peacekeeping Police*, a group of United Nations police officers, led by an American and made up of Chinese and Canadian cops, rescue kidnapped local leaders in a gunfight in restive East Timor. Broadcast on China's public television channel, CCTV-8, the series tracks the fate of Chinese police officers from training at home to deployment abroad.

They have to learn English. In martial-arts training, women show their fighting prowess against men. While in East Timor, they weigh intervening in domestic disputes and go up against rioters. They also face cross-cultural conflicts with the Americans as part of their journey. The police plot works out slowly. In some ways, the Chinese peacekeepers are more like a *Star Trek* crew, boldly going into the final frontier, than *CSI* investigators.

When Beijing took over the Chinese seat at the United Nations in 1971, sending peacekeepers to any mission

was out of the question based on Beijing's belief about the inviolability of sovereignty, having itself been invaded and having suffered civil wars for nearly a century. Only later, when Deng Xiaoping initiated reforms to grow the economy through foreign investment and trade, did China begin to integrate with international institutions. It first contributed to a UN peacekeeping mission in 1990, sending five military observers to the Middle East. Since then, China has enlarged its profile and engagement globally. Former President Hu Jintao has described China's recent forays into counterpiracy



While China was against any involvement in peacekeeping operations in the past, Beijing has had a change of heart. Peacekeepers from China in the Democratic Republic of the Congo perform their morning routine of physical training. (UN Photo/Marie Frechon)

and disaster-relief operations as the People's Liberation Army's (PLA) "new historic missions."

The Asian giant currently contributes nearly 1,900 personnel to nine UN operations. Recently it offered to send 500 peacekeepers to the West African nation of Mali. For the moment, however, Chinese peacekeeping units are composed of engineer, logistics, and medical units, and do not include combat troops. True to the country's principle of noninterference, Chinese peacekeepers must be invited by a host state and are not supposed to use force except in self-defense.

Peacekeeping presents an opportunity for the PLA to test its capabilities in different environments. Improved PLA transport and communications capabilities will make it easier to support more missions. And as China aspires to great-power status, global force projection will allow it to protect its growing interests.

Back on the television show, the stories are more about how the police learn and adjust to working with different cultures in an unstable country. Of course, in the show,

they prove their worth and excel, but it takes some time. They miss home, but they are proudly in a group of nations engaged in the world. They are in the spotlight—both in China and abroad.

Rei Tang is an associate program officer in the Policy Programming Department at the Stanley Foundation, where he promotes multilateral cooperation between emerging and established powers. Before joining the Stanley Foundation, Tang worked on national security issues in Washington, DC.

FOR MORE INFORMATION:

- "From Threat to Trust: China's Role in UN Peacekeeping," October 2012, at <http://tinyurl.com/Gosset-china-us>.
- "Chinese Peacekeeping Police," 2009, at <http://tinyurl.com/chinesepeacekeepingpolice>.
- "China and Conflict-Affected States," Saferworld, January 2012, at <http://tinyurl.com/resource612>.
- Video: United Nations Peacekeeping Operations, at <http://tinyurl.com/unpeacekeepers>.







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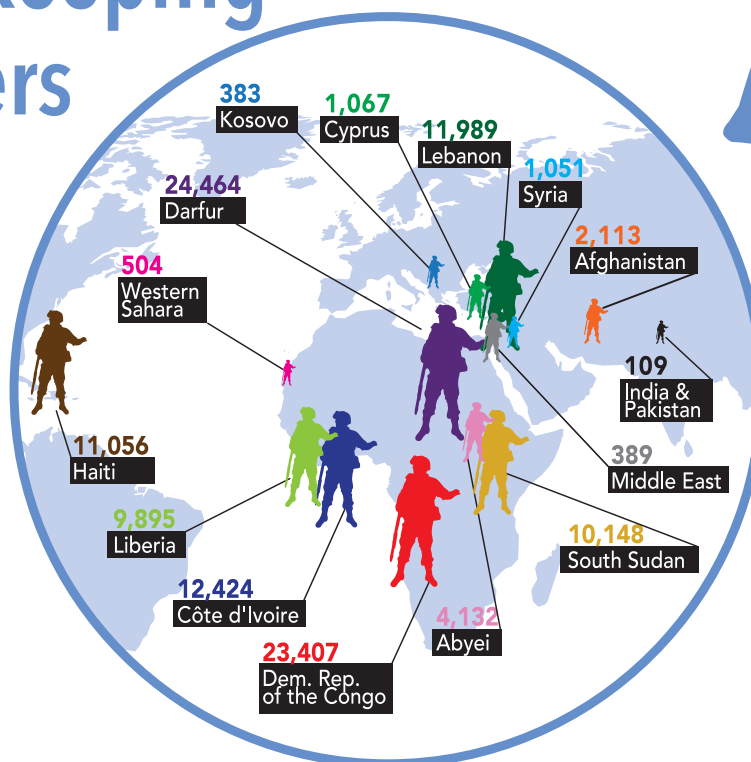
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-  33,437 VEHICLES
-  22 HOSPITALS
-  252 MEDICAL CLINICS



15 MISSIONS
4 ACROSS
CONTINENTS

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114
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PERSONNEL