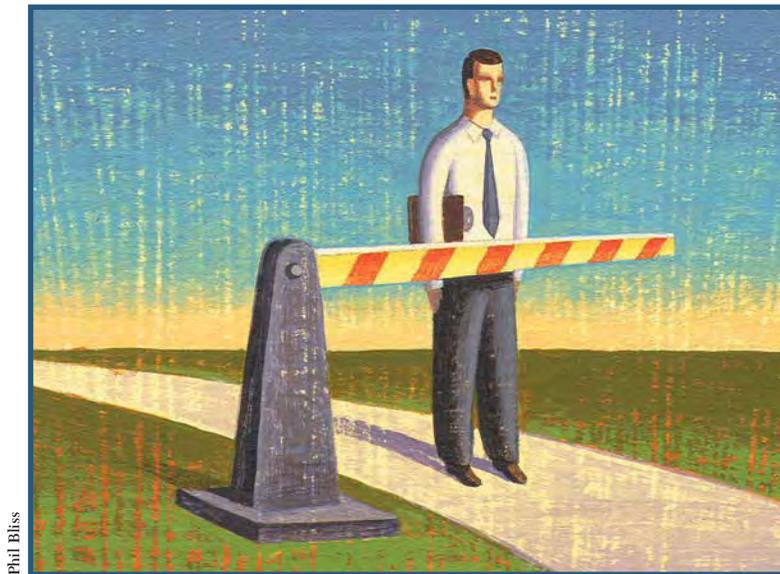


SERVING IN HIGH-THREAT POSTS



Phil Bies

THE RULES GOVERNING ACCOUNTABILITY
REVIEW BOARDS HAVEN'T CHANGED MUCH
SINCE 9/11. IT IS TIME TO RE-EXAMINE THEM.

BY MARK WARD

I was the first USAID officer to return to Pakistan in 2002, in the wake of 9/11, when Secretary of State Colin Powell instructed the agency to reopen the U.S. foreign assistance program after an eight-year hiatus. I will never forget my first day back (I had served in Pakistan from 1991-1994). After the country team meeting, the regional security officer introduced himself and told me he was strongly opposed to USAID's return. "Give me any trouble," he warned, "and you'll be on the first plane out of here." It was only weeks after the attack on the Protestant

International Church, a stone's throw from our embassy, and the RSO was clearly concerned about providing security for a large new assistance program.

Fortunately, over time we developed a solid working relationship. He came to see the value of USAID's programs for the war on terror, and I insisted my staff follow all the RSO's guidance without exception. But he knew on that first day that if I was going to do my job well, we were going to make it much harder for him to do his.

Working in high-threat environments creates a real conundrum for USAID and the State Department. On the one hand, foreign assistance, public affairs, political and economic officers need to venture beyond the embassy compound regularly to do their jobs. But chiefs of mission and RSOs are responsible for protecting U.S. lives, even if that means keeping people behind embassy walls.

Meanwhile, the rules governing Accountability Review Boards, to which COMs are summoned in the case of death or serious injury, haven't changed much since 9/11. In places like Iraq, Afghanistan and Pakistan, where the threat level would have forced us to evacuate just a few years ago, the U.S. government is actually ramping up development and public diplomacy efforts. We all regret the loss of FSOs in the line of duty, most recently in Karachi, but a zero-tolerance approach to risk, while understandable, is no longer practical.

Accountability Review Boards

The U.S. Code requires that the Secretary of State convene an Accountability Review Board within 60 days "in any case of serious injury, loss of life, or significant destruction of property at, or related to, a United States government mission abroad, and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States govern-

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ment mission abroad." The ARB is instructed to examine the facts and circumstances surrounding the security incident and make written findings on: a) the extent to which the incident was security-related; b) whether the security systems and procedures at that mission were adequate; c) whether the security systems and procedures were properly implemented; d) the impact of intelligence and information availability; and e) other facts and circumstances that may be relevant to the appropriate security management of U.S. missions abroad. The board then submits its findings to the Secretary of State with recommendations to improve the security and efficiency of the program or operation under review.

Perhaps more important to ambassadors and RSOs, the ARB must also make personnel recommendations whenever it finds reasonable cause to believe that an individual has failed in his or her duty. The board is instructed to transmit the finding of reasonable cause to the head of the appropriate federal agency and recommend that the agency initiate an appropriate investigatory or disciplinary action. Within 30 days of receiving the recommendations of the board, the head of the agency must transmit a report to Congress explaining the nature of the case, a summary of the evidence and the decision by the agency to take disciplinary or other appropriate action against that individual — or the reason for not doing so.

This is legislation with teeth, with potential for real impact on careers. Patrick Fine, a former USAID mission director in Afghanistan, has said that facing an ARB is viewed by many ambassadors and RSOs as a "career-ending event." Harry Manchester, USAID's head of security, likens the ARB to a sword that continually hangs over RSOs' heads. Ambassador Nancy Powell said at a December 2004 State-USAID conference in Cairo on managing assistance in high-threat countries that COMs and RSOs must now consider proposed activities in a new light: can it be justified as worth the risk in front of an ARB someday, if something goes wrong?

As long as the ARB system remains in place, COMs and RSOs will have an incentive to follow the most conservative approach toward risk — or take all the risk upon themselves. After the devastating December 2004 tsunami, our ambassador to Indonesia found himself between a rock and a hard place. He had to accept full responsibility for any security incidents involving official Americans in strife-riven, previously inaccessible Aceh when he decided to allow a few FSOs to work out of a

small office in Banda Aceh. His decision has paid great dividends for the U.S. at a critical time in Indonesia, but he had to put his own career on the line in the process.

Operating in Critical Environments

State Department and USAID officers cannot do their jobs living in fortresses. Much of our success depends on our ability to interact with host-government officials, politicians, academics and community leaders.

In Nepal, for instance, the international community has struggled to correctly assess the needs and issues facing internally displaced persons. But the deteriorating security situation has forced USAID to rely heavily on second-hand information to develop programmatic responses. In another instance, a recent *Washington Post* article strongly criticized U.S. efforts to build and refurbish schools and clinics in Afghanistan, citing our failure to provide adequate oversight and quality control. According to the *Post*, the delays and deficiencies in this reconstruction program have greatly disappointed our Afghan counterparts and eroded Washington's credibility, hindering efforts to advance key U.S. objectives. But with greater access to project sites, USAID could have quickly detected and averted some of these problems.

The State Department is similarly hindered by stringent security protocols, especially because diplomatic success relies on the ability to meet and build relationships with key government officials and politicians. In the March 2006 *Foreign Service Journal*, an FSO serving in Baghdad explains that "...often security restrictions keep us overly locked down, where we cannot accurately track or influence events." It is particularly difficult for public affairs officers to build trust and good will with host-country audiences when they are surrounded by "shooters" whenever they travel — if they get out at all.

To make up for the security restrictions, USAID is relying heavily on highly qualified local staff and non-governmental organizations to monitor and implement our programs in high-threat environments. In the West Bank/Gaza, for example, USAID has delegated some program management to local contractors and Palestinian employees, who have greater freedom of movement when border checkpoints are closed. USAID/Sri Lanka relies on local organizations to implement and monitor programs in Tamil-controlled areas where mission staff may not go. We have also developed synergistic relationships in conflict areas with U.S. military personnel who

can often act as our "eyes and ears" in particularly dangerous circumstances.

Toward a Long-Term Solution

But we will not win the war of ideas in the long term by employing proxies to design, monitor and publicize our programs. I recall a conversation with Sen. Carl Levin, D-Mich., in Islamabad in 2003. I was describing our program to improve primary schools in Baluchistan, one of Pakistan's most dangerous provinces. He asked how often I traveled to the school sites. I explained that my travel depended on the security situation at the time and place, but he wasn't convinced that I was doing enough to "show the flag." American officers have to be seen, we agreed, even in the most dangerous places.

I offer three recommendations to move this issue forward. First, and easiest to accomplish, the training for new ambassadors and RSOs should focus on more than the negative consequences of security incidents. Chiefs of mission and DS officers who have served in high-threat environments should be invited to share examples of the creative solutions they employed to manage the trade-offs between security and program success. USAID officers who have developed creative ways to deliver assistance in high-threat environments should do so, as well.

A second, tougher, solution is to change the criteria for the ARB. Congress recently amended the Diplomatic Security Act of 1984 to provide a limited exemption from the requirement to convene a board, at the discretion of the Secretary of State, in the event of a major security incident in Iraq or Afghanistan. The amendment acknowledged that the old rules should not apply in the war zones in which we now work, a step in the right direction. But the waiver is exercised *after* the fact, so the COMs in Iraq and Afghanistan will continue to have an incentive to be very cautious. In addition, the exception applies only to two of the several high-threat unaccompanied posts where we work today.

Finally, we need strong leadership to shift our thinking about risk and establish an appropriate threshold for risk-taking. The first step is opening up the discussion and acknowledging that we are operating in an entirely new paradigm. I hope this article will keep the dialogue going.

If we are to achieve our foreign policy goals in Iraq, Afghanistan, Pakistan and elsewhere in the world, we must first accept that only with great risk comes great reward. ■