

17.41

Individual Short Policy Memo

Short policy memos on timely topics are a crucial part of government and private sector operations. 17.41 has three short memo assignments during the semester.

The memos are due by the time the class starts.

Expectations

Please identify an issue area in international relations and write a memo directed at the US, the UN (or another country, if you choose) assessing the problem (why, for whom) and providing recommendations. You are free to select any topic pertaining to contemporary international relations or you may select from one of the prompts that we have provided.

The purpose of this memo is to assess your ability to apply the concepts you are learning in class to real world issues. Memos that regurgitate current events and do not apply key concepts from class will do poorly. Memos that creatively apply concepts from class to propose innovative policies will do well. The instructor and the TAs will not read drafts of memos, but will entertain conversation about them. MIT has a writing center that students should feel free to use. Collaboration is NOT allowed on the short policy memos.

Format

Memos should be no longer than 750 words, **not** including bibliographical references. At the top of your memo, please write the total number of words. Memos over 750 words will not be accepted. This means you need to be extremely succinct and should not waste space on “throat clearing” or regurgitating background information that is irrelevant to your proposal.

Regarding citations, the professor and TAs prefer you use in-text—for example (Hayes 2018)—and a bibliography at the end. If you prefer another style you may use that as long as you do so correctly and consistently

The format for the memo is **Summary, Background, Analysis and Recommendation**.

- The *summary* goes first – it should be a one-paragraph summary of the policy problem, your analysis, and your recommendation.
- The *background* should consist of a *concise* review of the policy problem at hand, your country’s policy responses in recent years, and why the issue affects the national interest of your country. If your memo is directed at the UN or another IGO, it should review the

UN/IGO's policy responses in recent years as well as describe why the issue is salient to the UN/IGO's stated goals.

- "concise" means not discussing decades of history – just hit the high notes and get to the current state of play.
- The *analysis* should discuss the range, sequencing, and likely outcome of possible policy options. By "possible" I mean those options that could be pursued without sucking up so many resources that your country's foreign policy elsewhere could not be executed. Or, alternatively, if directing your memo at the UN or some other IGO – so that the UN/IGO's other projects and missions are not impacted.
 - I want your opinions for why a particular option is good or bad, and I want the reasoning behind your opinion.
 - You might consider whether the option will receive allied and multilateral support, and domestic political support. Be clear on whether this would or would not matter.
 - When applying concepts from class and the readings, make sure to *explicitly* identify which concepts you are applying.
- The *recommendation* should sum up your analysis. Remember, you are being asked to choose the best option from a constrained menu.
 - You can recommend combinations and sequences of different policy tools, but remember you have limited space.
 - Clearly state *why* you have selected the policy option you have.
 - You should address and rebut potential counterarguments to the option you recommend (either here or in the analysis section)

Path to Success

You will need to do reading outside of class to flesh out the background, current state of play, and the likelihood of different policy options working. This should include: 1) monitoring press outlets; 2) looking at official policy statements to understand stated objectives; and 3) consulting think tank reports, policy articles, and scholarly studies of the salient countries and issues.

Innovative incorporation of readings from class is essential to the policy memo. The core idea is to apply theories we are learning in class to a real world topic.

Included below is a sample memo directed at the UN. The sample is meant to give you an idea of how a memo is structured and how the issue/problem statement needs to be described.

Action Memo:
Reforming the International Criminal Court To Better Balance Peace & Justice

To: United Nations Secretary General Ban Ki-Moon

From: X

Date: March 13, 2013

Problem Statement

As illustrated through the case of Sudanese President Omar, the current structure of the Rome Statute, the treaty which established and governs the International Criminal Court (ICC), does not provide the international community any means for achieving political compromise in the interests of peace without undermining the ICC's integrity as a mechanism for pursuing justice.

Background

The ICC was established by treaty in 2002, and is empowered by its 122 state parties to prosecute genocide, crimes against humanity, and war crimes (United Nations 1998). The Court may exercise jurisdiction in three cases: 1. The accused is a national of a state party; 2. The alleged crime took place on the territory of state party; or 3. The matter is referred to the ICC by the United Nations Security Council (UNSCR) (Placeholder 1 2018).

Of the cases brought by the ICC since its inception, arguably the most problematic is the indictment in 2009 of Omar Al-Bashir, President of Sudan, on multiple counts of genocide, crimes against humanity, and war crimes committed in the Darfur region of Western Sudan (Placeholder 2 2018). Sudan is not an ICC signatory – the situation in Darfur was referred to the Court by the UNSCR. Al-Bashir has declined to surrender himself, and will likely remain safe from arrest so long as he remains within Sudan or other friendly nations (Placeholder 3 2018). The sanctions Sudan has suffered because of this failure to cooperate have weakened Al-Bashir's government, but not to destruction, while also taking a considerable toll on ordinary Sudanese with no power to remove him (Placeholder 4 2018).

Analysis

Al-Bashir's case is a clear example of the dilemma that the ICC creates for the international community when balancing the considerations of peace vs. justice. An ICC indictment effectively curtails the kind of give-and-take negotiations that can lead to a dictator agreeing to moderate his or her behavior or peacefully leave power, negotiations that have in the past prevented further bloodshed during the removal of Chile's Augusto Pinochet and Kenya's Daniel arap Moi, among others (Placeholder 5 2018).

However, the founders and supporters of the ICC (the UN Secretariat historically prominent among them) make a strong case that there are some crimes so heinous – crimes held to be effectively committed against the human race as whole – that the international community must establish that there will be some accountability for those who commit them, in part because of the hope that this will have a long-term deterrent effect (Placeholder 6 2018).

The purpose of the ICC is to take these crimes out of the realm of geopolitics and into the realm of law. As such, the ICC Prosecutor is not empowered to allow the considerations of promoting peace to effect his or her behavior – whatever the consequences, if an ICC investigation turns up sufficient evidence of guilt, the Prosecutor must indict (Placeholder 7 2018). Having indicted, the Prosecutor can only offer a plea bargain “in the interests of justice,” not in the interests of a peaceful settlement (Placeholder 8 2018). Even if a Prosecutor were to stretch his or her mandate in this regard, it is very difficult to imagine a plea bargain for the deaths of hundreds or thousands that would be mild enough to induce a perpetrator to agree to it, yet punitive enough not to provoke outrage internationally.

The UNSCR is empowered to intervene in politically fraught situations to a very limited extent – once an indictment is served UNSCR can vote to delay its enforcement, but only for a year at a time, with each delay requiring a new vote (Placeholder 9 2018). It is extremely unlikely that any dictator would consider such a temporary and uncertain guarantee of safety deserving of much in the way of reciprocal concessions.

Recommendations

There is no perfect solution to this dilemma, as creating an avenue for war criminals to negotiate their way to impunity for horrific crimes is naturally abhorrent. However, the harm done to “humanity” as a whole by allowing such impunity must be balanced against the potentially much greater and more concrete harm done to a specific population – such as the Sudanese – by erasing the possibility that their dictator(s) can be coaxed into better behavior or (more commonly) into leaving power peacefully without the need for bloody civil conflict to force them out.

However, a potentially acceptable solution, which maintains the legal integrity of the ICC itself, is to amend the Rome Statue so as to empower the UNSCR with greater authority to “cut deals” regarding ICC cases. The details of this amendment would need to be carefully negotiated among state parties, but essentially it would allow the UNSCR to vote to suspend indefinitely either an ICC arrest order or a sentence handed down by the ICC in the interests of peace, if they judge such a suspension to be in the interests of international peace and security.

Such an amendment would unavoidably politicize justice and allow some criminals to escape judgment. However, by requiring a Security Council vote, it would ensure that such escapes are rare, and take place only when potential gains to peace are great enough to convince the notoriously fractious P5 to unify behind a deal. Furthermore, this mechanism would protect the ICC as an institution – the Prosecutor would still pursue investigations, indictments, and convictions impartially, and perpetrators would still be publicly identified as either proven guilty or unwilling to face trial.

The UN Secretariat, given that it is the entity least likely to be labeled as trying to protect the interests of any one state, is the body best placed to propose and mediate discussion around such an amendment. Given the usual delay in achieving amendments to any major international treaty, if you choose to pursue this course, efforts should begin as soon as possible.

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References

Placeholder 1 (2018)

United Nations (1998) *Rome Statute of the International Criminal Court (last amended 2010)*
ISBN No. 92-9227-227-6

17.41 Prompts for policy memos

1. Yemen

You are a National Security Council staffer tasked with reviewing the United States' current strategy toward the Saudi-backed war in Yemen. Based on your understanding of U.S. interests, suggest either changes to or a continuation of current strategy.

2. Russia & Ukraine

You are a high-level advisor to Russian President Vladimir Putin, tasked with reviewing Russia's current strategy in Ukraine (including Crimea). Based on your understanding of Russian interests, suggest either changes to or a continuation of current strategy..

3. Historical, US in Iraq

You are a national security council staffer advising President George W. Bush several months before the Iraq War. Based on your understanding of U.S. interests, suggest either changes to or a continuation of the strategy he pursued.

4. Crisis in Venezuela

In the past few years, Venezuela has sunk into a deep political and economic crisis. President Nicolás Maduro has effectively ended democratic government while hyperinflation and severe shortages in basic goods is causing tens of thousands of Venezuelans to seek refuge in neighboring Brazil and Colombia. At the same time, the mounting government debt is creating increased dependence on Russia and China, while leading members of the Maduro government are entangled in the international drugs trade. Write a memo to the US president proposing what, if any, action the United States should take with regard to the crisis in Venezuela.

5. Asian Infrastructure Investment Bank (AIIB) membership

On 25 December, 2015, the Asian Infrastructure Investment Bank (AIIB) was established on the proposal of China. The bank, which provides financing for infrastructure projects in Asia but is also considered an instrument of Chinese foreign economic policy, has a capitalization of US\$100 billion (about half of the World Bank). Several major US allies – including the UK and Australia – are members of the bank, but the US, as well as Japan, are not. Write a memo directed to the US president or the head of government of a country of your choice advising whether to join the AIIB or not (you may write to the head of government of a current member state, such as the UK).

6. Persecution of the Rohingya

In 2016 and 2017, the Burmese military and local Buddhist extremists killed tens of thousands members of the predominantly Muslim Rohingya people and forced hundreds of thousands to flee to neighboring Bangladesh. While the governments of Myanmar and Bangladesh in November 2017 signed a deal to allow refugees to return, the situation for the Rohingya – frequently described as the “world's most persecuted people – remains incredibly vulnerable. Write a memo directed to the United Nations advising what action should be taken by the international community to protect the Rohingya people.

7. US-Turkish relations

US-Turkish relations continue to worsen because the US has supported Kurdish fighters in Syria throughout the civil war. Meanwhile, Turkish forces have launched an air and ground campaign in Afrin, Syria because they believe that the Syrian Kurds are linked to the Kurdistan Workers' Party (PKK), which the Turks consider to be a domestic terrorist group. Write a policy memo advising the US government on how to best manage its relationship with Turkey, particularly given the latter's very active role in the Syrian Civil War.

8. Iranian Nuclear Deal

Rhetoric out of the White House suggests the potential deterioration of the hard-won nuclear deal with Iran. Write a policy memo to the President explaining why you think maintaining that deal (or, continuing in our present course) is in the US and the World's best interest.

9. Crisis in Congo

Congo's president, Kabila, continues to cling to power despite the fact that his final term ran out in 2016. He is extremely unpopular and can barely maintain control of the country, which is suffering from corruption and violence. Furthermore, because of budget cuts for UN Peacekeepers, there is a growing fear that the country will backslide into civil war. Given the country's geographic position, its size, population and resources, a Congolese civil war would be disastrous for the region. Write a policy memo - addressed to either the UN secretary general, the president of the United States, or the (new) President of South Africa to advise them on how to best keep the peace.

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