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SPECIAL REPORT

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The Role of the Ambassador in Promoting U.S. Human Rights Policy Abroad

About the Report

The United States Institute of Peace recently held a roundtable discussion featuring a distinguished group of former U.S. ambassadors who addressed the need to enhance the role of U.S. chiefs of mission in interpreting and implementing U.S. human rights policy abroad. This session, part of the ongoing Human Rights Implementation Project, a major effort of the Institute's Research and Studies Program, brought together prominent former chiefs of mission and leaders in the policymaking and non-governmental organization (NGO) communities.

The purpose of the meeting was to determine how ambassadors could more effectively implement a coherent U.S. human rights policy. Speakers included Ambassadors Winston Lord, Smith Hempstone, Teresita Schaffer, Princeton Lyman, Robert White, J. Stapleton Roy, Jack Matlock, Mark Palmer, and John Stempel. This report, prepared by program officers Emily Metzgar and Debra Liang-Fenton, summarizes discussion at this workshop and provides an overview of recommendations that can help inform policymakers and future chiefs of mission in their efforts to improve U.S. human rights policy. Although representative of discussions at this meeting, the report does not imply unanimity of opinion on every point.

August 30, 2000

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Briefly...

- The ambassador is a key player in determining tough trade-offs or policy emphasis: between short-term and long-term objectives, between executive and legislative priorities, between strategic interests and specific human rights concerns, between public and private diplomacy, between coercive and cooperative approaches, and between unilateral and multilateral approaches to specific problems.

- The ambassador is also integrator among various interest groups with a role to play in helping promote U.S. human rights policy objectives in-country. Such interest groups include the business community, media, and local and international NGOs.

- In order to prepare U.S. ambassadors for the role of chief policy implementer in-country, we must first define their role in human rights policy, and we must identify new tools (or repackage existing ones) for enacting human rights policy.

- Establishment of a global strategy for human rights that includes a clearly articulated role for the ambassador would serve as a buffer between those implementing the mandated strategy and those opposing it. Such a strategy is necessary because U.S. human rights policy is often interpreted in a host country as threatening to national sovereignty or as promoting social or regime change, with the ambassador seen as the leading promoter of such "subversion."

- Human rights must be consistently presented as an American foreign policy priority, with the U.S. ambassador in-country seen as the policy's lead promoter. As one of the most difficult foreign policy issues, human rights policy must be promoted throughout the foreign policy environment—both domestically and internationally. The U.S. ambassador has a vital role to play in constructing a constituency that will support continued emphasis on human rights for both the short- and long-term.

About the Institute

The United States Institute of Peace is an independent, nonpartisan federal institution created by Congress to promote research, education, and training on the prevention, management, and resolution of international conflicts. Established in 1984, the Institute meets its congressional mandate through an array of programs, including research grants, fellowships, professional training programs, conferences and workshops, library services, publications, and other educational activities. The Institute's Board of Directors is appointed by the President of the United States and confirmed by the Senate.

Introduction

The roundtable's examination of the role of the chief of mission posed the following questions to a distinguished panel of U.S. ambassadors:

- How do ambassadors interpret human rights priorities within the context of overall U.S. foreign policy goals?
- What influence does an ambassador have to change general U.S. foreign policy objectives with regard to human rights?
- What are the costs of taking action that is not congruous with general U.S. policy objectives?
- What are the principal instruments at the ambassador's disposal to influence events on the ground consistent with human rights goals?
- What, if anything, should be done to strengthen an ambassador's influence and expand the array of instruments for implementation of human rights policy?
- What are the constraints on an ambassador in attempting to help implement human rights policy?
- When should an ambassador play a higher profile role in promoting human rights on the ground? A lower profile role?

Human Rights as Foreign Policy

Ten years after the end of the Cold War, the question of human rights in American foreign policy is not whether to give priority to human rights, but rather how to effectively incorporate an emphasis on human rights into the broader foreign policy agenda. There is a growing domestic audience supporting activist American human rights policies overseas. This domestic political support helps keep the subject of human rights in the headlines and alive on Capitol Hill and in the White House.

It is in the past 25 years that debate over normative issues like human rights has developed. For many long-time foreign policy professionals this has been an unwelcome development. The issue of human rights falls well outside the parameters of classical realpolitik and is often categorized as "low policy" in comparison to strategic issues. Some argue that American emphasis on human rights issues caused the collapse of the Soviet Union. Others dispute this, pointing to continued American criticism of China's human rights record while the communist regime remains well entrenched.

While the United States has a well-publicized, general position on human rights and the priority the country places on promotion of human rights overseas, U.S. strategies for specific countries do differ from case to case. The United States must take into consideration the culture, history, and institutions of each country and that by definition creates inconsistent policies—both real and perceived. But the resulting charges of American opportunism make even harder the role of the U.S. ambassador on the ground.

Now that human rights promotion is a general foreign policy priority, the more difficult question for policymakers and for those tasked with policy implementation is how to justify to foreign governments what is often seen as American interference in internal affairs, with the U.S. ambassador playing the lead role.

Putting the Ambassador in Context

To assess how human rights are promoted abroad, we need to identify the cast of characters that plays a role in the process.

U.S. Department of State, Washington, D.C.

The Department of State, in consultation with other executive branch institutions, formulates global foreign policy positions. In the past decade, traditional American strategic priorities have been expanded to include democracy, environmental protection, trade promotion, and human rights. These sound-bite priorities are not, however, easily translated into universally applied policy objectives.

As the government's primary foreign policy institution, the Department of State articulates the American position on a panoply of global issues, but a human rights agenda can only be successful when tailor-made to the conditions of a given country. This tailoring of policy positions leads to accusations of American double standards on human rights. The results of American human rights initiatives also vary from country to country due to the nature of the country in question, trends therein, the range of American interests in the bilateral relationship, and the actual ability of the United States to influence events on the ground.

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Some ambassadors are wary of human rights issues for fear of causing problems with the host government and disturbing relations with its leadership. In order for the ambassador to be active and vigilant on human rights issues, there must be clear support from the upper levels of the department. The ambassador is tasked with promoting both American short-term and long-term policy objectives, but is constrained by the relatively short duration of tenure (usually three years). Reporting from the embassy must also accurately reflect developments on the ground while maintaining Washington's support, even if those developments are not favorable to stated American objectives.

Embassy

The State Department–approved mission plan for each embassy dictates the direction in which U.S. government resources will be used to promote a given bilateral relationship. It is the ambassador's leadership style, political skills, and individual policy objectives, however, which most heavily influence the day-to-day evolution of the overall relationship, and which can have the most profound effect on implementation of the human rights policy agenda.

It is the duty of the ambassador to ensure both cohesion and consistency in the work of the embassy personnel. This is particularly important when implementing human rights policy because there are so many disparate views on what that policy should be, even within the U.S. government. The political counselor must not be promoting a different policy than that of the economic counselor.

As the American president's representative on the ground, the ambassador can have the single most significant impact on the perceived and actual priority the United States places on human rights issues in any given country. However, public disagreement with the position of the ambassador from embassy staff can greatly impede effective human rights policy implementation.

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Non-Governmental Organizations

The State Department's annual human rights report for 2000 describes civil society in this way: "Traditionally, networks have evolved out of communities of like-minded individuals who gather around shared interests and values. . . . They help gen-

erate what de Tocqueville called 'habits of the heart'—those characteristics of human nature that encourage otherwise isolated individuals to connect with one another into a broader community."

It is these networks, whether amorphous as defined above, or more formalized through establishment of an NGO that lobbies the American embassy or the host-country government, which the ambassador must tap to emphasize commitment to human rights and to glean information perhaps not otherwise available about the state of human rights protections and abuses in the host country.

International Organizations

In effective human rights diplomacy, a variety of channels should be employed. International and regional organizations provide an important on-the-ground network that can support U.S. policy and enhance a multilateral effort in-country. It is not always best for the United States to be out front. Cultivating relationships within international organizations can alleviate this necessity while allowing the United States to provide behind the scenes leadership. The key to changes in state practices lies in the mobilization of multiple, complementary channels of influence.

Commercial Sector

There should be a natural confluence of interest between the value the U.S. government places on human rights protection and the business community's desire for an environment in which businesses can operate without undue government interference.

The host country's business community should not be overlooked as a resource for the implementation of American human rights policy. The American Chamber of Commerce can provide a good introduction to the business community and can play a role as partner in human rights policy implementation. For example, the White House Apparel Industry Partnership—a grouping of industry, labor, consumer advocates, and human rights organizations—was established in 1996 to formulate a universal code of conduct and monitoring system for the apparel industry. The intention is to develop an agreement to improve working conditions around the world.

There should be a natural confluence of interest between the value the U.S. government places on human rights protection and the business community's desire for an environment in which businesses can operate without undue government interference. The difficulty in tapping this resource arises when there is a conflict of interest between promotion of human rights ideals and profit margins. Tapping this resource, however, offers an opportunity for the ambassador and country team to lobby for support of human rights initiatives in-country and build a cadre of pro–human rights business professionals upon whose support the embassy can depend at a later date.

The Media

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A free and fair press is the best insurance against human rights abuses. There is no question that American human rights policy should encourage development of this integral part of civil society. Media practitioners should be selected for international education and exchange programs, thereby building a cadre of professionals ready to practice their trade and able to objectively cover human rights issues in-country for the long-term.

In addition, the ambassador and his or her team must be accessible to the media both in the United States and in the host country. While private diplomacy is often an effective tool, the public dimension is necessary to maintain credibility and exert influence and in order to generate support in the U.S. domestic arena. The U.S. ambassador is normally featured in the media in the host country frequently. In fact, in authoritarian countries, he or she is often considered the voice of freedom—a sort of surrogate leader. The U.S. ambassador should use this access and influence to advance human rights policy objectives.

Tensions

The workshop identified a number of tensions inherent in American human rights policy formulation and implementation. As the chief policy implementer in-country, the U.S. ambassador is likely to feel these tensions most acutely.

Short-Term versus Long-Term Objectives

The ambassador must balance the political need for immediate results, such as release of a prisoner or relaxation of constraints on the press, with the broader goals of human rights policy in a given country. The ambassador has only a short tenure to effect change, but American interests often require a longer term strategy. While systemic change is important, however, it is also necessary to demonstrate concrete results, both for the sake of U.S. credibility and the ambassador's career.

Congress versus the Administration

Legislative and executive branch views are arrived at through different sets of political calculus. The degree of actual control either branch should have over foreign policy has been debated for years and the fact that the system works as well as it does is a testament to the ingenuity of America's founding fathers.

Ambassadors must ensure that they are working in tandem with both the White House and the State Department. Without this support, ambassadors will find implementation of policy virtually impossible. Members of Congress who are interested in working with the State Department should be involved in private meetings with host country officials to demonstrate that the United States has a strong policy position on human rights.

Strategic Interests versus Human Rights Objectives

Each country must be managed on a case-by-case basis. The U.S. government does not have a clearly defined list of priorities that can be applied to all countries uniformly. Consequently, where there is a major, overriding priority (such as the peace process or oil in the Middle East), the ambassador must skillfully manage to contribute to the peace process or to preserving energy security, while also working away at some of the world's worst human rights problems.

Public versus Private Diplomacy

Different negotiating strategies yield different results. Particularly when dealing with an issue as closely linked to national sovereignty as human rights, it is important for the ambassador to recognize the value of both approaches.

While public diplomacy and private representations are not mutually exclusive, at what point does the threat of public diplomacy destroy private access and vice versa? It is important to grant access to the media and to speak and act forcefully; it is equally important to keep lines open with the host government. The U.S. ambassador must use his or her judgment to determine what mix of instruments will produce a desired outcome, and the proper timing for use of those instruments.

Pressure versus Incentives

Coercive instruments such as military force and economic sanctions should be tools of last resort and should be targeted if implemented. Once invoked, sanctions preclude most other options of influence. Sanctions and incentives are most effective when used in tandem. The combination of carrots and sticks and the flexible use of this combination can be an effective means to influence political behavior. There

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was a clear consensus among the meeting's participants that "engagement" is more effective in promoting human rights than "isolating" countries. There was also consensus that sanctions should be targeted at leaders and not peoples.

Unilateralism versus Multilateralism

The ambassador has the option of promoting human rights objectives unilaterally or of engaging third country ambassadors in-country to achieve a common set of objectives. Now that a majority of the world's nations are democratic, there are greater opportunities to work together. But if there is little support from friendly third countries for political or strategic reasons, the ambassador can adopt a unilateral approach to particular human rights issues. Domestic political pressures in the United States may require the American ambassador to oppose a host-country policy more explicitly or more vehemently than will be the case for other countries' ambassadors (and vice versa).

On some issues, unofficial engagement of other third country governments' official actors can be an effective way of deflecting criticism from the U.S. government and could even serve as the first step toward an integrated multilateral program for promoting extensive change.

Proactive versus Reactive

The degree to which American human rights policy toward a particular country is proactive rather than reactive is determined by the ambassador's individual commitment to human rights policy, the accuracy of reporting from the post to the department about human rights issues, and the extent to which the ambassador is successful in rallying support in the department and elsewhere for activist policy positions.

Identification of the aforementioned tensions is only the first step toward understanding the full potential of the ambassador's role in implementing human rights policy and in devising appropriate training to prepare ambassadors for their central role in human rights policy implementation. Further discussion would make clear the variety of ways in which training could be designed for maximum effect.

Conclusions and Recommendations

All branches of the U.S. government must work together to successfully promote human rights. This will require greater executive and legislative branch cooperation and clearer articulation of ambassadorial roles.

There is no question that ambassadors must be properly trained to handle human rights issues, including appropriate briefings and sessions. However, the Institute's initial analysis of the role of the ambassador makes clear the need for even broader discussion of the American human rights policy process as the context within which the ambassador operates.

With those caveats, preliminary recommendations follow:

- All branches of the U.S. government must work together to successfully promote human rights. This will require greater executive and legislative branch cooperation and clearer articulation of ambassadorial roles.

- Consideration must be given to whether the current Department of State organizational structure (regional versus functional) is suited to implementation of human rights policy objectives. Alternatives could include strengthening the functional apparatus within regional bureaus.

- The Department of State must nurture a domestic foreign policy constituency:
  - At a fundamental level the State Department must work to build a domestic constituency for foreign policy, including Congress and the rest of the executive branch but also grassroots organizations serving the general public.

— Acknowledging that constructing a consistent human rights policy is difficult, State needs to emphasize that human rights issues remain a top priority.

- Department of State and embassy teams should:
  - — Develop active human rights policies tailored to specific countries;
  - — Ensure that the annual human rights report is as honest and factual as possible;
  - — Reduce reactive human rights policy responses on the part of both the department and the ambassador;
  - — Speak with one voice, and ensure department and embassy team cohesion;
  - — Ensure that the embassy team is accessible to the host government, the media, NGO representatives, and all interest groups on the ground; and
  - — Coordinate with other U.S. agencies to provide support for indigenous organizations working for human rights objectives on the ground.
- Ambassadors must be prepared to handle country-specific human rights issues. They should:
  - — Receive human rights orientation before departure for the post.
  - — Identify sources of objective information about and guidance on human rights policy and implementation.
  - — Be made aware of political vulnerabilities.
  - — Work to balance human rights and other issues in relations with the host government so as to maintain access and influence.
  - — Convey to the U.S. business community in the host country that promotion of human rights is a high priority.
  - — Recognize and act upon the substantial influence a U.S. ambassador can have both publicly and privately.

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Human Rights Implementation Project

In 1999, the United States Institute of Peace's Research and Studies Program launched a new initiative on human rights implementation. This project seeks to critically examine human rights policies implemented by the U.S. government in order to identify ways these policies might be improved.

The Human Rights Implementation Project is exploring the following questions:

- What role do human rights issues play in the formulation of U.S. foreign policy?
- How successful or unsuccessful has the U.S. government been in improving human rights practices abroad?
- What are the key challenges to implementing an effective human rights policy?
- What roles have the Executive Branch, the Congress, other govenmental agencies, and the non-governmental and business communities played in promoting human rights?
- How can policymakers maximize their impact on human rights protection and promotion?

The Institute is exploring these broad questions from the vantage point of a nonpartisan, congressionally funded institution committed to expanding the understanding of international conflict and the means to prevent, manage, and resolve it.

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