



Commentary

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By Stephen Pomper, Crisis Group U.S. Program Director

Eight Big Questions on War and Peace for Mike Pompeo

With a dizzying range of international crises and conflicts facing the U.S., the confirmation hearing on Thursday 12 April of incoming Secretary of State Mike Pompeo is a chance to gauge the administration's future tack. Crisis Group's U.S. Program Director Stephen Pomper identifies eight critical issues that are likely to dominate Pompeo's incumbency.

When Mike Pompeo sits down on 12 April before the Senate Foreign Relations Committee, there will be plenty to talk about. Mr Pompeo has of course been nominated to succeed to Rex Tillerson as secretary of state, and he will doubtless face questions about everything from whether he plans to reverse the decline of the State Department's budget, human capital and influence, to his highly controversial and oftentimes incendiary views on Islam, to a history of statements suggesting a higher-than-desirable level of comfort with torture.

But nothing that the senators raise with Mike Pompeo will be more important than core questions of war and peace. Although it has yet to start a war, this administration's often impulse-driven foreign policy creates conflict-related risks for the United States all around the world, and the joint elevation of Mr Pompeo to secretary of state and John Bolton to national security advisor – both of whom have a record of advocating for military solutions to complex crises – may well aggravate those risks. As the risks accumulate, the American people deserve the chance to hear about the wars that might be started in their name, and to understand the costs involved.

Similarly, they deserve to hear whether their government has a plan for wrapping up long-running wars that have been fought by the United States – or with its support – absent a clearly articulated set of objectives or exit strategy. Congress is uniquely positioned to force these conversations and the Pompeo hearing is the best moment on the foreseeable horizon to do that.

With that in mind, here are Crisis Group's thoughts for questions on war and peace that could help to make Thursday's hearing the must-see event it should be.

1. Do you believe there is a military solution to the Korean peninsula crisis?

There is no more consequential issue on the administration's foreign policy agenda than the crisis on the Korean peninsula, and Mr Pompeo is uniquely well suited to answer questions about it. Washington scuttlebutt suggests that long-standing channels between Pompeo's team in Langley and their counterparts in Pyongyang have been the primary means of communication for summit planning, and that Pompeo has been at the centre of these efforts.

The hearing is an opportunity to assess whether the administration is driving toward realistic goalposts at the upcoming Trump-Kim summit, to make clear that even achievement of modest goals would be a significant success (eg, agreeing to hold further talks and to maintain the current testing freeze in the meantime), and to underscore that disappointment cannot be a pretext for shifting the U.S. government's focus to military options.

Perhaps most important, though, is that the committee can use this as an opportunity to hold a mini public hearing on the unthinkable costs and risks of conflict on the Korean peninsula, and to push back on expansive legal and policy theories that have been floated (most prominently by John Bolton in a February op-ed in the *Wall Street Journal*) to justify a first strike by the United States. There may be some reluctance among committee members to do that before Trump and Kim meet because of concern that it would weaken Trump's negotiating hand. It will be a great shame if this thinking prevails, and the committee misses a chance to provide the American people with a sober rendering of what conflict on the Korean peninsula would mean.

Related questions:

- Do you believe that the United States has the ability to take "preventive" action to destroy North Korea's nuclear capability without substantial risk of counter-strikes against South Korea, Japan and U.S. forces?
- Assuming the North will be capable of mounting counter-strikes, what is your estimate of the casualties and the economic costs to South Korea, Japan and the United States over the first month and first six months of the fighting?
- When would be the right time to educate the American people to these potential costs? Should Congress hold hearings? If not, why do the American people not have the right to

know the implications of a war that may be fought in their name?

- Do you believe that Kim has developed these weapons for aggressive purposes that cannot be deterred and contained by the threat of annihilation if he uses them and, if so, why?
- Other than self-defence against an actual or truly imminent armed attack, what would justify a first strike against North Korea as a matter of law?
- Do you accept the view of imminence offered by John Bolton in his February op-ed in the *Wall Street Journal* and will you be seeking a formal opinion from State Department lawyers on whether that is a correct reading of the law?
- If the United States leaves the Iran deal, how will you persuade North Korea that the United States will abide by its commitments in any deal that might be reached (eg, have you considered a way to structure the deal to lend confidence that it has bipartisan support and will be sustainable into future administrations)?

2. Do you support a U.S. withdrawal from the Iran nuclear deal and by what means do you propose to shape Iran's behaviour in the Middle East?

The last administration placed the deferral of Iran's nuclear ambitions at the centre of its efforts to contain Tehran's most potentially dangerous and destabilising behaviour, and the Iran nuclear deal was the outcome of its efforts. But President Trump's known animus toward the deal, and his nomination of Pompeo and Bolton (two other ardent critics), make it increasingly likely that the United States will withdraw on or before the 12 May deadline by which the United States would be required once again to waive sanctions in order to continue its participation. The administration has sought to shift responsibility for the deal's possible demise by pushing European leaders to come up with "fixes" that

address its concerns – including by removing the so-called sunset provisions that were at the core of the negotiated terms – but there are limits to how far they can credibly go without destroying the deal.

It may be that European participants in the deal find a way to carry it forward even without U.S. participation (a worthy goal) but whether or not they succeed, Washington will bear responsibility for imperilling an arrangement that has thus far successfully worked to neutralise the greatest threat to peace and security in the region. Against this backdrop, senators should probe Mr Pompeo on whether there is any flicker of hope for salvaging the deal, press him on how he sees the future unfolding should the United States withdraw and, more broadly, ask him about the risks of provoking a confrontation with Iran.

Related questions:

- You have described the Iran deal as “grudging, minimalist, temporary” and reportedly urged President Trump not to make required certifications. Will you recommend to the president that he withdraw from the Iran deal in May?
- If the United States withdraws from the Iran deal, and Iran begins building up its nuclear capability, what will you recommend that President Trump do about it?
- In 2014, as a member of Congress, you said: “In an unclassified setting, it is under 2,000 sorties to destroy the Iranian nuclear capacity. This is not an insurmountable task for the coalition forces”. Do you believe sending 2,000 sorties to destroy Iranian nuclear capacity in 2014 would have been a wise course of action?
- Being in the Iran deal helps the United States press European partners to take a tough line with Iran on Islamic Revolutionary Guard Corps activities and its missile program. Do you believe that the United States will retain that leverage if it leaves the deal?
- Under this administration, high-level contacts with the Iranian regime have essentially ceased. As secretary of state, would you recommend to the president that they resume in order to limit the risks of an accidental confrontation?
- Do you believe the policy of the United States should be to seek regime change in Iran? If so, through what means?

3. How long are U.S. troops going to stay in Syria and for what purpose?

The future of the United States’ 2,000-some-odd ground troops currently in Syria appears to be up in the air. President Trump has been clear that he believes the fight against Islamic State (ISIS) is the reason for them to be there, that the fight is almost over, and that they should soon come home. Last week, he appeared to set a goal of several months at most; he also allegedly decided against the allocation of \$200 million in reconstruction assistance for the north-east. This position does not jive with the positions of Trump’s senior military advisers, some of whom are on the very recent record suggesting that they believe a U.S. presence (coupled with reconstruction assistance) will be necessary to stabilise communities that otherwise might be pulled back into extremist hands. Some on (and off) Trump’s team have other agendas too, from remaining in the area to protect Kurdish allies, to countering Iranian interests, to maintaining leverage to oust Assad.

Senators should press Mr Pompeo to share what specifically President Trump means when he says that he will withdraw troops “very soon”, whether he has set a six-month withdrawal horizon as reported, how the United States will make responsible provision for withdrawal, and what he sees as the core objectives for U.S. forces in the meantime. They should also resist the temptation to link Saturday’s chemical weapons attack on Douma to questions about troop withdrawal: whatever one’s position on whether the U.S.

government should resort to airstrikes to deter chemical weapons use, the presence of 2,000 U.S. troops in Syria does not serve that purpose.

Related questions:

- What specific objectives do you believe need to be achieved in Syria before the United States pulls out its ground presence? Are these purely related to the counter-ISIS campaign or do you regard other objectives as requiring a continued presence?
- Do you have concerns that the Kurds who have been allied with U.S. forces will be insufficiently defended against Turkey or regime forces if the U.S. pulls back and, if so, how long do you believe the ground presence should remain in place to protect them?
- Do you believe that the administration has legal authority to maintain ground forces in Syria for purposes that extend beyond the counter-ISIS campaign?
- Do you support providing reconstruction assistance to help stabilise the communities the U.S. and its Kurdish allies removed from ISIS control?
- What steps do you recommend the United States take to help prevent ISIS from creeping back into needy communities, particularly if there is reluctance on the part of the U.S. and Gulf partners to fund reconstruction?

4. Why is the United States not doing more to restrain the Saudi-led coalition in its war in Yemen and to broker a peace deal?

As Crisis Group's Rob Malley and April Longley Alley have recently written, Saudi Arabia's military intervention in Yemen is a threefold tragedy.

First, the intervention has had horrific humanitarian consequences – in a country of roughly 28 million people, more than eight million Yemenis now live on the brink of starvation

out of 22.2 million in need of humanitarian assistance. Second, rather than rolling back the expansion of Iranian influence, it has tightened bonds between Tehran and Houthi rebels, who continue to make frequent incursions inside Saudi Arabia. Third, the awfulness of this situation is only compounded by the knowledge that it is resolvable. Whether motivated by self-perceptions of strength or weakness, Houthi leaders have indicated to Crisis Group that they are interested in talking to Riyadh. The bones of a deal are not that difficult to imagine – they could include a commitment by the Houthis to cut military ties with Tehran, secure the border and transfer their heavy weapons to an emergent coalition government in Sanaa that they would join. The Saudis could bless an arrangement that gives the Houthis a meaningful stake in Yemen's government and military, and that demobilises both Houthi and Saudi-aligned militias.

Senators should press Pompeo for a commitment to signal that continued U.S. support to the Saudi-led coalition is unsustainable unless Saudi Arabia halts its attacks on civilians and civilian objects, stops hindering the shipment of humanitarian assistance and other commercial goods into Yemen, and moves forward with a peace initiative along the lines outlined here. They should also push back on the suggestion that, however poorly the Saudis have performed with respect to the protection of civilian life, they would be doing a worse job without U.S. help. Whether or not this is true on the margins, three years into this conflict it hardly seems like the best use of U.S. leverage.

Related questions:

- How does the current conflict in Yemen – which Iran has been able to stoke with very little investment and which has if anything seen the erosion of Saudi security – serve Saudi interests, U.S. interests or humanitarian interests in the region?

- Do you believe that another three, six or twelve months of coalition military pressure will bring the Houthis to the point of surrender or making major concessions? If so, why?
- Do you believe that U.S. support for coalition bombings in Yemen has been an effective way to counter Iranian influence in the region, given that over the course of the three-year war Iran has only grown closer to the Houthis, and Houthi incursions into Saudi Arabia occur almost daily?
- Are you confident that coalition bombings of civilians and civilian infrastructure in Yemen comply with the law of war? If not, why should the United States continue to supply weapons, refuelling and other support that enables coalition strikes?
- Which do you believe is better policy: (1) continuing the U.S. government's current support for the coalition bombing campaign in Yemen or (2) making clear this support is unsustainable absent humanitarian improvements (cessation of attacks on civilians or civilian objects and removal of hindrances to humanitarian assistance and commercial goods) and forward movement on a peace deal?

5. Why is U.S. engagement in Africa increasingly seen through the lens of military support and do you believe this is the best way to foster stability on the continent?

Nowhere is the Trump administration's "hard power" philosophy of foreign policy more manifest than in Africa.

As described by Grant Harris here, over the past year, the administration has stepped up military actions on the continent, with a doubling of drone strikes in Somalia, a concomitant relaxation of civilian casualty safeguards, and the deployment of armed drones and additional troops to Niger. Yet, this has not meaningfully changed the strategic dynamics on the ground.

Al-Shabaab remains resilient and controls vast tracts of rural Somalia. In the Sahel, jihadists and other armed non-state actors are spreading from northern into central Mali and beyond to Niger and Burkina Faso. Indeed, this approach may well be counterproductive. Crisis Group's field-based analysis suggests that excessively militarised strategies for stabilising African regions – whether in the Horn, the Sahel or Lake Chad basin – tend to inhibit the type of political reform that could provide lasting peace. In addition, U.S. military actions in some regions do not seem to be fully coordinated with other forces operating in the same region that have similar objectives.

What is more, even as it pursues a militarised strategy, the administration has neglected diplomacy. A year into the administration, there is no confirmed assistant secretary for African affairs, eleven African ambassadorships are unfilled, and there is too little evidence that the U.S. government has a strategic vision for Africa that extends much beyond killing perceived terrorists.

Against this backdrop, senators should press Mr Pompeo on the apparent gaps in U.S. strategic thinking about Africa and the need to recalibrate its over-militarised approach to the continent.

Related questions:

- In order to help provide a better balance between militarised counter-terrorism activities and diplomacy in Africa, will you commit that in the next three months the administration will send to the Senate nominees for assistant secretary for African affairs and all vacant ambassadorial posts in Africa?
- Given the resilience of Al-Shabaab in Somalia and the spread of jihadist groups in West Africa, do you believe that the United States' militarised counter-terrorism efforts in Africa have been effective?
- Do you believe that airstrikes will be sufficient to wrest territory from Al-Shabaab on a permanent basis? If not, how should the United

States support efforts to develop legitimate governance that can provide an alternative to Al-Shabaab in areas that are taken from its control?

- Similarly, in cases where the United States and/or its partners remove territory from jihadist militant control in the Sahel and the Lake Chad basin, how should the U.S. government help return security and effective governance to these territories?
- Should U.S. current counter-terrorism efforts in West Africa be better coordinated with France's Operation Barkhane, the UN peace-keeping mission in Mali (MINUSMA), and the Sahel G5 force? If so, what will you do to help ensure better coordination?
- As the intense rivalry between the Gulf states, particularly between the UAE and Qatar, for influence in Somalia and the greater Horn continues to destabilise the country, what can the U.S. do to support stability and prevent Somalia from returning to a failed state?

6. How do you propose to end the war in Afghanistan?

Afghanistan is another war zone that President Trump has indicated he would very much like to leave, but where the administration has struggled to figure out an off-ramp.

In principle, the new U.S. strategy in Afghanistan aims to escalate military pressure through the dispatch of more troops so as to force the Taliban to the talks table and pave the way for a political settlement. The new strategy also aims for engagement with the region to press or persuade neighbours and others to help the U.S. achieve this political settlement. It seems exceedingly unlikely, however, that the introduction of several thousand fresh U.S. troops will have a game-changing effect on the Taliban. Moreover, there has been little evidence of the diplomatic effort on which the U.S. strategy relies.

The question for Pompeo is whether he might be willing to recommend a different tack. Senators should push him on whether he might be willing to talk to the Taliban and under what conditions.

Related questions:

- What is the desired end state for U.S. military engagement in Afghanistan?
- Would you be prepared to engage in direct talks with the Taliban about a peace deal in Afghanistan, and would you be willing to put troop withdrawal on the table to facilitate a deal?
- If not, or not yet:
 - Given that the Taliban have rejected Afghan President Ghani's proposal for peace talks and said that they wish to speak to the U.S. government directly, how will it be possible to facilitate a peace deal without U.S.-Taliban talks?
 - Do you believe that military pressure from U.S. forces will help set the stage for more favourable negotiations and, if so, what evidence do you have of that?
 - Do you believe that there has been sufficient diplomatic effort by the United States to create the conditions for a peace deal and, if not, what do you plan to do about it?
 - Under what circumstances do you believe the administration should agree to talks with the Taliban?

7. Are there circumstances in which you would support forcing a Venezuelan transition through the use of military force?

Venezuela is suffering from an authoritarian crackdown, an economic catastrophe and a humanitarian emergency spreading across its borders.

Roughly four million Venezuelans have fled the country and tens of thousands follow suit every month, crossing into Colombia. The Trump administration has prioritised work on Venezuela (at one point the president reportedly described it among his three top foreign policy priorities) and it has generally managed bilateral policy responsibly, but there are concerns. Trump has flirted openly with the idea of military intervention – which would almost certainly be seen as illegitimate and drive a wedge between the United States and hemispheric partners, and could also end in chaos. Other heavy pressure tactics, such as an oil embargo, are likely to hurt the Venezuelan people more than the regime.

Against this backdrop, the best move for the United States is to work with those states that have greater leverage over Caracas – the regional Lima Group and China in particular – to push for reforms that permit more representative politics and an economic recovery. Additional targeted sanctions may also be helpful. The question is whether Washington will be prepared to sign up to this approach. In February, then Secretary of State Tillerson gave a speech evocative of the Monroe doctrine, which spoke of “new imperial powers” expanding their influence and endangering U.S. hemispheric interests, and accordingly suggested that collaboration with China (or Russia) might be a very difficult pill for the U.S. government to swallow. Nevertheless, there are precious few other options.

Key questions for Mr Pompeo include whether he might be amenable to a partnered approach of this nature. Senators should also press him on whether he is drawn to any of the strong-arm tactics that President Trump and others have entertained and make clear that Congress regards them as non-starters.

Related questions:

- Given the limits of U.S. leverage in Venezuela, do you believe the U.S. should be willing to

work with Russia or especially China to further U.S. policy goals in Venezuela?

- Do you favour the threat or use of force to resolve the Venezuelan crisis?
- Do you believe there is legal justification for a forcible resolution to the crisis?
- Would you support imposing an oil embargo on Venezuela? What impact do you think it would have on the already catastrophic humanitarian situation in the country?

8. Do you believe that the United States should prioritise the protection of civilians in its military operations – both as a matter of law and of policy?

As the United States increasingly pursues its counter-terrorism objectives through the use of armed force, operating agencies continue to operate within Executive Order 13732, which states that:

The protection of civilians is fundamentally consistent with the effective, efficient, and decisive use of force in pursuit of U.S. national interests. Minimizing civilian casualties can further mission objectives; help maintain the support of partner governments and vulnerable populations, especially in the conduct of counterterrorism and counterinsurgency operations; and enhance the legitimacy and sustainability of U.S. operations critical to our national security.

This executive order remains on the books, but President Trump’s undisguised preference for a gloves-off approach to kinetic operations raises questions about where operators will be pushed to go. Already the administration has rolled back some prudential safeguards intended to benefit civilians and given field commanders greater targeting discretion. At the Central Intelligence Agency (CIA), Mr Pompeo spoke of making the agency more “vicious” and more “aggressive”. A recent story in the *Washington Post* reported that

Mr Trump had wondered aloud about a drone operator's decision to wait until a target had left the company of his family before taking a strike. This all feeds concern that as President Trump applies pressure to the military to wrap up its operations in Syria and Afghanistan, and as U.S. counter-terrorism operations spread elsewhere, operators will feel increasing pressure to eschew protections or to show disdain for civilian life.

Secretary of Defense Mattis is reputedly an internal advocate for civilian protection in military operations and appears to understand the costs of eroding U.S. standards, but with the president pulling in the opposite direction he may have a tough fight ahead. Senators should press Mr Pompeo to make clear which side he is on.

Related questions:

- Do you believe that harming innocent civilians serves as a recruitment tool for terrorist organisations?
 - Did you support the administration's decision to loosen safeguards that protect civilians in its operations outside active theatres of hostilities? If so, (1) why, (2) how do you reconcile this with the importance of protecting innocent civilian life, and (3) would you support a further loosening of safeguards?
 - When the State Department receives credible reporting about previously undisclosed civilian casualties attributable to U.S. operations, what should they do with this information? What should the operating agency do with it?
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- When you referred to the desire to make the CIA more vicious and aggressive, what did you mean specifically?
 - Should protecting innocent civilians be a priority in U.S. counter-terrorism operations?