

SURVIVORS UNITED TO SAVE THE WOMEN OF DARFUR

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CIVILIAN PROTECTION IN DARFUR IS ESSENTIAL TO ENSURE LASTING PEACE IN THE SOUTH SUDAN

WRITTEN TESTIMONY FOR THE RECORD BY

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Mr. Chairman, Congressman Lantos, and Members of the Committee, thank you for the opportunity for Survivors United to Save the Women of Darfur (Survivors United) to submit written testimony for the record. We appreciate your interest in gathering a variety of perspectives on the important issues of the genocide in Darfur, implementation of the Sudan North-South peace agreement and America's role and responsibilities in relation to the two.

Survivors United is an organization comprised primarily of women who have experienced sexual violence at some point in their lives, and because they intimately know its devastating effects, are committed to bringing about an end to the ongoing genocidal rape of women and girls by Government of Sudan soldiers and their proxy militia, the Janjaweed.

CIVILIAN PROTECTION MATTERS MOST – EVEN IF THIS MEANS UNILATERAL ACTION BY THE UNITED STATES ARMED FORCES

If you take one thing away from this written testimony, we hope it will be this: *there is still time to save lives in Darfur*. Please keep civilian protection at the forefront of U.S. policy options. Every day women and girls in Darfur, many already traumatized by the loss of their loved ones and the horrifying living conditions in which they now find themselves, suffer unspeakable horrors at the hands of GoS soldiers and the Janjaweed.

UN and Administration officials continue to call for a “political solution” to the genocide in Darfur, ignoring both the reality on the ground and the lessons of the past. Anthony Lake, who served as President Clinton's national security advisor during the genocide in Rwanda, now believes that it is incredibly dangerous to rely on “political solutions” or “peace agreements” alone. “[Y]ou're always supposed to be for a peace process,” Lake said during an interview with PBS's Frontline, “and you're always supposed to believe they will succeed. In fact, they seldom succeed, if they're not backed up by the realities on the ground and by the threat or the use of power.”¹

Romeo Dallaire perhaps said it best: “I am afraid that moral condemnation, trade penalties and military efforts by African countries are simply not going to be enough to stop the killing--not nearly enough.”²

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THERE IS LITTLE CHANCE THAT THE AFRICAN UNION WILL EVER MEET THE PROTECTION NEEDS IN DARFUR

To maintain security in Bosnia *after* hostilities ended, NATO sent 50,000 troops, and the same size force was sent to Kosovo in 1999. Kosovo, at roughly 4000 square miles is 2.5% of the land area of Darfur. At the date of this writing, a total of 2300 AU troops have been deployed to Darfur. Although the African Union has set a goal of 7,000 troops by September, there is no credible evidence to indicate that this will occur. The GoS equipped the Janjaweed with weaponry such as G4 assault rifles, rocket-propelled grenades, AK47s, Doshka 12.7mm tripod mounted machine guns, and Hound rocket launcher systems. If the situation were not so tragic, the absurdity of the suggestion that 2300 AU troops could protect more than two million people from these thugs would be laughable.

NATO's peacekeeping manual advises "[m]ission success requires that the PSF must be adequately led, trained, organized, equipped and armed. This will give it credibility with the parties and thereby the ability to achieve its operational objectives."³ The manual specifically states that in situations of genocide, "[o]nly a PSF prepared for combat can operate in such an environment, curtail human rights abuses, and create a secure environment in which civilian agencies can redress the underlying causes of the conflict and address the requirements of peace building." According to NATO, for any peacekeeping operation to be effective,

"it must be credible and perceived as such. *The credibility of the operation is a reflection of the parties' assessment of the force's capability to accomplish the mission.* ... [T]here should be no doubt that it is fully capable of carrying out its responsibilities and is supported by the political will to do so. Therefore the national military components must be well equipped and self sufficient, as well as prepared and trained for their mission."⁴

The African Union is a fledgling security organization, and while their achievements in Darfur are laudable, they are not equipped to accomplish the most vital task of protection.

In an article published in the New York Times in April 2005, Secretary-General Kofi Annan asked, "We know what is happening in Darfur. The question is, why are we not doing more to put an end to it?" Annan continued:

"[G]iving aid without protection is like putting a Band-Aid on an open wound. Unarmed aid workers, while vitally necessary, cannot defend civilians from murder, rape or violent attack. Our collective failure to provide a *much larger force* is as pitiful and inexcusable as the consequences are grave for the tens of thousands of families who are left unprotected."

Colin Powell, in an interview on the Michael Reagan radio show in September 2004 acknowledged:

"[W]e must bear in mind that the *3,000 to 5,000 troops presently contemplated are not nearly sufficient* for a true peacekeeping mission in an area the size of France---facing threats from not only the insurgency forces, but regime-allied militia (Janjaweed) forces, pervasive banditry that has come in the wake of conflict, as well as Khartoum's regular military, security, and "police" forces. ... *Credible assessments by military experts suggest that the necessary peacekeeping force is in the range of 50,000 troops.*"

Intervention by a multinational peacekeeping force is the approach favored by the people who really matter to this discussion: the Fur, Massalit and Zaghawa tribes targeted by the GoS in Darfur. Samantha Power, author of *A Problem from Hell: America and the Age of Genocide*, found that "almost all the displaced Africans [she] spoke with in Darfur said they would trust only Western forces to bring peace. African troops were too susceptible to bribes, they said, and African governments would end up siding with Khartoum, as they had in the past."⁵ Similarly, UN High Commissioner for Human Rights Louise Arbour noted that the IDPs "expressed their

faith and total dependence on the international community for protection - this is where they think their security lies.”⁶ On October 15, UN Under-Secretary-General Jean-Marie Guéhenno added his voice to those calling for international intervention, arguing that, “[e]fforts by industrialized countries to train troops from Africa in peacekeeping are welcome but *cannot substitute for those nations deploying their own forces* to the continent.”⁷

Because the force is simply not equipped to do the job, Khartoum has been free to operate in a theatre with zero accountability despite the presence of the African Union. It is imperative that current AU contingent in Darfur be augmented by a peace enforcement force that has the kind of training, interoperability, and communications, intelligence and transport capabilities that is the hallmark of the United States Armed Forces.

WITHOUT AN END TO THE GENOCIDE IN DARFUR, THE NORTH-SOUTH PEACE AGREEMENT WILL FAIL

An end to the genocide in Darfur is critical to the success of the North-South peace agreement. How are Africans in the South supposed to trust in a peace agreement as they watch the GoS slaughter Africans in the West using the exact same means that they used to kill two million South Sudanese? The instability caused by the Darfur crisis further diminishes the already shaky odds that The Comprehensive Peace Agreement will be a success. As Secretary General Kofi Annan pointed out in an article for a recent issue of *Foreign Affairs*, “[h]alf of all civil wars that appear to have been resolved by peace agreements tragically slide back into conflict within five years. This slip can have catastrophic consequences...”⁸

Despite the aggressive rhetoric of Khartoum on the subject of foreign military deployment for protection of civilians in Darfur, the North-South peace agreement is *more* likely to fall apart absent an end to the Darfur genocide. In fact, a study by the Salzman Institute of War and Peace Studies at Columbia University, “empirically demonstrated that the presence of international peacekeepers has an observable positive impact in solidifying peace when compared to situations when belligerents are left to their own devices to make or honor a peace agreement.”⁹

Acting Coordinator for Counterterrorism William Pope recently testified to the Subcommittee on International Terrorism and Nonproliferation that, “[f]rom long experience, we know that impersonal training or equipment packages cannot be simply dropped into the hands of our partners and reasonably be expected to get results,” rather, effective peacekeeping operations in Darfur will require, “customized programs, hands-on training, locally appropriate equipment, and ongoing mentoring.... [and] frequent, face-to-face contact...”¹⁰

FUTURE RESOLUTIONS MUST CONTAIN A CREDIBLE THREAT: THREE POSSIBLE OPTIONS

Before discussing two possible solutions to the protection gap in Darfur that will likely have great influence over the behavior of the GoS, we believe that it is necessary to briefly discuss an option that will not. Survivors United takes the position that a no-fly zone, even if it enforced by the United States, is inadequate to protect the people in Western Sudan. There are several reasons we take this position. First, Khartoum has already destroyed a majority of the African tribes’ villages with aerial bombardment and displaced the population to camps, and while these attacks have by no means stopped, this phase of the genocide is largely over.

Second, the majority of the survivors of the genocide are women and girls who fear not an air attack, but the daily trek to gather firewood. A no-fly zone will not protect them from kidnapping and sexual torture by the Janjaweed. Third, the Security Counsel already put a no-fly provision in the last resolution (1591),¹¹ so an additional one would be illogical backtracking. Furthermore, despite the fact that the Security Counsel, by authorizing the no-fly zone under

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Chapter VII in resolution 1591, impliedly threatened Khartoum with military action should they violate it, the bombing has not stopped; the Janjaweed have not been disarmed, the murder and rape continues, and at least 50,000 people have died.

If a no-fly zone is the approach Congress is going to take, it is *essential* that the Government of Sudan understand, from the language of the resolution itself, that a **single** violation will result in immediate military action by the United States. Otherwise, the threat will not be taken seriously. If provisions are written in such a way that NATO, the UN or the EU are required to get involved in order for the no-fly zone to be enforced, Khartoum will view them as largely an exercise in impotent political rhetoric.

The wording of future legislation passed by Congress matters a great deal. Hollow threats or symbolic legislation will be counterproductive, because it will decrease the credibility of the U.S. and derail the momentum of advocacy groups because the public will believe that the U.S. has taken action to stop the genocide. Included in the appendices of this testimony is model legislation drafted by Survivors United implementing a no-fly zone over Darfur. It cannot be emphasized enough, however, that a no-fly zone alone, unlike the solutions described below, is not an adequate solution to the civilian protection gap in Darfur.

SOLUTION ONE: A U.S. PEACE ENFORCEMENT BRIGADE

Little could be more counter-productive than a perceived failure of the United States to intervene militarily to stop genocide in a second Muslim nation at this time. “There’s no way to ensure American security without understanding that genocide and allowing it imperils U.S. security,” journalist Samantha Power explains. “Not only is it totally wrong to allow it as a global community ... but it actually is the case that Bosnia, the failed state that was allowed to rot, became a training ground for Osama Bin Laden.”¹²

Years of inaction in Bosnia left more than 300,000 dead, and damaged the reputation and credibility of the United States in ways that our nation would not fully understand for several years. Three years before the NATO air strikes, a London newspaper ran a piece that angrily denounced UN inaction:

“in Bosnia-Herzegovina ... massacres that send shivers in the body and shake the conscience. All of this and the world watch and hear, and not only didn't respond to these atrocities, but also with a clear conspiracy between the USA and its' allies and under the cover of the iniquitous United Nations, the dispossessed people were even prevented from obtaining arms to defend themselves. ... All false claims and propaganda about ‘Human Rights’ were hammered down and exposed by the massacres that took place against the Muslims.”¹³

Bin Laden's *fatwa*, *Declaration of War against the Americans Occupying the Land of the Two Holy Places*, like the genocide it referenced, barely scratched the surface of American collective consciousness when it was published in 1996. It was not until the message was repeated on a videotape in November 2001 that the real impact of our failure to act in Bosnia came to light. On the tape, bin Laden refers to, “a war of genocide in Bosnia in sight and hearing of the entire world”¹⁴

By ignoring the genocide and continuing to cooperate with Sudan, the U.S. is “send[ing] the wrong signal about U.S. values and intentions,” which will inevitably “lead to increased animosity against the U.S., exacerbating the potential for violent rebellion against the regime and its perceived allies.”¹⁵

On the other hand, *living* our values will redeem the United States’ reputation in the international community. Reflecting on the genocide in Rwanda, Chaim Kaufmann writes, “The rest of the world does not act because the United States does not.”¹⁶ Because the Congress, the

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Secretary of State and the President have all labeled the atrocities in Darfur “genocide”, it is essential that the United States lead the effort to protect civilians. The authors of *The Responsibility to Protect* note that, “[i]n mobilizing political support for intervention for human protection purposes, as for anything else, a great deal comes down to the leadership of key individuals and organizations. Someone, somewhere has to pick up the case and run with it.”¹⁷ In this case, the United States has already assumed this role, and because of this, another call for a “stronger AU force” or “more AU troops” will be a painfully hollow gesture. As a senior DoD official recently remarked, “the United States can only expect to maintain its credibility as leader in such situations if it demonstrates the willingness to commit its own forces.”¹⁸

Many people believe that, because of the war in Iraq, the military is “stretched too thin” to intervene in Darfur. This viewpoint is reminiscent of the “peacekeeping fatigue” of the early 1990s (Somalia, Bosnia, Haiti and other conflicts resulted in repeated interventions by the United Nations and United States) that prevented President Clinton from sending troops to Rwanda to stop the genocide in 1994. The truth is, not only is the United States capable of contributing troops to a multinational intervention force, but it is in the best interest of the military to do so.

The ability of the United States Armed Forces to spare the troops required to intervene in Darfur has recently been reaffirmed by both the President and the Chairmen of the House Committee on Armed Services, Congressman Duncan Hunter. The President was recently asked if he felt that the number of troops deployed in Iraq was limiting his options elsewhere in the world. He responded,

“The person to ask that to, the person I ask that to, at least, is to the Chairman of the Joint Chiefs, my top military advisor. I say, do you feel that we've limited our capacity to deal with other problems because of our troop levels in Iraq? And the answer is, no, he doesn't feel we're limited. He feels like *we've got plenty of capacity*.”¹⁹

As was emphasized by Congressman Hunter during his appearance on the Washington Journal television show on C-Span, there are 2.5 million people in America’s defense establishment, and only 140,000 – less than 10% - are currently serving in Iraq and Afghanistan. As Mr. Hunter said, this country has the capability to put 5000 troops – more than double the current AU force - on the ground in Darfur *tomorrow* to protect women and girls from gang-rape and children from being burnt alive.²⁰ Why then, would Congress not authorize the President to deploy that brigade should Khartoum continue to commit unspeakable crimes in Darfur?

SOLUTION TWO: PRIVATE MILITARY FIRMS UNDER U.S. COMMAND AND CONTROL

If the Congress is unwilling to risk the lives of its soldiers to stop genocide and protect the people of Darfur, another option is to bring the power of the largest economy in the world to bear on Sudan by appropriating the funds necessary to deploy a peace enforcement force provided by private firms operating under U.S. command and control.

This option has emerged from the shadow of past debacles, and is now considered to be a workable solution in cases that nations are unable or unwilling to deploy adequate force to intervene in a crisis. Organizations such as the International Peace Operations Association, an association of companies that support international peace and stability operations, have developed detailed codes of conduct and standards, and are often able to deploy faster than even NATO. In fact, the United States already employs these companies in Iraq.

Military provider firms would most likely be the least expensive option, short of deploying U.S. troops.²¹ The majority of private security personnel are fully trained former members of the police or military. The findings of Executive Outcomes, a private security firm that operated in the 1990s, are worth quoting at length:

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“Executive Outcomes performed a business exploration of whether it would have had the capacity to intervene in Rwanda in 1994. Internal plans claim that the company could have had armed troops on the ground within 14 days of its hire and been fully deployed with over 1,500 of its own soldiers, along with air and fire support (roughly the equivalent of the U.S. Marine force that first deployed into Afghanistan), within six weeks. The cost for a six-month operation to provide protected safe havens from the genocide was estimated at \$150 million (around \$600,000 a day). This private option compares quite favorably with the eventual U.N. relief operation, which deployed only after the killings. The U.N. operation ended up costing \$3 million a day (and did nothing to save hundreds of thousands of lives).”²²

While Survivors United believes that it is in the best interest of the U.S. military to participate in peacekeeping operations, and would prefer that Congress authorize the President to use United States Armed Forces to stop genocide in Darfur, as we have emphasized, the most important objective is civilian protection, and therefore fully endorse the use of private military provider firms under U.S. command and control.

CONCLUSION

It has been nearly a year since Congress declared that genocide was occurring in Darfur, and since that resolution was passed, more than 350,000 people have died. Again and again, over a period of more than a year, our nation’s leaders have pledged, meaninglessly, never again to stand by without taking action to prevent genocide. It is essential that Congress carefully craft the language of future resolutions so that there is no question in the minds of the leadership in Sudan as to the seriousness of the U.S. government’s commitment to do whatever is necessary to stop the murder and rape of Africans in Darfur.

Thank you again for this chance to share the perspectives of Survivors United to Save the Women of Darfur.

APPENDIX A

AUTHORIZATION OF A NO-FLY ZONE TO PROTECT CIVILIANS IN DARFUR SUDAN

(a) Enforcement of a no-fly zone pursuant to resolution 1591.

(1) The Congress finds that, in resolution 1591 (2005), the Security Council created a no-fly zone prohibiting the Government of Sudan from conducting flights using military air traffic and non-military aircraft performing military missions, including reconnaissance or logistics, in and over the Darfur region of the Sudan.

(2) The President shall take measures, including military action and the use of necessary force, to ensure compliance with the no-fly zone described in subsection (1).

(3) In order to carry out his responsibilities for the management during the fiscal year 2005 of operations conducted under subsection (2), the President may--

(A) utilize options that employ technological capabilities to intercept and jam communications between the Government of Sudan and the Janjaweed; and

(B) make use of equipment such as aerostats, airships, or unmanned aerial vehicles to achieve situational awareness.

(C) assign members of the Armed Forces of the United States to perform necessary functions with respect to such operations. Members of the Armed Forces assigned under this subsection shall have as their primary functions logistics management, transportation, fiscal management, and contract administration.

(D) direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government of an aggregate value not to exceed \$100,000,000.00 in any fiscal year.

(4) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for commodities and services provided under subsection (3).

(5) It is the sense of the Congress that the U.S. should encourage NATO and the EU to contribute similar support to conduct operations under subsection (2).

As a part of the credible threat, Congress must indicate that, should the President choose to take measures to enforce the no-fly zone, it will be fully funded (see provisions (3)(b) and (4)).

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APPENDIX B

Rep. Hunter: A Brigade [for Darfur]? Absolutely!

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PRESS RELEASE

Representative Duncan Hunter, Chair of the House Armed Services Committee, appeared on C-Span's morning talk show, Washington Journal last week. Elisabeth Kidder, Director of Survivors United to Save the Women of Darfur (survivorsunited.com), as a call-in guest, was able to ask Rep. Hunter a question.

Since late 2003, Survivors United has called on the President and Congress to work with the UN, NATO, the EU or act unilaterally if necessary, to ensure that an effective, capable and credible peace enforcement force is deployed to Darfur to protect civilians.

The first line of argument for those who oppose US involvement to stop the genocide usually involves the war in Iraq and its effect on the nation's military. With this in mind, Kidder asked Rep. Hunter whether the US could "field a brigade [5,000 troops] tomorrow" if necessary, or if critics were correct that the Armed Forces are dangerously overstretched.

The following was Representative Hunter's answer to the Director's question:

Oh absolutely! We have, there are about 2.5 million Americans in the defense establishment. That is active and reserve and guard. There's 140,000 of those personnel, that's less than 10%, in Iraq and about another 20,000 in Afghanistan. So in terms of personnel you have a 2.5 million person force just to make it very simply broad terms and 140,000 of those persons – that's less than 10% - are in the war fighting theatres. And you have obviously other Americans deployed around the world. But those are the two war fighting theatres.

So yes, if the question is, are we totally tied down to the point that we couldn't put a brigade out to handle a brush fire, the answer is, absolutely, we could handle that brush fire. Now if you get to the point where you're asking about major wars... let's say we had a major land war - we could handle it. We'd have to handle it in a different way than perhaps we've handled it in the past.

We could handle a major war. Nonetheless, we put into the defense bill an additional 20,000 Army personnel last year and an additional 2,000 United States Marines and we're putting in an additional 10,000 on the Army side an additional 1000 marines on the Core side. I think we do need to bolster the force, but again, you have a 2.5 million person military and only 140,000 of those folks are in Iraq and only about 20,000 in Afghanistan.²³

Given the confidence of Rep. Hunter in the capability of the United States Armed Forces, Survivors United calls on him to co-sponsor H.R. 1424, the Darfur Genocide Accountability Act, which would give the President the ability to do whatever is necessary to stop the genocide that has taken 400,000 lives in Western Sudan.

¹ Frontline interview with Anthony Lake, Apr. 1, 2004.

² Romeo Dallaire, *Looking at Darfur, Seeing Rwanda*, NY TIMES, Oct. 4, 2004.

³ NORTH ATLANTIC TREATY ORGANIZATION, PEACE SUPPORT OPERATIONS, AJP-3.4.1 ¶ 0209 (March 2002) [hereinafter NATO PSO].

⁴ NATO PSO at ¶ 0334 (emphasis added).

⁵ Power, *supra*.

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- ⁶ UN rights officials tell Security Council international police are required in Sudan, UN News Centre (Sept. 30, 2004), available at <http://www.un.org/apps/news/story...>
- ⁷ Africa needs Europe's help with peacekeeping, senior UN official says, UN News Center (Oct. 15, 2004)), at <http://www.un.org/apps/news/story.asp?NewsID=12247...> (emphasis added)
- ⁸ Kofi Annan, *In Larger Freedom: Decision Time at the UN*, Foreign Affairs (May/June 2005)
- ⁹ Page Fortna, *Peace Operations—Futile or Vital?* (January 12, 2004). Paper commissioned by the United Nations Foundation for the work of the High-Level Panel on Threats, Challenges and Change, January 2004.
- ¹⁰ House Subcommittee on International Terrorism and Nonproliferation, *Eliminating Terrorist Sanctuaries: The Role of Security Assistance* (Mar. 10, 2005) (testimony of William P. Pope), available at http://www.house.gov/international_relations/109/pop031005.htm.
- ¹¹ The Security Council, ... Acting under Chapter VII of the Charter of the United Nations ... Demands that the Government of Sudan, in accordance with its commitments under the 8 April 2004 N'djamena Ceasefire Agreement and the 9 November 2004 Abuja Security Protocol, *immediately cease conducting offensive military flights in and over the Darfur region....* U.N.S.C. Res. 1591 (March 29, 2005).
- ¹² Katie Humphrey, *Power examines U.S.'s role in genocide at Crain Lecture*, MEDILL NEWS (Feb. 14, 2003), available at <http://www.medill.northwestern.edu/inside/2003/power.html>
- ¹³ Usama bin Laden, *Fatwa: Declaration of War against the Americans Occupying the Land of the Two Holy Places*, AL QUDS AL ARABI (London) (Aug. 1996).
- ¹⁴ Usama bin Laden, Video Address, Al-Jazeera satellite television (Nov. 3, 2001).
- ¹⁵ Deborah L. West, *Combating Terrorism in the Horn of Africa and Yemen* (2005).
- ¹⁶ Chaim Kaufmann, *See No Evil: Why America Doesn't Stop Genocide*, FOREIGN AFFAIRS (July/August 2002).
- ¹⁷ The Responsibility To Protect, Report of the International Commission on Intervention and State Sovereignty 71 (2001).
- ¹⁸ Center for Technology and National Security Policy, *Transforming for Stabilization and Reconstruction Operations* 115 (Hans Binnendijk & Stuart Johnson, eds.), National Defense University (Nov. 12, 2003) (quoting "one senior DOD official").
- ¹⁹ Press conference by President George W. Bush (April 28, 2005).
- ²⁰ Rep. Duncan Hunter (R – CA), Chairman of the House Armed Service Committee. Washington Journal, C-Span television broadcast, (June 10, 2005).
- ²¹ Contrary to popular wisdom, there are also economic incentives to intervention. As NATO explained, "engagement by a credible PSF will generally prove the most cost effective option in the longer term." NATO PSO at ¶ 0422.
- ²² P.W. Singer, *Peacekeepers, Inc.*, POLICY REVIEW.
- ²³ Rep. Duncan Hunter (R – CA), Chairman of the House Armed Service Committee. Washington Journal, C-Span television broadcast, (June 10, 2005).