

MEMORANDUM

To: Johanna Chao Kreilick and Members of Review Committees
From: Ethan Zuckerman
Date: February 18, 2014
Subject: Board Committee Review of Initial Proposals for Shared Frameworks

I am writing on behalf of the Global Board's Committee on Strategy, Budget, and Performance, which I chair for purposes of shared framework reviews. The Committee has met three times over the last month to consider the reports of the review committees on Jekhutno, Drones, and Elections. In the course of our consideration of those reports, we spent considerable time discussing the criteria we should apply and the information we would like to see in future reports from review committees. This memo responds to all three reports and conveys as well the questions we will be asking ourselves before we recommend that a potential shared framework proceed to a charette.

General Considerations

First and foremost, the Committee is enthusiastic about the new process for nominating, debating, and reviewing proposed shared frameworks. We are unanimous in our support for the kind of coordination and collaboration across our network that these frameworks encourage, and we believe that—as a management device to facilitate and hone that collaboration—this process is already proving a great advance for OSF.

The Committee recognizes that, by the time it receives a report from a review committee, much time and effort has already gone into the formulation of the proposed shared framework and individual strategies that might advance it. We also are aware that our decision to clear the proposal for development in a charette represents a further substantial investment, not only of our own time and money, but of the good will and time of external colleagues. We therefore take seriously our obligation to screen these proposals carefully and recommend for charette only those that are ready to make the best use of that further investment.

We have settled on the following six questions that we will look to future reports from review committees to answer, once the problem is identified and the broad goals of the proposed shared framework established:

1. What other work is ongoing in relevant fields to address this problem, and how does the proposed shared framework fit into that landscape?
2. What's missing from existing work on this issue, and how does our proposed work fill those gaps?
3. What's unique about OSF's capabilities and position on this issue and what will be unique about our work?
4. What, specifically, do we want to achieve through our shared framework? How much can we realistically achieve in a limited period of time associated with a shared framework?
5. Why is this the moment to work on this issue? What's the specific, time-delimited opportunity?
6. How important, how high a priority, should this be for OSF? Why should we as an organization put significant time and money towards this issue rather than to other compelling ideas?

If we don't think the reports have addressed these questions adequately, we will ask the committees to provide further answers before we approve the proposed shared framework for charette. Once we do approve moving on to a charette, we will provide additional question we want to see addressed during the charette itself.

Jekhutno

We found this proposal and report very interesting, in part because it makes clear the need for multiple mechanisms for coordinating work across our network. Clearly, we need better coordination across our Roma work. This should be advanced by some structural changes, such as the new Roma Coordinating Committee that George Soros suggested during the budget process late last year. While the idea of a shared framework provoked an interesting discussion, it's clear that the coordination issues are not related to a specific, time-limited insight or opportunity, so we agree with the review committee's conclusion that this should not go forward as a shared framework.

We think the proposals for a coordinating meeting are quite appropriate, and we are glad that the discussions in the Souk might inform that meeting. Our recommendation is that the meeting proposed be designed as an internal conference, not a public event, even if external partners are invited. We wish you all the best with the meeting, and hope that Souk conversations will continue around strategies to improve our coordination around these very important issues.

Drones

The committee is enthusiastic about a shared framework on this subject and we look forward to being able eventually to approve this moving forward to charette, but we are not ready to do so yet. The subject is interesting to all of us and several of us view work on this topic as essential. Still, we found that many of the questions we have listed above are not yet answered in the report (not surprising since you did not have the questions when drafting!), so we are asking that you send us a revised report, or a brief supplemental report that specifically addresses these questions. To help with that process, let me explain where specifically the Board Committee felt the need for greater clarity.

What other work is ongoing in relevant fields to address this problem, and how does the proposed shared framework fit into that landscape? This question asks the review committee to demonstrate succinctly a broad understanding of the current state of the issue being addressed. We want to have confidence that OSF knows the landscape *before* we head into a charette. The committee had several concerns related to this question most of which were about perspectives and participants in the debate that were not referenced in the report. For example:

- The current proposal seems to include little perspective from those within the military and security communities, although the list of those you consulted includes at least one former Pentagon official. It would be helpful, to hear more clearly the voices of those with military experience and those inside the US government who share our concerns and values but who believe they are already addressing these concerns.
- The report we received focuses primarily on the role of the US government in drone policy. Considering US policy as a model for others might make sense, but we are concerned that this is already out-of-date, and that a serious consideration of armed drones needs to recognize that they will soon be used by a wide range of governments and non-state actors. We noted that armed drones are already being considered as a security threat to the United States, but the debates on how to protect against drone attacks in open societies seems absent from the report. It seems to the Board Committee that a viable international drone policy needs to consider the use of military and security drones by the governments of authoritarian states and militias as well as more open societies. The report might usefully consider which countries are close to having their own armed drones, and when.
- It would be helpful to have more information on existing norms and practices around targeted killing and an explanation of how US usage of drones today differs from those norms. The report suggests these norms exist and implies the U.S. is violating them.

- At the same time, the report seems to suggest that the U.S. is creating new norms through its actions, and that shaping U.S. policy will thereby shape the precedents that become the new norms. Who do we believe should be setting norms on this topic? Who is already trying to do so? Do we expect an international forum, or a discussion among drone-capable and near-drone capable states or something else?
- The reference in the report to the drawdown of US and NATO troops from Afghanistan seemed to be implying that U.S. will soon be using more drones, but some on the Board Committee felt that this may be counterbalanced by other statements in the report that US drone usage is slowing in the face of increased public scrutiny that is itself the result of civil society advocacy. How important is the report's suggestion that the use of armed drones by the United States will be increasing in the next year or two, and is this widely agreed or a maverick perspective?

What's missing from existing work on this issue, and how does our proposed work fill those gaps? The Board Committee was concerned that the report implied we would be joining in familiar advocacy already underway. For example, the report takes the time to draw out the argument that “by removing the lives of American from the equation, and at least theoretically reducing collateral damage through pinpoint strikes, drones make it too easy to kill.” This strikes the Committee neither as a new argument nor a persuasive one, so its prominence here raised concern that it might signal the kind of arguments that the OSF would be putting forward.

What's unique about OSF's capabilities and position on this issue and what will be unique about our work? Is there a suggestion here that work on drones could build on OSF work in the field of government transparency? The Board Committee agrees with the review committee that it will be difficult to build a citizen movement against drones, or an international campaign focused on US actions, without detailed information about how the US is using drone strikes. Are there ways in which our international capabilities or advocacy resources make it possible for us to increase military transparency that other organizations cannot?

What, specifically, do we want to achieve through our shared framework? How much can we realistically achieve in a limited period of time associated with a shared framework? The Board Committee found it difficult to know whether our focus would be on the proposed ‘overarching goal’ (page 2), the three ‘means by which we affect US policy’ (page 2), or the ‘three general streams of work’ (from page 5 onwards). More specifically, the Board Committee found it confusing to alternate between drones and targeted killings. Are we focused on drones, on targeted killings, or more narrowly on the use of armed drones to carry out targeted killings? Is the goal to shape US policy or is that just one of several strategies that we expect to hone at the charette to achieve the real goal of shaping a new international norm? Is the goal to advance a particular set of guidelines, or to strengthen an existing set of norms? The Board Committee also wanted to know what specifically we might

try to achieve in relation to limited and responding to “collateral damage” from drones and the use of drones by countries other than the United States and by non-state actors.

Why is this the moment to work on this issue? What's the specific, time-delimited opportunity? The Board Committee understands that this is a timely proposed shared framework, but, as the questions above imply, the Committee had a harder time understanding what the time-limited goal might be.

How important, how high a priority, should this be for OSF? Why should we as an organization put significant time and money towards this issue rather than to other compelling ideas? One specific question we considered was whether or not this proposed shared framework includes contributions from parts of the network beyond the Middle East and Washington, DC? To what extent have the Brussels office, the Africa advocacy team, and foundations in other regions contributed to this report? Do they see opportunities to move this agenda in their parts of the world? Do they have the time and appetite to work on this issue?

The Board Committee is hopeful that the review committee will consider these questions and come back with a further report. We could evaluate such a report at our meetings scheduled in early March or in early May.

Elections

The Board Committee is enthusiastic about OSF work on elections in the way that this report describes, but we are not yet persuaded that this should proceed as a shared framework. We want to give the review committee a choice of answering the questions we listed at the start of this memo, or else withdrawing the shared framework proposal and proceeding as at present with a working group to coordinate work that will likely continue indefinitely.

Let me be clear, the Committee agrees with the importance of work on elections to most of our geographic programs and many of our thematic programs, and we expect that OSF will be strongly focused on elections for some time to come. Further, we agree that the new approach to domestic monitoring focused on the entire election cycle is innovative and important to share throughout the network, as is the idea expressed early in the paper about linking elections to good governance; but we question whether there is a specific, time-limited goal here. The statements in the report were too vague for us to be able to evaluate what goals were being set. The original proposal presented in the appendix provides a bit more clarity, but the report itself leads us to suspect that OSF mainly want to create an in-house repository and coordination body for knowledge and expertise on elections. We would be happy to endorse that idea, with appropriate resources, rather than a full shared framework, if that is what the review committee indeed has in mind.

The Board Committee is also concerned that the report understates the danger that OSF's involvement could lead to false impressions that our work is itself tainting elections. Given false narratives previously constructed around OSF and the color revolutions, we are worried that announcing a network-wide focus on this issue could bring more scrutiny of our work and encourage skepticism about our role.

Again, the Board Committee is happy to evaluate a further report from the review committee either in early March or in early May.

I hope that these comments are useful to you and the review committees, as well as to future review committees. We all recognize this is a new process and that those working on early proposals will likely have a more complicated path forward than subsequent proposals, and we thank you for your patience and hard work. We are confident that all of this work is important, and we expect to see the products of your planning in one form or another in future OSF strategies. Not all of our ideas should go forward as shared frameworks, but all of them surely benefit from this kind of robust discussion.