

PRELIMINARY NOTES ON
GENOCIDE PREVENTION AND THE UNITED NATIONS

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This informal interactive dialogue of the United Nations General Assembly on "Early warning, assessment and the responsibility to protect" is very important in terms of content, timing and process. Please be aware that I will limit my observations to my area of expertise which is genocide prevention.

I see several movements occurring. Among them:

- a movement towards a more respectful, 'victims' centered' approach;
- a movement towards nation-state power through self-control and self-restraint;
- a movement towards increased cooperation and integration

When this UN General Assembly approved the International Convention on the Prevention and Punishment of the Crime of Genocide the globe was the same but the political landscape was very different. What we have seen in the last 60 years is the blossoming of new states and new actors. The longing for proper political representation beyond the constraints of colonialism generated liberation dynamism. In our one and only world the situation of all peoples and communities, of all nations and states is undergoing a historically unprecedented transformation. The limits of violence are becoming more apparent. Of the almost two hundred countries and territories in the world today, only around twenty-five have had the same political form over the last sixty years (and some of these are still colonies of Europe and the United States of America). Many of these transformations –especially in recent years- were not achieved through violent conflict. Many societies have preferred to explore their options unconstrained by violence. Yet when states used violence against populations the results were disastrous. In the last century more people were killed by states and their policies than by war. As human family we are learning to do better and we are seeking ways to build and preserve a more harmonious global society.

A vast political experiment is in process. Of the almost seven billion people in our world today, for the first time in history it is accepted and expected that all peoples will learn to read and write, will go to school. Yet, going to school is in itself a revolutionary gesture, an expression of freedom and a claim that new possibilities can be shared with all new generations. When we think of assessment and early warning we need to look for indicators that will monitor these changes and trends over time. It is not a one-time deal. It is rather the painfully boring task of data gathering, data verification and data interpretation. A vast cultural release of human creativity is emerging and some of this energy has been dedicated to preventing violence, especially in its mass, destructive expressions. Quite familiar to us, yet unprecedented, is the explosion of economic production and of communication technologies bringing us so much in immediate, unrelenting contact with each other. The violations of the rights of someone somewhere do have an impact on others somewhere else. This is the world that you, the UN General Assembly, recognized in its Outcome Document: "Today, more than ever before, we live in a global and interdependent world. No State can stand wholly alone."¹

¹ U.N. General Assembly, 60th session. *Resolution Adopted by the General Assembly, 2005 World Summit Outcome* (A/RES/60/1). 24 October 2005.

Why are these movements central to a correct understanding and appreciation of early warning, assessment and the responsibility to protect? Because there will be no real response to a warning of any kind if the pain of the victims, the horror of the consequences, the sufferings of the inaction is felt somehow by those who can intervene, resolve, prevent. Why is violence worldwide declining? Why do we have less car accidents per numbers of cars? Because we have oriented our collective intelligence and effort to understand them correctly and we have responded properly. Researchers, law enforcements officers, planners, workers, together with state officials, diplomats and media have addressed these issues as a collective problem to be collectively addressed. Success has been the fruit of cooperation and this must be true for genocide prevention as well. The pioneering work of Barbara Harff, as well as the collection and interpretation of trends by Monty Marshall, Ted Gurr, Andy Mack, Heinz Kruppenacher and others created a fertile environment through which we can address some of these issues supported by verifiable, theory-based, knowledge processes. The new Framework of Analysis of the Office of the Special Advisor is a splendid example of this new opportunity. After recognizing that genocide happens we must address it intelligently as we do with any pathology. It is not enough to say “Genocide is bad” as it is not enough to say “Cancer shouldn’t happen”. We must be attentive, intelligent, reasonable and responsible together to make sure that not only genocidal violence will not occur and recur but also that the conditions that will set the stage for that violence will not accumulate. This is the call of the OSAGP Framework of Analysis and it is my hope that many will collaborate in use it and expanding it.²

But violence is not declining everywhere. The power of ethnic mobilization as well as the one new groups like the ‘maras’, the gangs that control so much of youth, the power of organize crime, the power of narco-traffic is growing as the power of extreme ideologies and together with that growth is violence. Human violence must be taken seriously. It must be taken seriously systematically. It is not only an individual issue that binds together victims and perpetrator in a painful clash. It is not in the interest of a UN member-state to be controlled by genocidal forces. Self-control and self-restraint are an indispensable ingredient of a stability and security. What I see emerging is the trend of many UN member-state to fulfill their obligations independently and cooperatively, through adaptations. In the USA for example, we saw a state-wide effort as suggested by the Genocide Prevention Task Force³ and now we have, within the US National Security Council, Mr. David Pressman working as the first Director for War Crimes and Atrocities Prevention.

Early warning and assessment are functions that imply and thrive through cooperation and integration. Conceptually this is what responsibility to protect is offering. Both functions are fundamentally relational. Someone is warning someone else, often about a third party. Assessment is not propaganda. It must be a candid, verifiable, credible exercise of good judgment. These functions in the context of genocide prevention and responsibility to protect-

² <http://www.un.org/preventgenocide/adviser/pdf/OSAPG%20AnalysisFrameworkExternalVersion.pdf>

³ www.usip.org

are in their infancy. We need to move from early warning to proper warnings, from assessment to understanding. These movements are political in nature and can be accomplished only by legitimated, well-informed, credible actors through processes that highlight inquiry and verification.

Both 'early warning' and 'assessment' are part of the prevention paradox: we can prevent only what we know. Prevention is deeply linked to knowledge, to a particular form of knowledge: politically relevant knowledge. Who is creating this knowledge? Who is 'making' it relevant? We all do and it is the responsibility of political actors to make sure that these processes are effective, inclusive and truly representative. To know accurately, deep into violently contradictory situations is a challenge that the United Nations system knows well. This is why Jan Eliasson, former President of this UN General Assembly, created the 'ladder' that takes his name. It is just a list of procedural benchmarks related to the use of force and I think it must be an indispensable point of reference for this debate especially when we attempt at linking these benchmarks with proper action (see Appendix).

One collective action that has involved UN Member states is open inquiry into an issue, genocide prevention that was off limits just a decade ago. Sweden was one of the first to take the issue of preventing genocide seriously at the international level when it convened a series of four international fora that culminated in the Stockholm International Forum of January 2004 on Preventing Genocide: Threats and Responsibilities.⁴ Pioneers such as Yehuda Bauer, Greg Stanton, Ted Gurr, James Smith and Barbara Harff supported it. Delegates from 55 countries attended and signed a Final Declaration. At the Forum the United Nations Secretary-General Kofi Annan announced the establishment of the Office of Special Adviser to the Secretary-General on the Prevention of Genocide. The office's mandate was fully supported by the subsequent commitment of Member States in the 2005 World Outcome Document to a "responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity."⁵

On the occasion of the Stockholm International Forum it was also presented the preliminary concept of what became the Engaging Governments on Genocide Prevention (EGGP) program and the training of the Auschwitz Institute for Peace and Reconciliation founded by Fred Schwartz. United Nations member states' government officials participated in a week-long workshop and created the pre-conditions for a hub of diplomatic, intelligence, military and human rights personnel. EGGP's ambition has been to involve all UN Member states and already 77 countries have been invited and have invested in this network (the list of the countries that participated in initial six sessions is in the Appendix). What is relevant is that all invited countries have taken this opportunity seriously and used it to grow in their genocide prevention capacity, contributing to a truly global, inclusive conversation. Holding the trainings in either

⁴ See the conference report, *Stockholm International Forum 2004, 26-28 January Proceedings: Preventing Genocide Threats and Responsibilities*. Stockholm: Svensk Information for the Government of Sweden, June 2004.

⁵ U.N. General Assembly, 60th session. *Resolution Adopted by the General Assembly, 2005 World Summit Outcome* (A/RES/60/1). 24 October 2005, paras. 138-140.

Columbia University or George Mason University EGGP has offered unparalleled access to academics and practitioners, including the United Nations. Our guest lecturers and presenters have included such prominent figures as Francis Deng, current Special Adviser to the UN Secretary-General on the Prevention of Genocide; David Hamburg, Chair of the UN Secretary-General's Advisory Committee on Genocide Prevention and President Emeritus of the Carnegie Corporation of New York; George Mitchell, US Special Envoy to the Middle East and the facilitator of the Good Friday Agreement in Northern Ireland; and István Lakatos, Hungarian Human Rights Ambassador directing the announced Budapest Centre for the International Prevention of Genocide and Mass Atrocities and himself the participant of the 5th training session. These efforts have been supported by John Montgomery of Bridgeway who has devoted significant attention and resources to 'abolishing genocide in his life time.'⁶ New explorations are underway to link EGGP with the emerging 'Peace through Governance' network⁷. EGGP is just an example of how UN Member States are taking the lead in transforming the genocide prevention debate. Remarkable is the initiative of Barbados that will host its regional workshop focusing on the Caribe in January.

In this context the Swiss Federal Department of Foreign Affairs (FDFA) and the Ministry of Foreign Affairs, International Commerce and Religion of the Nation of Argentina launched the initiative to organize a series of Regional Fora on genocide prevention. The fundamental idea behind the initiative was to move from New York and Geneva into a truly global conversation.

The first Regional Forum was conducted in Buenos Aires, in December 2008. Among the many positive outcome of the Buenos Aires meeting was a keener appreciation of the role of sub-regional organization. In particular –while analyzing the links between human rights violation monitoring and genocide prevention- it was noted how in the case of the massacres in Pando, Bolivia, UNASUR responded very forcefully and effectively by deploying a fact-finding mission and expressing a coordinated and unanimous political will. Rodolfo Mattarollo presented the insightful response of the USASUR Commission. The proceedings of the forum have been published in print and on line by Politorbis.⁸

After the success of the 1st Regional Forum, the Ministry of Foreign Affairs and International Cooperation of the United Republic of Tanzania joined forces, and together with the Swiss and Argentinean counterparts, the three countries hosted the 2nd Regional Forum on the Prevention of Genocide in Arusha, Tanzania, in March 2010. More than 90 representatives of 31 states, international and regional institutions, NGOs, as well as experts in the fields of genocide prevention, human rights, prosecution of genocide and other mass atrocity crimes, participated in the Forum. The 2nd Forum allowed a space for African states to frame genocide prevention as an African agenda, sharing concrete examples of lessons learned, failed actions as well as cases of

⁶ http://www.bridgewayfoundation.org/about/history_full.shtml

⁷ www.peacethroughgovernance.org

⁸ <http://www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi/publi2.Par.0095.File.tmp/Politorbis%2047%20-%20Genocide%20Prevention.pdf>

good early warning detections. It was a significant step forward in strengthening regional networks of countries willing to develop regional, sub-regional and inter-governmental mechanisms to prevent genocide. It was particularly important in providing a link between the experiences done at the local, national and regional levels with the international ones.

ICGLR: Sub-Regional Inter-governmental Platform

Similarly to what happened in Buenos Aires, the Forum in Arusha provided an opportunity to learn from actors on the ground experimenting with new approaches. Notable was the intervention of Ambassador Liberata Mulumula, Executive Secretary of ICGLR, who provided a comprehensive updates on the efforts of the International Conference on the Great Lakes Region (ICGLR) in the area of genocide prevention⁹. It must be noted that the region –which includes 11 countries (Angola, Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Republic of Congo, Rwanda, Tanzania, Uganda, Sudan, and Zambia) is among the most effected by genocidal violence. The visit to the region by the UN Special Advisor on the Prevention of Genocide, Dr. Francis Deng, confirmed that the dynamics at play are dangerously close to the high risk of genocide.

In this context it ICGLR was established in 2004 with the main objective to “consolidate peace and security in the Great Lakes region...[by] institutionalizing democratic governance values, promoting sustainable growth and shared development, and resolving critical social and humanitarian issues – that contribute to destabilization in the region and undermine peace, security and stability in the region.”¹⁰ It is a relatively new sub-regional organization and it is not particularly strong. However, given its history (Rwanda’s 1994 genocide, the Burundi civil war that embroiled the DRC and other neighboring countries, the Uganda-Tanzania war in the late 1970s, and the Kenyan crisis in 2008...) the region is so closely interlinked in terms of its social, demographic, economic, cultural and linguistic compositions that conflict destabilizing one country can easily contaminate others in the entire region. It was against this backdrop that ICGLR was born with the premise that any meaningful attempt to establish peace and security in the region must be carried out on the basis of a regional approach. It is undoubtedly still an experiment, a work in progress but it is hopeful that genocide prevention feature so prominently in its agenda.

In November 2004, the ICGLR Heads of State and Government signed the *Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region*, or more commonly known as the Dar es Salaam Declaration. Acknowledging the weaknesses in the area of good governance and the democratisation processes in the region as the main precipitating factors to cause violent socio-political conflicts, this Declaration clearly laid out policy agendas and guiding principles for the member states, calling for the shared vision for

⁹ <http://www.icglr.org/>

¹⁰ “Genocide Prevention: Experience of the International Conference on the Great Lakes Region (ICGLR),” paper presented by Ambassador Liberata Mulamula at the Regional Forum on Genocide Prevention, March 3-5, 2010, Arusha.

democracy, reconstruction, durable peace and political stability, sustainable development and the rule of law in the region. The Declaration manifested the explicit commitment to fight against all forms of discriminatory ideologies, policies, and practices; all acts of genocide and massive violations of human rights and international humanitarian law; terrorism; racism; ethnics; exclusion; as well as all other forms of violence against civilians.

The ICGLR Heads of State and Government then signed the legally binding Pact in 2006, which entered into force in 2008 by the ratification of the member states, to affirm their determination and commitment to “transform the Great Lakes region into a space of sustainable peace and security, political and social stability, shared growth and development, a space of cooperation based on convergent strategies and policies driven by a common destiny.”¹¹ Included in this Pact is *the Protocol for the Prevention and the Punishment of the Crime of Genocide, War Crimes against Humanity and all forms of Discrimination*. The ICGLR member states therefore recognize that the crime of genocide, war crimes, and crime against humanity are crimes under international law and against the right of peoples, and they agree to fight against impunity and to take actions:

- To refrain from, prevent, and punish such crimes;
- To condemn and eliminate all forms of discrimination and discriminatory practices;
- To ensure the strict observance of this undertaking by all national, regional and local public authorities and institutions;
- To proscribe all propaganda and all organisations which are inspired by ideas or theories, based on the superiority of a race or a group of people of a particular ethnic origin, or which try to justify or encourage any form of ethnic, religious, racial or gender based hatred or discrimination.

As such, ICGLR represents the epitome of a regional organization’s commitment to self-organize the prevention of genocide and mass atrocities in an endogenous manner. ICGLR encompasses sub-structures to ensure the effective follow-up on the Pact, consisting of the National Coordination mechanism, the Conference Secretariat (of which Ambassador Mulamula is Executive Secretary), the Regional Inter-ministerial Committee (RIMC), and the Summit of Heads of State. This composition of ICGLR is designed to ensure a proper response mechanism to function as “eyes and ears” of any unfolding violence and early warning signs within the member states. While some of the Great Lakes region states are still volatile, 8 presidential and parliamentary elections are scheduled to take place in 7 countries in the region in 2010 and 2011. It is imperative that preventive mechanisms like ICGLR which has already expressed its manifest will to act on genocide prevention, be fully supported in order to avoid any escalatory spiral of violent outbreaks during or post-election periods.

GPANet in Regional Frameworks and Platforms

ICGLR plans to align preventive efforts at the regional, national and community levels through more seamless collaboration and coordination by utilizing the existing ICGLR National

¹¹ *Pact on Security, Stability and Development in the Great Lakes Region* (2006). Available at <http://www.icglr.org/icglr-pacte.php>

Coordination mechanism chaired by the Ministry of Foreign Affairs in each member state. It is proposed that these 11 national coordinators be the focal points to connect various political, social and cultural institutions within the state, such as Ministries of Education, Internal Affairs, Justice; human rights organizations and offices; cultural leaders; religious leaders; intelligence organs; parliament; and civil society. In effect, these 11 focal point coordinators function as the steering committee of ICGLR and identify their counterparts in their communities – at district, county, sub-county, and village levels – to streamline information gathering and dissemination processes, as stipulated in the Protocol:

- Regularly reviewing situations in each Member States for purposes of preventing genocide, war crimes, crimes against humanity and discrimination;
- Collecting and analyzing information related to genocide, war crimes, crimes against humanity and discrimination;
- Alerting the Summit of the Conference in good time in order to take urgent measures to prevent potential crimes
- Suggesting specific measures to effectively fight impunity for these crimes,
- Contributing to raising awareness and education on peace and reconciliation through regional and national programs;
- Recommending policies and measures to guarantee the rights of victims of the crime of genocide, war crimes and crimes against humanity to truth, justice and compensation, as well as rehabilitation, taking into account gender specific issues and ensuring that gender –sensitive measures are implemented;
- Monitoring among the Member States, where applicable, national programs on disarmament, demobilization, rehabilitation, repatriation and Reinstallation (DDRRR) for former child soldiers, ex-combatants and combatants;
- Carrying out any other tasks that the Inter-Ministerial Committee may entrust it with.

In parallel, the ICGRL Secretariat is coordinating with the UN Office of Special Adviser on the Prevention of Genocide to conduct a training session in September 2010 on the OSAPG Analysis Framework for UN personnel and other stakeholders in the Great Lakes region. Likewise, there are emerging opportunities for others to support ICGLR during the implementation phase of ICGLR strategies. In particular, I hope that new partnerships will be established among ICGLR, DKPO and researchers around the world specifically on data gathering and interpretation. I find the work of Birger Heldt very promising and it would be very beneficial if new datasets were made available¹².

Especially at the nascent stage of launching the steering committee of 11 focal points, collaboration with ICGLR Secretariat would be beneficial, particularly in the following areas:

- Plan and coordinate programs to build grassroots, national and regional capacities, tailored to unique local dynamics and conflict issues in each affected area;

¹² <http://www.gpanet.org/content/management-civil-wars-and-genocidal-violence-lessons-statistical-research>

- Establish and expand a network of genocide and violent prevention actors and stakeholders, shifting from a 'victims' frame to a 'agents of genocide prevention' frame at local, national and region levels;
- Identify needs of training and education to create a cadre of respected facilitators for mediation and dialogue to resolve local, national and regional disputes peacefully;
- Gather and share knowledge, tools, methods and skills on violent conflict and genocide prevention initiatives and experiences within the region or from other parts of the world;
- Participate in the evaluation and monitoring of activities at regional and national levels.

The dream of transforming the African Great Lakes Region into a genocide-free zone in which the first effective genocide prevention system can be experiment is extraordinary. I can assure all distinguished members of this General Assembly that my George Mason University's Institute for Conflict Analysis and resolution (ICAR) will devote its maximum amount of energy to support this African project. My speaking today is part of this effort. While recently in the People's Republic of China I had the opportunity to meet Madame Yan Junqi vice chairwoman of the Standing Committee of China's National People's Congress (NPC) and Vice President of the Chinese People's Association for Peace and Disarmament (CPAPD) and explore the possibilities of actions in support of such a vision.

Hungary, the European role and the need to serve catalytic processes

There is the demand for many to play cooperatively and for the catalytic functions of connecting expert knowledge, practice, and data on genocide prevention with the needs of the peoples in many regions. This is why while it is relevant to underline that ICGLR is one of the emerging initiatives at the sub-regional level intentionally committed to genocide prevention, others actors are exploring meaningful investment in this area. In the evolution of the global architecture for the prevention of genocide, Europe has already taken formal steps in order to include genocide prevention in priorities of the Human Rights agenda of the last EU Presidencies. Hungary especially, through the constitution of a devoted task force, led by Ambassador István Lakatos and Enzo Le Fevre Cerviny, conducted in the last two years a feasibility study for the promotion of the establishment of an international centre fully dedicated to the prevention of genocide. It is relevant to note that the document of the present Spain-Belgium-Hungary EU trio presidency, the first to operate under the post-Lisbon Treaty, says: "Particular emphasis will be put on the international prevention of genocide and mass atrocities." It is my understanding that under the Hungarian presidency new initiatives at the European level will emerge in harmony with the feasibility study on the creation of a Budapest Centre for the International Prevention of Genocide and Mass Atrocities. A Centre able to both help the UN (in particular the office of the UNSG Special Advisor, Mr. Francis Deng and the High Commissioner for Human Rights) and the regional organizations (especially the European Union and the African Union). One could be a closer link to the Universal Periodic Review which has –as the UN Secretary-General Ban Ki-

moon noted- the “great potential to promote and protect human rights in the darkest corners of the world.”

However, there are still too few political entities of states openly concerned with genocide prevention and one of the trends of the next few years –I believe- will be what kind of institutional architecture will emerge. Supporting regional and sub-regional approaches to genocide prevention like ICGLR and the European one means to facilitate the connections with other initiatives that are already in place and can complement each other. There are a number of programs working on genocide prevention simultaneously, (Genocide Watch¹³ and its International Campaign to End Genocide¹⁴ and Anti-Genocide Alliance¹⁵; ICAR’s Engaging Governments on Genocide Prevention, data collection and information management systems by Ushahidi¹⁶ and Humanity United-led initiative in Conflict Early Warning Learning Group¹⁷; new explorations by the US Holocaust memorial Museum’s Committee on Conscience¹⁸, the interactive website, GPN Genocide Prevention Now¹⁹, the research and experimentation of Funds for Peace’s Early Warnings and State Building Initiative that has collaborated actively with the Office of the Special Advisor on Genocide Prevention²⁰ and many others especially in the academic sector where scholarship has been developed for some time²¹).

One peculiar actor that I saw involved in many of these hopeful signs that I mentioned, is the Genocide Prevention Advisory Network (GPANet)²². Its members were behind the Stockholm gatherings and its members have played a significant role in the risk assessment research that makes genocide prevention conceptually convincing. GPANet members were also instrumental in calling for the establishment of the Special Advisor on Genocide Prevention at the United Nations and have become a hub of the genocide prevention debates. The emerging collaboration with the ICGLR steering committee can provide an unprecedented opportunity to align local, national, regional and international action for an effective, sustainable genocide prevention system where knowledge can be actually shared and committed political will be practiced.

It is essential to see the task ahead as a collaborative effort, a learning and practice-oriented effort that needs institutional continuity. This UN General Assembly is indeed a very important step in the right direction.

¹³ <http://www.genocidewatch.org/>

¹⁴ <http://www.genocidewatch.org/campaigntoendgenocide/about.html>

¹⁵ <http://www.genocidewatch.org/partners/antigenocidealliance.html>

¹⁶ <http://www.usahidi.com/>

¹⁷ <http://www.humanityunited.org/>

¹⁸ <http://www.ushmm.org/genocide/>

¹⁹ <http://www.genocidepreventionnow.org/>

²⁰ <http://www.fundforpeace.org/>

²¹ <http://www.genocidescholars.org/>

²² <http://www.gpanet.org/>