



**Statement by Francis M Deng
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**Informal Interactive Dialogue of the United Nations General Assembly
'Early Warning, Assessment and the Responsibility to Protect'
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I. Introductory Remarks

- A. I wish to thank the President of the General Assembly for convening the dialogue, the Secretary-General for his remarks and report on the issue, my colleague Special Adviser Edward Luck, and fellow panelists, Professors Bertie Ramcharan, Andrea Bartoli and Muna Ndulo.
- B. The themes of the dialogue are early warning, assessment and the responsibility to protect. Genocide prevention is a key aspect of the responsibility to protect, not only because genocide is one of the crimes covered by the concept, but also because it does not stand on its own: the other crimes are often precursors.
- C. Early warning is often associated with crisis situations that are about to explode; there is need for even earlier warning, to prevent situations that could potentially explode.
- D. This calls for in-depth understanding of the root causes of genocide and related crimes, and the development of appropriate prevention tools. This, in turn, calls for reliable information and assessment.

II. Genocide Prevention: Mandate and Strategy

- A. Genocide is one of the most heinous crimes that human beings are expected to be united in preventing and punishing. But, by the same token, it is a highly emotional phenomenon that evokes denial on the part of both the perpetrators and those who would be called upon to act.
- B. This is why early prevention is the best course of action, before the situation escalates and denial sets in. This requires understanding the root causes and addressing them early, which is, again, a function of efficient collection and management of information.
- C. My Office is mandated to:
 - i. Collect existing information on massive and serious violations of human rights and international humanitarian law of ethnic and racial origin which, if not prevented or halted, might lead to genocide;
 - ii. To act as a mechanism of early warning to the Secretary-General and, through him, to the Security Council by bringing to their attention situations that could potentially result in genocide;
 - iii. To make recommendations to the Security Council, through the Secretary-General, on actions to halt genocide;
 - iv. To liaise with the United Nations system on activities for preventing genocide and to work to enhance the capacity of the United Nations to

analyze and manage information regarding genocide and related crimes.

- D. We have recast our mission statement to focus on three areas of capacity:
 - i. First, awareness-raising about the generic causes of genocide;
 - ii. Second, collecting and analyzing information on situations of concern, and acting as a mechanism for early warning to the United Nations and the international community;
 - iii. Third, mobilizing the UN system and the international community to ensure timely action to prevent or halt genocide and other atrocity crimes at an early stage.
- E. Early prevention means working closely with governments on the basis of the three pillars of responsibility in the normative framework of “sovereignty as responsibility,” which guided my work on internally displaced persons for some 12 years, and the “responsibility to protect.” These are:
 - i. The responsibility of the state for its people;
 - ii. The responsibility of the international community to assist state capacity;
 - iii. The responsibility of the international community to step into the vacuum of responsibility should the state be manifestly failing.
- F. In order to facilitate constructive dialogue with governments and other key stakeholders, I am striving to de-mystify genocide from being viewed as too sensitive an issue for comfortable discussion, to one which can be prevented or halted by being better understood as an extreme form of identity-related conflicts.
- G. These conflicts do not emanate from mere differences, but from inequalities generally reflected in egregious human rights violations: discrimination, marginalization, exclusion, dehumanization and denial of fundamental rights.
- H. In virtually all genocidal situations, society is acutely divided between the in-groups, who enjoy the rights and dignity of citizenship, and out-groups, who are excluded from enjoying fundamental rights and freedoms. It is often the out-group’s reaction to these inequalities, and the counter-reaction by the dominant group, that may provoke insurgencies and genocidal counter-insurgencies.
- I. The challenge then becomes one of constructive management of diversity to promote equitable distribution of power and resources, and respect for human rights.
- J. Since problems of diversity and disparity are global, the potential for genocidal conflicts is equally global, although some regions are more vulnerable than others. Furthermore, not all countries perform equally well in their management of diversity. Some manage well, others not so well, while others fail dismally.
- K. This is why we have embarked on case studies to identify best practices that can be emulated and worse practices to be avoided.

III. OSAPG Methodology for Analysis and Risk Assessment

- A. In order to fulfill the core elements of my mandate, my Office depends on timely and accurate information on situations where there may be a risk of genocidal violence. As the Secretary-General has highlighted, the United Nations system is flush with information; what is critical is the efficient collection, organization and analysis of the information in order to provide timely and relevant advice on situations of concern.
- B. My Office has created an information system to collect and organize existing information both from within and outside of the UN system. It provides a daily overview of global developments relevant to the mandate and alerts to any emerging situation of concern.
- C. However, it is the analysis of information, and not information itself, that is critical to effective early warning. The Office has therefore developed an Analysis Framework, in close consultation with UN colleagues and international experts. Where there is cause for concern, the Office conducts an in-depth analysis using this tool, which focuses attention on eight factors which cumulatively increase the risk of genocidal violence.
 - i. Inter-group relations and record of discrimination;
 - ii. Circumstances that affect the capacity to prevent genocide;
 - iii. Presence of illegal arms and armed elements;
 - iv. Motivation and acts that encourage divisions between groups;
 - v. Circumstances that facilitate the perpetration of genocide;
 - vi. Acts that could be elements of genocide;
 - vii. Evidence of ‘intent to destroy in whole or in part’;
 - viii. Triggering factors.
- D. The Framework promotes consistency in approach in any given situation; it reflects the diverse manifestations of genocidal situations; reflects international and established standards and offers a list of suggested structural and operational prevention measures.
- E. We encourage the adoption of the Framework by other organizations, including States, regional and sub-regional organizations, for training purposes, collection of information, reporting and analysis to alert to risks of genocidal violence. Mainstreaming the elements from the Framework into preventive policies, practices and strategies will also create a global benchmark by which all relevant actors assess the risks of genocide and generate consensus on appropriate action. States should be able to see themselves “in the mirror”, assess their own performance in the prevention scale, identify problem areas needing attention, and take remedial measures for preventing escalation to genocidal levels.
- F. I was invited to address the African Union Peace and Security Council and I also met with the African Union Panel of the Wise in November 2009 and shared with them our Analysis Framework. In their communiqué issued on

12 November, the Panel called for the incorporation of the Analysis Framework into the African Union early warning mechanism.

- G. There is no doubt that regional and sub-regional approaches should be the primary response to crises in all parts of the world. I have therefore prioritized strengthening relations with such organizations. In addition to the African Union, I have or am working to establish strong relations with the Intergovernmental Authority on Development, the Economic Community of West African States, the Southern African Development Community, the Organization of American States, the European Union, the Association of South-East Asian Nations and the League of Arab States.

IV. Concluding Remarks

- A. First, we see our role as purely catalytic to an inclusive approach in which virtually all organs of the UN are involved.
- B. Second, we see the elements of our mandate and our approach as adaptable to the collaborative work of the Joint Office, which the Secretary-General has directed my colleague, Special Adviser Edward Luck, and I to develop.
- C. Third, we see the operationalization of the responsibility to protect as a process which has already made impressive progress, but still has a ways to go. Identifying the areas of concerns of Member States and addressing them in earnest is the way forward.
- D. Finally, the twin concepts of “sovereignty as responsibility” and the “responsibility to protect” should be viewed in tandem to alleviate concerns of Member States that the concept might be abused as a tool of intervention.