

## **MORE THAN AN OUNCE REQUIRED**

### **SUMMONING THE POLITICAL WILL TO PREVENT GENOCIDE AND MASS ATROCITY CRIMES IN THE 21<sup>ST</sup> CENTURY**

**DECEMBER 9, 2008**

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None of the individuals or institutions listed above bear any responsibility for the content of this report, and this report does not necessarily represent their views.

This report is a product of the Genocide Prevention Project. It was researched by Allison Johnson, and edited by Ellen Freudenheim, with direction from Jill Savitt, Executive Director of the Project. Kate McNeece helped coordinate the project.

### About the Genocide Prevention Project

The Genocide Prevention Project seeks to build the public will to call on the international community to take meaningful actions when “early warning” indicators signal possible onset of mass-scale atrocity crimes, and to mobilize resources to avert or halt such ongoing crises and protect civilians from mass atrocity crimes.

The Genocide Prevention Project focuses on public education and advocacy. Our initiatives include the Mass Atrocity Crimes Watch List, introduced here for the first time, and plans for Genocide Prevention Month in April 2009. The month is a 30-day commemoration of past genocide and mass atrocity crimes. We are working with genocide survivors and international survivor organizations to generate a civil society call for the implementation of prevention strategies.

The Genocide Prevention Project is an initiative of Public Interest Projects, a 501(c)3 public charity in New York.

Genocide Prevention Project  
80 Broad Street, Suite 1600  
New York, NY 10004  
646-823-2412  
PREVENTORPROTECT.ORG

## MORE THAN AN OUNCE REQUIRED

### Summoning the Political Will to Prevent Genocide and Mass Atrocity Crimes in the 21<sup>st</sup> Century

#### I. SUMMARY: A NEW PARADIGM FOR PREVENTION

Is it possible to forecast where, and even when, the tragedies of genocide or ethnic cleansing might occur?

This report indicates that the answer is yes.

Just as a change in the barometric pressure can be one indicator of a coming storm, so can political instability, rising ethnic tensions, incitement to hate, and economic and political discrimination, among other factors, signal the potential for systematic violence against civilians on a mass scale.

The places where systematic slaughter of civilians is happening or could happen are, actually, fairly well known.

But knowledge alone is insufficient to save lives. Little good is achieved, for example, if scientists believe a hurricane is imminent but fail to communicate this fact to officials who can raise the alarm, evacuate those threatened, and coordinate necessary aid.

The recent tragedies of Darfur, Rwanda, Cambodia, and Bosnia and Herzegovina all bear witness to the international community's failure to prevent systematic mass atrocity crimes (defined here as ethnic cleansing, war crimes, crimes against humanity, and genocide). And yet, in the lead-up to each of these crises the warning signs were clear.

Going forward, the international community must heed such early warning signs, and be prepared to act quickly and effectively when the indicators show the potential for systematic atrocities.

This requires that international leaders adopt a new framework, one focused on prevention. A prevention framework would have two central components:

#### **A COLLECTIVE RESPONSIBILITY TO PREVENT MASS ATROCITY CRIMES**

A collective global responsibility to prevent genocide was first articulated in the aftermath of World War II with the founding of the UN and the adoption of the Convention on the Prevention and Punishment of Genocide (1948).

This obligation has been reaffirmed since, recently in 2005 at the UN World Summit. The Outcomes document of that summit, unanimously approved by 191 member states, expanded the obligation to include three additional human rights crimes, in addition to genocide. Known as the "responsibility to protect" – or R2P – the obligation was described thus:

*"Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means ...."*

- (1) An **early warning system** to signal an escalation of the most serious human rights abuses against civilians based on characteristics of their identity such as race, ethnicity, tribal affiliation, or religion.
- (2) **Well-coordinated and active diplomacy** in the earliest stages of a brewing crisis, undertaken with the intention of averting an escalation of violence.

Such diplomatic actions – those well short of any military action – could be undertaken by the UN or individual or groups of member states and could include both “carrots” and “sticks.”<sup>1</sup>

It is the contention of this report that once civilians are being attacked, the international community is *obligated* to protect them from systematic mass killing. (See box on page 3.)

Working to prevent or avert tragedy is not only humane, it is pragmatic. In addition to the bloody toll in human lives and suffering, atrocity crimes can bring an increase in global insecurity and the potential for regional destabilization. Furthermore, the economic cost of an intervention is more burdensome once violence has escalated.

The task at hand is, admittedly, difficult. Great challenges accompany any effort to change long-standing grievances or to improve international collaboration on issues of peace. But genocide, ethnic cleansing, war crimes, and crimes against humanity are the worst forms of mass barbarity. These are crimes that the international community is morally and legally obligated to address, not as an afterthought but as a priority.

This report calls for a new level of global and national leadership to prevent mass atrocity crimes, one marked by a willingness to act at the earliest stages to avert humanitarian catastrophe – rather than, as we have many times in the past, ignoring the warning signs and then watching as tragedy unfolds.

### What Are Systematic Mass Atrocity Crimes?

In this report, we use the term “mass atrocity crimes” to refer to four crimes, each defined by the international community. They are genocide, ethnic cleansing, war crimes, and crimes against humanity, the four crimes cited in the 2005 World Summit Outcomes document.

For definitions of these crimes, see Appendix A.

<sup>1</sup>In referring to “carrots” and “sticks,” we include the entire range of diplomatic, economic and legal tools at the disposal of the UN Security Council or individual member states, for instance:

- The appointment of highest-level envoys to negotiate with all parties;
- Penalties for continued intransigence (such as sanctions, suspension of aid and trade or membership in international institutions, arms embargos);
- Inducements for positive behavior, such as favorable trade terms;
- Public statements of criticism for brutal acts – or praise for positive behavior; and
- Criminal investigation and legal proceedings.

## OVERVIEW OF FINDINGS

### MASS ATROCITY CRIMES WATCH LIST 2008-09: 33 COUNTRIES AT RISK

The Mass Atrocity Crimes Watch List 2008-09 released in this report identifies 33 countries of highest concern regarding mass atrocity crimes, based on a range of indicators.

The Mass Atrocity Crimes Watch List proves the point that a “watch list” combining multiple available sources of data can be generated – and can serve a constructive purpose. Because mass atrocity crimes are not a theoretical topic, but real crises happening in real time, this watch list also provides one way to raise a flag of concern about specific crises where increased attention and preventive diplomacy can make a difference.

There are limitations to this – or indeed, any – such list. The Mass Atrocity Crimes Watch List is neither predictive nor definitive; massive violence could break out in countries not on this list, or not occur in countries listed. Circumstances vary greatly in countries that appear on the same “tier” of our list; in general, a list of this sort is meant to be used in conjunction with additional expert analysis of each individual crisis. Because this watch list is not a ranked list, countries in each tier are listed alphabetically.

#### **Tier 1 Countries: Red Alert**

We identify eight situations of highest concern. These countries appeared on each of the five expert indices used as a basis for this report and received the highest composite score on our watch list.

**Afghanistan**  
**Burma/Myanmar**  
**Democratic Republic of the Congo**  
**Iraq**

**Pakistan**  
**Sri Lanka**  
**Somalia**  
**Sudan**

*The international community should reassess efforts to date on these crises, and implement urgent, meaningful and effective diplomatic, peacemaking, and/or civilian protection strategies.*

#### **Tier 2 Countries: Orange Alert**

The following are the 25 countries with the next highest composite scores.

**Angola**  
**Bosnia & Herzegovina**  
**Burundi**  
**Central African Republic**  
**Chad**  
**China**

**Colombia**  
**Côte d'Ivoire**  
**Eritrea**  
**Ethiopia**  
**Georgia**  
**Indonesia**

**Iran**  
**Israel/Palestinian Territories**  
**Kenya**  
**Lebanon**  
**Nepal**  
**Nigeria**

North Korea  
Philippines  
Rwanda

Syria  
Uganda  
Uzbekistan

Zimbabwe

*In these situations, immediate investigation to assess possible attacks on civilian populations is urgently needed, followed by a plan of preventive diplomacy based on the specific analysis of each crisis. If diplomacy is ongoing, but stalled or failing, global leaders need to reanimate diplomacy and plan for civilian protection.*

A description of the methodology used in preparation of the Mass Atrocity Crimes Watch List 2008 can be found in Appendix B.

## SUMMARY OF RECOMMENDATIONS

In the effort to create a meaningful prevention framework, this report makes broad recommendations, addressed to the UN Secretariat, to the UN Security Council, and to all national governments. These recommendations are explained in more detail beginning on page 12.

### **Recommendation to the UN Secretariat: Expand the Capacity at the UN to Prevent and Respond to Mass Atrocity Crimes.**

Within the UN, the Office of the Special Adviser on the Prevention of Genocide (OSAPG) and other special advisers (for instance on the “responsibility to protect”) have been authorized to lead the UN system on prevention of mass atrocity crimes.<sup>2</sup>

To prioritize prevention at the UN, the UN Secretariat needs to strengthen the ability of the OSAPG to fulfill its mandate, supporting its efforts to gather information on early warning signs, recommend approaches, and encourage ongoing diplomacy to thwart a descent into mass violence.

### **Summary of the Mandate of the Office of the Special Adviser on Prevention of Genocide (as created in 2004):**

1. Collect information on massive or serious violations of human rights and international law of ethnic, racial or religious origin that could in the future lead to genocide.
2. Act as a mechanism of early warning to the Secretary-General, and through him to the Security Council.
3. Make recommendations to the Security Council, through the Secretary-General, on actions to prevent or halt massive or serious violations.
4. Liaise with the UN system on activities for the prevention of genocide and work to enhance UN capacity to analyze and manage information relating to genocide.

<sup>2</sup> The official UN mandate for the Special Adviser on the Prevention of Genocide, from 2004, is available at [http://preventorprotect.org/images/documents/sapg\\_mandate.pdf](http://preventorprotect.org/images/documents/sapg_mandate.pdf).

**Recommendation to member states: Support the work of the UN's Office on Genocide Prevention, and designate a high-level official within your national government to address genocide-related issues.**

The Office of the Special Adviser on the Prevention of Genocide and related advisers need champions among member states. Such groups – sometimes called “friends” groups – exist on related issues.

These states, as a formal or informal group, would help the OSAPG forge a closer link to the UN Security Council and other UN bodies. One way to do this would be to have a group of member states request a regular monthly report by the OSAPG to the UN Security Council.

National governments could also adopt a prevention framework as official domestic policy, and at a minimum, designate a highest-level official to coordinate his or her government's international response to potential and ongoing mass atrocity crises.

**Recommendation to the UN Security Council: Debate Permanent UN Capacity to Protect Civilians.**

If and when prevention fails, the international community needs to be prepared to act to protect civilians. This would require well-trained peacekeepers and logistical equipment to be at the ready. The idea of a permanent civilian protection capacity based at the UN has been discussed since the founding of the body. We recommend that it be revisited.

## II. DETAILED FINDINGS: MASS ATROCITY CRIMES WATCH LIST 2008-09

It is clear that without adequate public information about populations at risk, the political will to prevent mass atrocity crimes will continue to lag behind the violent facts on the ground.

The Mass Atrocity Crimes Watch List 2008-09, compiled for this report, illustrates that it is possible for the international community to identify, in advance, those nations where existing tensions or human rights abuses could escalate into systematic mass atrocity crimes.

The first step toward the prevention of mass killing is to identify the situations with the potential to deteriorate into atrocity crimes against civilians on a mass scale. But that alone is not enough. Naming specific countries at serious risk for genocide and related crimes is itself a tool of diplomacy. Such a “watch list” could help generate public pressure on governments and the UN Security Council to mobilize resources with urgency in such cases.

### **Risk Factors and Early Warning Signs**

Just as there are risk factors for illness — for instance, obesity is a risk factor for heart disease — there are indicators of the human rights abuses that can lead to systematic mass atrocity crimes. With the caveat that not every risk factor is present in every humanitarian crisis, warning signs for atrocity crimes include:

- Divisions within society by group, which may include exclusionary ideology;
- Economic and political discrimination against specific groups;
- Human flight and movement of refugees or internally displaced persons;
- Prior history of genocide or a legacy of vengeance-seeking for group grievances; and
- Ideological character of the ruling party, including incitement to hate.

### **“Hot Spots” are Known, But “Official” Lists Are Kept Private**

Countries experiencing rampant human rights abuses are known to government officials, country experts, and political scientists. Governments and international political institutions compile private “watch lists” of such countries.

These official bodies, however, do not publicize their lists. Beyond the inherent difficulty of constructing a list, “naming names” creates economic and political risks, both for those labeled as perpetrators and for governments that bestow the labels. A watch list is necessary, however, if a prevention strategy is to work: a list moves debate from the conceptual to the practical.

## THE MASS ATROCITY CRIMES WATCH LIST 2008-09

Despite the fact that official watch lists are private, public watch lists do exist: academia and civil society organizations have created such lists using, variously or in combination, reports from non-governmental organizations, researchers, country experts, and news agencies with staff on the ground.

Our campaign identified five well-regarded independent indices or watch lists. Each uses a different methodology and criteria, but all measure specific early warning signs of potential mass atrocity crimes. The Genocide Prevention Project's Mass Atrocity Watch List 2008-09 aggregates for the first time the findings of these five indices or watch lists into one "watch list of watch lists."

The five indices and watch lists used in our report include:

- *Countries at Risk of Genocide and Politicide*, May 2008, prepared by Professor Barbara Harff, Professor of Political Science Emerita, U.S. Naval Academy; Distinguished Visiting Professor, Center for Holocaust and Genocide Studies, Clark University;
- *Peoples Under Threat 2008*, Minority Rights Group International;
- *The Failed States Index* created by The Fund for Peace with the support of The Ploughshares Fund, and published in collaboration with *Foreign Policy* magazine;
- *Genocides, Politicides, and Other Mass Murder Since 1945, With Stages in 2008* by Genocide Watch; and
- Genocide Intervention Network's list of eight countries tracked as "areas of concern" as well as the list of countries on its "radar list."

The Mass Atrocity Crimes Watch List 2008-09 aggregates the number of times a country appears on the five expert indices used for this report, and their relative rank or score on each of the lists.

Because the expert indices on which we rely all use different systems of measurement, values from each index were normalized before summing to give equal weight to each method.

A description of the methodology used in preparation of the Mass Atrocity Crimes Watch List 2008-09, as well as information about each of these indices and watch lists, can be found in Appendix B.

### 33 Countries

The Mass Atrocity Crimes Watch List identifies 33 countries where mass atrocity crimes are ongoing or where civilians face a risk of experiencing such crimes.

We split our results into two tiers – Tier 1: Red Alert and Tier 2: Orange Alert . The resulting matrix, especially in Tier 2, highlights those places where the international community could

develop prevention strategies, and, as a last resort, civilian protection missions. Tier 1 countries, by and large, require immediate diplomacy as well as increased civilian protection. Tier 1 countries were among the highest-risk crises in all of the indices used, and, in many cases, risk has remained high in the Tier 1 countries for a number of years.

Limitations to the Study: The Mass Atrocity Crimes Watch List is not definitive or predictive. We do not state with certainty that each of these countries will experience mass atrocity crimes. We also acknowledge that mass atrocity crimes may occur in countries that do not appear on this list. Circumstances vary greatly in each of these countries and so appearing on the list does not mean the same level risks in terms of the type, level, or immediacy of potential mass violence. For the purpose of prevention, this list is helpful only when coupled with expert analysis of each individual situation. At a minimum, appearing on this list suggests risk of mass killing of civilians because of their ethnicity (or religion, race, nationality, etc.) within the country. We have listed countries alphabetically within the two tiers; we are not ranking or comparing countries within each tier.

It is also important to note that we “cut off” the Mass Atrocity Crimes Watch List at an arbitrary point. There are eight countries in Tier 1. For Tier 2, we identified 25 countries with the next-highest composite scores.

Even with these limitations, the Mass Atrocity Crimes Watch List provides a constructive object lesson in how a watch list can be developed from multiple non-governmental sources. It suggests how this information could serve as a tool for those seeking to influence government priorities in foreign policy. This list raises a flag of concern about specific crises – places where increased attention and preventive diplomacy (public or private) could be constructive and halt an escalation of violence.

### **Tier 1 Countries: Red Alert**

We identify eight situations of highest concern. These countries appeared on each of the five expert indices used as a basis for this report and received the highest composite score on our watch list.

**Afghanistan**  
**Burma/Myanmar**  
**Democratic Republic of the Congo**  
**Iraq**  
**Pakistan**  
**Sri Lanka**  
**Somalia**  
**Sudan**

*The international community should reassess efforts to date on these crises, and implement urgent, meaningful and effective diplomatic, peacemaking, and/or civilian protection strategies.*

### Tier 2 Countries: Orange Alert

Twenty-five countries appeared on three or more of our source indices and comprise the next tier of composite scores on Mass Atrocity Crimes Watch List.

Angola	Eritrea	Nigeria
Bosnia & Herzegovina	Ethiopia	North Korea
Burundi	Georgia	Philippines
Central African Republic	Indonesia	Rwanda
Chad	Iran	Syria
China	Israel/Palestinian Territories	Uganda
Colombia	Kenya	Uzbekistan
Côte d'Ivoire	Lebanon	Zimbabwe
	Nepal	

*In these situations, immediate investigation to assess possible attacks on civilian populations is needed urgently, followed by a plan of preventive diplomacy based on the specific needs of the crises. If diplomacy is ongoing, but stalled or failing, global leaders need to reanimate diplomacy and plan for civilian protection.*

### III. RECOMMENDATIONS

#### **TO THE UN SECRETARIAT:** **EXPAND UN CAPACITY TO PREVENT MASS ATROCITIES**

The United Nations, by its mandate, bears responsibility for the prevention and response to mass atrocity crimes. In 1948, the international community formed a United Nations because of the mass slaughter of civilians – the “barbarous acts” that “outraged the conscience of mankind,” as the Holocaust is called in the Universal Declaration of Human Rights.

As one of its first acts, the UN created a Convention on the Prevention and Punishment of Genocide on December 9, 1948– 60 years to the day of the release of this report. Despite the clear commitment to “undertake to prevent” genocide – which means addressing serious human rights abuses before they escalate to the point of genocide – the UN and its member states have not treated the prevention of such crimes as a global policy priority.

The evidence is as plentiful as it is tragic: there are the mass atrocities that have occurred since the UN’s founding – Cambodia, Bosnia, and Rwanda among them – and those ongoing today, including in Sudan, Democratic Republic of Congo, Burma/Myanmar, and Somalia.

As a way to avert such crises in the future, the Secretariat needs to enhance the UN’s mass-atrocity prevention efforts.

In July 2004, former UN Secretary-General Kofi Annan created an Office of the Special Adviser for the Prevention of Genocide (OSAPG) and appointed Juan Mendez to lead the office.<sup>3</sup> In May 2007, UN Secretary-General Ban Ki-moon made the position full-time and appointed Francis Deng to replace Mr. Mendez.<sup>4</sup> This year, Mr. Ban also appointed a Special Adviser on the emerging norm the “responsibility to protect.”<sup>5</sup>

These entities – the Office of the Special Adviser for the Prevention of Genocide (OSAPG) and the special adviser on the responsibility to protect should work together under an expanded mandate, in regular communication with relevant UN bodies.

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<sup>3</sup> UN News Centre, *Annan chooses former political prisoner as his first Special Adviser on genocide*, 12 July 2004, available at <http://www0.un.org/apps/news/story.asp?NewsID=11312&Cr=genocide&Cr1=>.

<sup>4</sup> UN Department of Public Information, *Secretary-General Appoints Francis Deng of Sudan as Special Adviser for Prevention of Genocide*, SG/A/1070, 29 May, 2007, available at <http://www.un.org/News/Press/docs/2007/sga1070.doc.htm>.

<sup>5</sup> UN Department of Public Information, *Secretary-General Appoints Edward C. Luck Special Adviser for Prevention of Genocide*, SG/A/1120, 21 Feb., 2008, available at <http://www.un.org/News/Press/docs/2008/sga1120.doc.htm>.

With this as background, we recommend that the Secretary-General and the UN system support the OSAPG and related advisers to:

- Create and maintain an early warning system that has access to information from throughout the UN system, as well as outside sources;
- Engage experts both in and outside of the UN for risk assessments of particular countries or regions;
- Recommend to the UN Security Council both public and private diplomatic approaches for each situation as well as scenario plans for possible civilian protection operations;<sup>6</sup> and
- Conduct and encourage ongoing prevention activities in particular cases.

**TO LEADING MEMBER STATES:**  
**CHAMPION THE WORK OF THE UN'S OFFICE ON GENOCIDE PREVENTION.**

To be effective, the Office of the Special Adviser on the Prevention of Genocide and related advisers need champions among member states. "Friends" groups are one way for member states to take the lead. "Friends of UNAMID," for example, is a group of member states providing leadership on the peacekeeping mission in Darfur. There is also a friends group on the responsibility to protect.

As a first priority, nations that are champions of prevention could make sure that the expertise of special advisers on issues related to mass atrocity crimes are prioritized within the UN system. For example, champions of the OSAPG could request a monthly report to the Security Council on countries of concern and see that information flows to and from the OSAPG. Member states could also take the lead in ensuring that the OSAPG's reports lead to action, as appropriate.

Member state champions could also utilize the prominent individual supporters of the OSAPG, a group of eminent persons who serve on the OSAPG's Advisory Committee on Genocide Prevention.

The committee was created by Secretary-General Annan in 2006 to "provide guidance and support to the work of the Secretary-General's Special Adviser on the Prevention of Genocide ... and contribute to the broader efforts of the United Nations to prevent genocide." Its members include: Roméo Dallaire of Canada, Canadian Senator and former Force Commander of the United Nations

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<sup>6</sup> Such recommendations would be developed with member states and experts in the UN and, depending on the situation, would include, as mentioned above, the most effective carrots and sticks of diplomacy, either by the UN or member states.

Assistance Mission for Rwanda; Gareth Evans of Australia, President of International Crisis Group and former Minister for Foreign Affairs of Australia; Roberto Garretón of Chile, former representative of the High Commissioner for Human Rights for Latin America and the Caribbean and former Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo; and Archbishop Desmond Tutu of South Africa, winner of the Nobel Peace Prize and former Chairman of the Truth and Reconciliation Commission of South Africa.<sup>7</sup>

Member states could form or enhance a group of those working to prioritize prevention strategies – and work with the emissaries on the Advisory Committee to help ensure meaningful action to avert or halt atrocities.

**TO NATIONAL GOVERNMENTS:**  
**ADOPT A PREVENTION FRAMEWORK FOR MASS ATROCITY CRIMES**

Every nation should develop a domestic genocide and mass atrocity prevention policy, which would be overseen by a highest-level official with the prevention of atrocity crimes as a central responsibility.

The high-level Genocide Prevention Task Force, co-chaired by former Secretary of State Madeleine Albright and former Secretary of Defense William Cohen, released genocide prevention recommendations for US policymakers on December 8, 2008. *Preventing Genocide: A Blueprint for US Policymakers* included detailed recommendations on early warning, prevention, and preventive diplomacy. The first set of recommendations supported US leadership and recommended that the Obama Administration:

- Demonstrate that preventing genocide and mass atrocities is a national priority;
- Develop and promulgate a government-wide policy on preventing genocide and mass atrocities;
- Create a standing interagency mechanism for analysis of threats of genocide and mass atrocities and consideration of appropriate action; and
- Launch a major diplomatic initiative to strengthen global efforts to prevent genocide and mass atrocities.<sup>8</sup>

Other national governments should consider reviewing these recommendations, and at a minimum, designate a senior and respected official, someone with ready access to the head of state, to develop a national response in cases of potential genocide, war crimes, ethnic cleansing, and crimes against humanity.

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<sup>7</sup> UN Department of Public Information, *Secretary-General Appoint Advisory Committee on Genocide Prevention*, SG/A/1000, 3 May, 2006, available at <http://www.un.org/News/Press/docs/2006/sga1000.doc.htm>.

<sup>8</sup> *Preventing Genocide: A Blueprint for US Policymakers*, Madeleine Albright and William Cohen, co-Chairs, Genocide Prevention Task Force, 8 Dec., 2008, at 6 – 9, available at [http://www.usip.org/genocide\\_taskforce/index.html](http://www.usip.org/genocide_taskforce/index.html).

**TO THE SECURITY COUNCIL:**  
**DEBATE CIVILIAN PROTECTION**

In the absence of consequences for the perpetrators of past mass atrocity crimes, little will deter future would-be mass murderers. If the international community claims to view these crimes as extraordinary, but does not act to stop them, impunity is given free reign.

To be credible, the international community needs to be able to follow words with deeds – and to uphold its obligation to protect civilians from systematic slaughter based on identity. Preventive diplomacy is the preferred method for addressing atrocity crimes – de-escalating the situation before mass violence begins and positions become entrenched.

It would be imprudent, however, not to have a contingency plan if or when all else fails. The idea of a permanent civilian protection capacity based at the UN has been discussed since the founding of the body.

While civilian protection operations are similar to traditional military missions, situations where mass atrocity crimes are ongoing or brewing require additional strategic consideration.<sup>9</sup> Dealing with indicted officials, refugee flows, and camps for the displaced present unique challenges as does working alongside humanitarian organizations in areas where there is ongoing fighting.

At a minimum, leading nations and the UN should create scenario plans for civilian protection in the full range of situations that have the potential to descend into atrocity crimes. To put plans into action, however, requires peacekeepers trained in the specific requirements of a civilian protection mission.

As part of its commitment to prioritizing prevention strategies, we urge the international community to debate the costs and benefits of a permanent, well-trained, well-equipped civilian protection capacity at the United Nations. Some proposals already in circulation include having militarily capable nations pre-commit troops and equipment to such missions and train regional organizations to develop this capacity. The Security Council would, of course, retain the authority to deploy such troops. (For resources on this issue, see Appendix D.)

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<sup>9</sup> See Victoria Holt and Tobias C. Berkman, *The Impossible Mandate?: Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Henry L. Stimson Center, Sep. 2006, available at <http://www.stimson.org/pub.cfm?id=346>.

#### **IV. CONCLUSION: A CALL FOR POLITICAL WILL**

Prevention of genocide, ethnic cleansing, and related crimes is, of course, a moral obligation that is also well-established in international law.

But there are also a variety of pragmatic reasons to prevent these crimes. Beyond the cascade of personal tragedies, the bloodshed and horror, mass atrocities destroy the social fabric of societies – often for generations. Places where genocides have happened are likely candidates for recurrence. The lack of accountability for past crimes extends suffering and creates deep fissures within the society – sometimes crippling development. Future generations are burdened with a communal memory of violence, whether perpetrated or endured.

The problems also bleed into other places and create regional instability. Recent strife in the Congo has created concern that long-simmering ethnic conflict in Rwanda may flare up again. The crisis in Darfur has jeopardized progress made between north and south Sudan, and has spilled into Chad and the Central African Republic.

Finally, prevention strategies not only work to avert human suffering in the short term, but in some cases such diplomacy can lead to long-term systemic change – through peace-building, development, transparency, and a strengthened civil society.

The Mass Atrocity Watch List 2008-09 identifies eight countries of highest concern and 25 others where prevention strategies could be helpful in averting further violence.

Is there the political will to prioritize this issue, and to address these countries as a special class – categorized as at highest of risk? Or, in history's most globalized era, will we face the ignominy of standing by while the worst of human behavior happens again and again?

## **APPENDIX A: DEFINITIONS OF MASS ATROCITY CRIMES**

For the purposes of this report, we have defined “Mass Atrocity Crimes” to be those crimes outlined in the World Summit Document in its declaration that the international community has the responsibility “to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”<sup>10</sup>

Genocide, crimes against humanity, and war crimes are legally defined in the Rome Statute of the International Criminal Court. Ethnic cleansing does not have an officially accepted legal definition, though its meaning is also discussed below.

### **Definition of Genocide**

The Convention on the Prevention and Punishment of the Crime of Genocide, drafted in 1948, defines the term ‘Genocide.’ Article II of the Convention states:

*In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) *Killing members of the group;*
- (b) *Causing serious bodily or mental harm to members of the group;*
- (c) *Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) *Imposing measures intended to prevent births within the group;*
- (e) *Forcibly transferring children of the group to another group.*

This definition is also used in the Rome Statute of the International Criminal Court.

### **Definition of Crimes Against Humanity**

The definition of “crimes against humanity” has evolved over the past century, and overlaps to some extent with other atrocity crimes. The International Criminal Court (ICC) defined crimes against humanity for ICC proceedings. Article 7 of the Rome Statute of the ICC reads:

*For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:*

- (a) *Murder;*
- (b) *Extermination;*
- (c) *Enslavement;*
- (d) *Deportation or forcible transfer of population;*
- (e) *Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;*
- (f) *Torture;*
- (g) *Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;*
- (h) *Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as*

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<sup>10</sup> UN General Assembly, *2005 World Summit Outcome*, A/Res/60/1, 24 Oct. 2005, para. 139.

*impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;*

- (i) Enforced disappearance of persons;*
- (j) The crime of apartheid;*
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.*

### **Definition of War Crimes**

War crimes are defined in the statute that established the International Criminal Court. They include:

1. *Grave breaches of the Geneva Conventions, such as:*
  - a) Willful killing, or causing great suffering or serious injury to body or health*
  - b) Torture or inhumane treatment*
  - c) Unlawful wanton destruction or appropriation of property*
  - d) Forcing a prisoner of war to serve in the forces of a hostile power*
  - e) Depriving a prisoner of war of a fair trial*
  - f) Unlawful deportation, confinement or transfer*
  - g) Taking hostages*
2. *The following acts as part of an international conflict:*
  - a) Directing attacks against civilians*
  - b) Directing attacks against humanitarian workers or UN peacekeepers*
  - c) Killing a surrendered combatant*
  - d) Misusing a flag of truce*
  - e) Settlement of occupied territory*
  - f) Deportation of inhabitants of occupied territory*
  - g) Using poison weapons*
  - h) Using civilians as shields*
  - i) Using child soldiers*
3. *The following acts as part of a non-international conflict:*
  - a) Murder, cruel or degrading treatment and torture*
  - b) Directing attacks against civilians, humanitarian workers or UN peacekeepers*
  - c) Taking hostages*
  - d) Summary execution*
  - e) Pillage*
  - f) Rape, sexual slavery, forced prostitution or forced pregnancy*

### **Definition of Ethnic Cleansing**

Unlike the crimes defined above in the Rome Statute, there is no formal legal definition of “ethnic cleansing,” though its scope is within the definitions of war crimes and crimes against humanity. According to Gareth Evan’s *Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*, ethnic cleansing can include “outright killing, expulsion, acts of terror designed to encourage flight, and rape when perpetrated either as another form of terrorism or as a deliberate attempt to change the ethnic composition of the group in question.”<sup>11</sup>

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<sup>11</sup>Gareth Evans, *Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*, The Brookings Institution, 2008, at 13.

## APPENDIX B: METHODOLOGY FOR THE MASS ATROCITY CRIMES WATCH LIST 2008-09

In order to illustrate that it is possible and necessary to identify a list of nations whose civilian populations are at risk of genocide, ethnic cleansing, or crimes against humanity, the Genocide Prevention Project compiled and compared the findings of respected studies that measure the early indicators of mass atrocity crimes. Although the Mass Atrocity Crimes Watch List 2008-09 is derived based on the findings of five indices and watch lists, the Genocide Prevention Project assumes responsibility for the final table.

The five indices and watch lists used in our report include:

- *Countries at Risk of Genocide and Politicide*, May 2008, prepared by Professor Barbara Harff, Professor of Political Science Emerita, U.S. Naval Academy; Distinguished Visiting Professor, Center for Holocaust and Genocide Studies, Clark University;
- *Peoples Under Threat 2008*, Minority Rights Group International;
- *The Failed States Index* created by The Fund for Peace with the support of The Ploughshares Fund, and published in collaboration with *Foreign Policy* magazine;
- *Genocides, Politicides, and Other Mass Murder Since 1945, With Stages in 2008* by Genocide Watch; and
- Genocide Intervention Network's list of eight countries tracked as "areas of concern" as well as the list of countries on its "radar list."

### About the Indices

Each of these indices and watch lists uses a different methodology for assessing conditions in a region or nation. Some use formal statistical predictive modeling. Others factor in reports from experts and workers in the field, media reports, and other qualitative sources, sometimes in combination with statistical analysis. While each measures a variety of concerns, the majority are explicitly designed to measure atrocity crimes or weighted toward predicting mass atrocity crimes.

### Methodology

The Mass Atrocity Crimes Watch List 2008-09 aggregates the number of times a country appears on the five expert indices used for this report, and their relative rank or score on each of the lists.

Because the expert indices on which we rely all use different systems of measurement, values from each index were normalized before summing to give equal weight to each method. The resulting matrix, especially in Tier 2, highlights those places where the international community could develop prevention strategies, and, as a last resort, civilian protection missions. Tier 1 countries, by and large, require immediate diplomacy as well as increased civilian protection.

### Background on Specific Indices and Watch Lists

#### Countries at Risk of Genocide and Politicide in May 2008

Information at: <http://globalpolicy.gmu.edu/genocide/>

Prepared by Professor Barbara Harff, Professor of Political Science Emerita, U.S. Naval Academy; Distinguished Visiting Professor, Center for Holocaust and Genocide Studies, Clark University.

Barbara Harff has identified six preconditions that indicate possible future cases of genocide and politicide.<sup>12</sup> The preconditions include:

1. State led discrimination;
2. Exclusionary ideology of the ruling elite;
3. Regime type (full autocracy counted as a risk factor);
4. Ethnically polarized elite;
5. Genocides and/or politicides since 1950; and
6. 2006 trade openness.

On Harff's chart of "Countries at Risk," each of these preconditions count as one. They are added together to obtain a total score from zero to six. The highest risk countries are those with four, five, or six of the risk factors present and, according to Harff, need "close monitoring and international engagement."

Those countries exhibiting three risk factors are "medium risk" and require monitoring and engagement. Harff's most recent risk assessment (2008) finds that Burma, Pakistan, and Sudan have all reached a level five.

### **Peoples Under Threat 2008, Minority Rights Group International**

Available at: <http://www.minorityrights.org/837/peoples-under-threat/peoples-under-threat-2008.html>

The Minority Rights Group has constructed its *Peoples Under Threat* for the past three years as a way to identify those countries where civilian populations are at greatest risk of genocide, mass killing, or other systematic violent repression. MRG is careful to point out that this is not to say that such repression *will* occur, but that it *may* occur in the near or medium-term future (bearing in mind that for those countries near the top of the list, violence and often times mass killing is ongoing). The table also recognizes the groups in each state that they believe to be under the most threat.<sup>13</sup>

MRG derives a numerical measure based on ten indicators, which include:

- *Conflict indicators:* The base data used was Monty G Marshall, 'Major Episodes of Political Violence 1946-2007' (Center for Systemic Peace, 2007) and, for self-determination conflicts, Monty G Marshall and Ted R Gurr, 'Peace and Conflict 2005' (CIDCM, University of Maryland, 2005) updated for 2007 using figures from Center for Systemic Peace, MRG and the Heidelberg Institute for International Conflict Research. Self-determinations conflicts in 2007 were ranked on a scale of 0-5 as follows: 5=ongoing armed conflict; 4=contained armed conflict; 3=settled armed conflict;

<sup>12</sup> Politicide is defined by Harff as "political mass murder." See, e.g. Barbara Harff, *No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder since 1955*, Vol. 97, No. 1 Feb. 2003, at 1, available at <http://globalpolicy.gmu.edu/genocide/HarffAPSR2003.pdf>.

<sup>13</sup> Minority Rights Group, *How is the Peoples under Threat table constructed?*, available at <http://www.minorityrights.org/6016/peoples-under-threat/how-is-the-peoples-under-threat-table-constructed.html>.

- 2=militant politics; 1=conventional politics. Major armed conflicts were classified as 2=ongoing in late 2007; 1=emerging from conflict since 2004 or ongoing conflict with deaths under 1,000.
- *Prior genocide or politicide*: Harff, US Political Instability Task Force (formerly State Failure Task Force). 1=one or more episodes since 1945.
  - *Indicators of Group Division*: Failed States Index, Fund for Peace and the Carnegie Endowment for International Peace, 2007.
  - *Democracy/Governance Indicators*: Annual Governance Indicators, World Bank, 2007.
  - *OECD country risk classification*: Organisation for Economic Cooperation and Development, 'Country Risk Classifications of the Participants to the Arrangement on Officially Supported Export Credits', October 2007.

**The Failed States Index created by the Fund for Peace** with the support of The Ploughshares Fund, and published in collaboration with *Foreign Policy* magazine Available at: [http://www.foreignpolicy.com/story/cms.php?story\\_id=4350](http://www.foreignpolicy.com/story/cms.php?story_id=4350)

The US Fund for Peace publishes a Failed States Index (FSI) each year as a means of measuring a state's vulnerability to collapse or conflict. The FSI is determined through the use of the Fund for Peace's Conflict Assessment System Tool (CAST), which rates 12 social, economic, and political/military indicators. CAST is able to index and scan open source articles and reports using Boolean logic. The system indexes and scores the articles based on their meaning relative to the 12 indicators. Internal and external experts then review the scores as well as the articles themselves, when necessary, to confirm the scores and ensure accuracy.<sup>14</sup> The 12 indicators are:

#### **Social Indicators**

1. Mounting Demographic Pressures.
2. Massive Movement of Refugees or Internally Displaced Persons creating Complex Humanitarian Emergencies
3. Legacy of Vengeance-Seeking Group Grievance or Group Paranoia
4. Chronic and Sustained Human Flight

#### **Economic Indicators**

5. Uneven Economic Development along Group Lines
6. Sharp and/or Severe Economic Decline

#### **Political Indicators**

7. Criminalization and/or De-legitimization of the State
8. Progressive Deterioration of Public Services
9. Suspension or Arbitrary Application of the Rule of Law and Widespread Violation of Human Rights
10. Security Apparatus Operates as a "State Within a State"
11. Rise of Factionalized Elites
12. Intervention of Other States or External Political Actors

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<sup>14</sup> The Fund for Peace, *Failed States Index FAQ*, available at [http://www.fundforpeace.org/web/index.php?option=com\\_content&task=view&id=102&Itemid=327](http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=102&Itemid=327).

**Genocide Watch's "Genocides, Politicides, and Other Mass Murder Since 1945,** Available at:

[http://genocidewatch.org/images/Genocide\\_08\\_Genocides\\_and\\_Politicides\\_since\\_1945\\_with\\_stages\\_in\\_2008.pdf](http://genocidewatch.org/images/Genocide_08_Genocides_and_Politicides_since_1945_with_stages_in_2008.pdf)

Genocide Watch uses a ratings system of Stages 1 through 8 to indicate the current situation on the ground in countries at risk. Genocide Watch's stages were determined by the finding that genocide is a process that develops in eight stages: Classification, Symbolization, Dehumanization, Organization, Polarization, Preparation, Extermination, and Denial.

Those countries at Stage 7 are currently at the mass killing stage, meaning they have active genocides, recurring genocidal massacres, or ongoing politicides. The countries in Tier 1 on the Mass Atrocities Watch List are all at Stage 7.<sup>15</sup>

**Genocide Intervention Network's list of countries that are "areas of concern" as well as the countries on its "radar list"**

Available at: <http://www.genocideintervention.net/>

Genocide Intervention Network tracks eight countries as "areas of concern," defined by ongoing systematic violence targeting civilians on a massive scale as of spring 2008. These "areas of concern" include: Darfur, Iraq, eastern Burma, Sri Lanka, Somalia, eastern DRC, eastern Chad, and Central African Republic. GI-Net releases a *Genocide Monitor* bimonthly, giving an overview of the current situation on the ground in its "areas of concern." GI Net also maintains a "radar" list consisting of conflicts they are monitoring closely. The radar also flags conflicts that have come off of the Areas of Concern list, so that they are monitored for relapse. Genocide Prevention Project assigned a score of .66 to "areas of concern" and a score of .33 to "radar" countries.

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<sup>15</sup> See Genocide Watch, *Genocides, Politicides, and Other Mass Murder Since 1945, With Stages in 2008*, available at [http://www.genocidewatch.org/images/Genocide\\_08\\_Genocides\\_and\\_Politicides\\_since\\_1945\\_with\\_stages\\_in\\_2008.pdf](http://www.genocidewatch.org/images/Genocide_08_Genocides_and_Politicides_since_1945_with_stages_in_2008.pdf).

**APPENDIX C:  
MASS ATROCITY CRIMES WATCH LIST 2008-09**

Country	Harff: Countries at Risk of Genocide and Politicide (May 2008) (out of total score 6)	Harff Normalized Score	Peoples Under Threat 2008, Minority Rights Group International (out of total score 26)	MRG Normalized Score	The Failed States Index (out of total score 120)	FSI Normalized Score	Genocide Watch (out of total score 7)	GW Normalized Score	GI Net (area of concern=.66; radar area=.33)	GI-NET Normalized Score	Total Score (Sum of Normalized Scores)
Sudan	5,000	1.625	21,600	1.622	113,000	1.208	7,000	1.286	0.666	1.514	7.255
Burma (Myanmar)	5,000	1.625	20,100	1.510	100,300	1.072	7,000	1.286	0.666	1.514	7.007
Somalia	3,000	0.975	22,800	1.712	114,200	1.221	7,000	1.286	0.666	1.514	6.708
Iraq	3,000	0.975	22,600	1.697	110,600	1.182	7,000	1.286	0.666	1.514	6.654
Pakistan	5,000	1.625	19,200	1.442	103,800	1.110	7,000	1.286	0.333	0.757	6.220
DR Congo	2,000	0.650	19,900	1.485	106,700	1.141	7,000	1.286	0.666	1.514	6.086
Sri Lanka	3,000	0.975	16,600	1.247	95,600	1.022	7,000	1.286	0.666	1.514	6.044
Afghanistan	3,000	0.975	20,900	1.570	105,400	1.127	7,000	1.286	0.333	0.757	5.715
Chad			17,600	1.322	110,900	1.186	7,000	1.286	0.666	1.514	5.308
Nigeria	3,000	0.975	18,900	1.420	95,700	1.023	6,000	1.102	0.333	0.757	5.277
Zimbabwe	3,000	0.975	14,300	1.074	112,500	1.203	6,000	1.102	0.333	0.757	5.111
Ethiopia	2,000	0.650	17,800	1.337	96,100	1.027	7,000	1.286	0.333	0.757	5.057
Israel/Palestinian Territories	3,000	0.975	10,700	0.804	83,600	0.894	7,000	1.286	0.333	0.757	4.716
Central African Republic			15,600	1.172	103,700	1.109	5,000	0.919	0.666	1.514	4.714
Burundi	2,000	0.650	14,800	1.112	94,100	1.006	6,000	1.102	0.333	0.757	4.627
Iran	4,000	1.300	15,700	1.179	85,700	0.916	5,000	0.919			4.314
Uganda			15,300	1.149	96,100	1.027	7,000	1.286	0.333	0.757	4.219
Syria	4,000	1.300	13,500	1.014	90,100	0.963	5,000	0.919			4.196
China	4,000	1.300	11,100	0.834			7,000	1.286	0.333	0.757	4.177
Côte d'Ivoire			15,300	1.149	104,600	1.118	6,000	1.102	0.333	0.757	4.126
Rwanda	4,000	1.300	12,600	0.946	88,000	0.941	5,000	0.919			4.106
Uzbekistan	3,000	0.975	13,700	1.029	93,400	0.999	6,000	1.102			4.105
Colombia			13,200	0.991	89,000	0.952	7,000	1.286	0.333	0.757	3.986
North Korea			11,600	0.871	97,700	1.045	7,000	1.286	0.333	0.757	3.959
Kenya			11,100	0.834	93,400	0.999	7,000	1.286	0.333	0.757	3.876
Nepal	2,000	0.650	14,500	1.089	94,200	1.007	6,000	1.102			3.848
Angola	2,000	0.650	15,300	1.149	83,800	0.896	5,000	0.919			3.614
Bosnia & Herzegovina	2,000	0.650	13,700	1.029	84,300	0.901	5,000	0.919			3.499
Lebanon			15,300	1.149	95,700	1.023	7,000	1.286			3.458
Georgia			11,100	0.834	83,800	0.896	5,000	0.919	0.333	0.757	3.406
Philippines			15,100	1.134	83,400	0.892	6,000	1.102			3.128
Indonesia			14,100	1.059	83,300	0.891	6,000	1.102			3.052
Eritrea			11,300	0.849	87,400	0.934	6,000	1.102			2.885

**APPENDIX D**

The following are excellent resources to include as part of a debate on a permanent civilian protection capacity:

- “The Impossible Mandate?: Military Preparedness, the Responsibility to Protect and Modern Peace Operations,” Victoria Holt and Tobias C. Berkman, The Henry L. Stimson Center.  
<http://www.stimson.org/pub.cfm?id=346>
- Mass Atrocity Response Operations (MARO) Project. The MARO Project facilitates the professional expertise of retired and active U.S. military planners with extensive experience in planning responses to a broad range of complex contingencies, from Darfur to Iraq.  
<http://www.hks.harvard.edu/cchrp/maro/index.php>
- The Carnegie Commission on Preventing Deadly Conflict has an excellent report, Preventing Deadly Conflict.  
<http://www.wilsoncenter.org/subsites/ccpdc/index.htm>
- “Making Intervention Work: Improving the UN's Ability to Act,” by Morton Abramowitz and Thomas Pickering, Foreign Affairs, September/October 2008  
<http://www.foreignaffairs.org/20080901faessay87507/morton-abramowitz-thomas-pickering/making-intervention-work.html>
- Global Action to Prevent War and Conflict produced a report on civilian protection, “A United Nations Emergency Peace Service.”  
<http://www.globalactionpw.org/uneps/publication.htm>