

**Early Warning for Protection:
Technologies and Practices for the Prevention of Mass Atrocity Crimes**

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Role of Civil Society in Advancing the Responsibility to Protect

Opening remarks by

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It is a tremendous honor and privilege to be with you at this conference on Early Warning for Protection. I must say that it is sobering that this conference is taking place in Cambodia where nearly 1.7 million people lost their lives during the genocide.

I am almost certain that similar to the holocaust, in the aftermath of the Cambodian genocide the international community vowed that “never again” should such heinous crimes occur. Yet, we are all too familiar with the horrific mass atrocity crimes that plagued the rest of the 20th century from Srebrenica, to Rwanda and now Burma, Sri Lanka, Sudan and the DRC. These are signs that we as individuals, governments, regional bodies and the international community are still struggling to find the most effective ways to address mass atrocities.

The good news is that we can do better and we must do better in how we prevent and respond to genocide, war crimes, crimes against humanity and ethnic cleansing. Early warning including through the use of new technology can play an important role in the prevention of mass atrocities. However, the assessment of the information collected is equally important as it provides the analysis that is vital in devising policy recommendations that shape the course of actions needed to address a particular crisis.

NGOs working in coalition have been essential partners and core movers in such historic initiatives as the creation of the International Criminal Court and the adoption of treaties banning anti-personnel landmines and the use of child soldiers. I was asked to provide a brief overview of the role of civil society organizations in promoting the Responsibility to Protect, galvanizing support and increasing understanding of this emerging norm.

The endorsement of the RtoP represents a paradigm shift and a historic commitment to transcend the concept of sovereignty by agreeing that states and the international community have a responsibility to protect populations from genocide, war crimes, crimes against humanity and ethnic cleansing. RtoP is a vital new tool for civil society to hold governments and the international community accountable when they are manifestly failing to respond to grave threats against humanity.

I. Background on civil society efforts to build support for the Responsibility to Protect principles

The International Coalition for the Responsibility to Protect was launched in January 2009, although civil society has been engaged in the promotion of RtoP since 2001 when the report from International Commission on Intervention and State Sovereignty (ICISS) was first released.

Just very quickly by way of background, my organization, WFM-IGP was approached by the government of Canada to hold a series of consultations with NGOs to get their views on the ICISS report and the concept of RtoP. In 2003, WFM-IGP established the Responsibility to Protect-Engaging Civil Society (R2PCS) Project. During our consultations, it became clear that NGOs around the world were drawn by the broad concept of sovereignty as responsibility and its application to mass atrocity crimes. These groups embraced RtoP with the caveat that it should not become a mask for self-interested military intervention.

During the 2005 World Summit of heads of states and governments, the R2PCS project successfully worked very closely with NGO colleagues and governments to ensure that RtoP would be included in the Summit Outcome document, and that the main principles of the norm would be preserved throughout the negotiations.

After the World Summit, a group of international NGOs, including International Crisis Group, Human Rights Watch, Oxfam International, Refugees International and WFM-IGP met regularly to discuss how to sustain momentum for R2P, avert political and conceptual rollback from 2005, and move toward implementation.

These consultations resulted in the founding of two pronged strategy to drive RtoP forward: the International Coalition for the Responsibility to Protect (ICRtoP), focused on fostering and galvanizing global civil society support for RtoP and enabling this global membership to maximize local impact in favor of implementation, and the Global Centre for the Responsibility to Protect (GCR2P), devoted to research and policy development.

The founding NGOs believed that if RtoP was to be accepted, it was not possible to have only a group of Western based NGOs on board. We needed a larger more diverse global constituency of international, national and local civil society organizations from around the world working in cooperation with like-minded governments to advance the implement the norm.

II. Founding of the International Coalition for the Responsibility to Protect

The strategy to build a Coalition for RtoP was based on the belief that the process of rendering a norm into a reality on the ground requires extensive work on the part of numerous players. Civil society —particularly those located in Asia, Africa, Europe and Latin America— would have an important role to play in the implementation of the RtoP norm.

For NGOs and civil society to be most effective in advancing RtoP, it would be necessary to build partnerships across national boundaries to encourage the formation of an international movement. The movement can then draw upon the local expertise of those NGOs which have specific knowledge of internal developments in countries facing potential or current atrocities, know how to mobilize the public and the media in their constituencies, and have experience in lobbying governments where they are located.

We have all seen the power of NGOs working in coalition in historic initiatives such as the creation of the International Criminal Court, and the adoption of treaties banning anti-personnel landmines and the use of child soldiers. If mobilized appropriately, we believe that civil society can achieve similar success in relation to RtoP.

To build a global coalition with representation from both Northern and Southern NGOs, in 2008, the R2PCS project held a series of NGO roundtables in Africa, Asia, Latin America, North America, and Europe to (1) raise awareness and support for the RtoP agenda among a cross-section of NGOs; (2) identify partners to join a core group of RtoP supporters; and (3) develop goals, principles, and activities for NGOs to work together in a coalition to advance the norm.

This process helped identify eight organizations to serve on the founding Steering Committee of the Coalition and devise priorities for the coalition founding goals which are: this group then met in New York on 27-28 January 2009 to discuss the founding principles, purposes, structure, and priorities of a coalition for RtoP. The organizations agreed to a common understanding of the RtoP and to the founding goals of the International Coalition for the Responsibility to Protect (ICRtoP):

- Strengthen normative consensus for RtoP at the international, regional, sub-regional, and national levels;
- Push for governments, regional, and sub-regional organizations and the UN to strengthen capacities to prevent and halt genocide, war crimes, ethnic cleansing, and crimes against humanity;
- Further the understanding of RtoP among governments, NGOs, and the public;
- Help build and fortify a like-minded group of governments in support of RtoP; and
- Mobilize NGOs to push for action to save lives in RtoP country-specific situations.

Main achievements:

We have contributed to two successful General Assembly deliberations on RtoP

Over a period of three days, Member States demonstrated not only deep interest in the debate, but made a strong show of support for implementing their 2005 World Summit commitment. Concerned that the debate could be used as an opportunity to roll back the 2005 commitment, NGOs worked closely with like-minded governments and other supporters to marginalize the opponents leading up to the debate.

Pushed for normative advancement of RtoP at the international and regional levels.

The Coalition was involved in pushing for the adoption of several NGO resolutions in advance of regional summits in Africa, for example with the African Commission on Human and Peoples' Rights and the East Africa Community.

Increased awareness of the norm among a broad range of actors.

In addition to increasing understanding of RtoP, we have been able to dispel some myths especially about the use of force and the difference between RtoP and humanitarian intervention. Finally, we have been showed that many cultures around the world integrate the notion of non-indifference to the suffering of others, which is the essence of RtoP.

III. Main challenges facing RtoP advocates

Going forward, advocates of RtoP face a variety of challenges: political, normative and operational.¹ For the purposes of this presentation, there are four challenges I would like to highlight.

Limited awareness and understanding of RtoP

While the awareness gap is progressively closing, one major challenge is that few officials in government, much less the general public, know of the 2005 pledge on the Responsibility to Protect. Among those who are familiar with the term, there is still substantial misunderstanding of what it is intended to address. Often it is narrowly equated with military intervention while others extend RtoP to the protection of populations from all threats, including global warming and HIV/AIDS.

Moreover, some governments, NGOs and scholars continue to use the ICISS report as a point of departure rather than what governments agreed to in 2005 World Summit Outcome Document or what was expressed in the Secretary General's 2009 Report on RtoP. This means that while there is certainly more exposure to the concept, there is a corresponding need for RtoP experts and supporters to continue to clarify and ensure that RtoP is not misused or misrepresented.

Relevant and overlapping agendas

The Coalition is committed to integrating a gender perspective to its work. membership with NGOs who are committed to promoting RtoP. However NGOs explicitly working on RtoP are few so we look to find new NGO partners working on related agendas, such as on human security, protection of civilians, human rights and peacebuilding. The challenge here is explaining how RtoP is distinct from these agendas but also complementary and that groups who work on related mandates should consider their support for RtoP. Many NGOs continue to ask how RtoP will help them in their existing work.

Lack of normative entrenchment

Apart from the 2005 World Summit Outcome Document, the two subsequent Security Council endorsements, the 2002 African Union Constitutive Act, the 2007 resolution from the African Commission on Human and People's Rights, as well as several

nonbinding resolutions in the European Parliament, there are few explicit international or regional or sub regional normative reaffirmations of RtoP principles . In the Asia-Pacific, Latin American, and Caribbean regions, no institutions have yet endorsed R2P.

Without widespread institutional acceptance of R2P at the national, sub-regional and regional levels, governments are less likely to establish effective mechanisms to specifically prevent and halt mass atrocities such as early warning system and reaction capabilities. Such endorsements also lend civil society greater leverage in holding governments accountable for their protection responsibilities and building political will within the international community to take action to prevent and halt atrocity crimes.

Lack of operational readiness

Even if or when there is a will to act, there are enormous problems with reaction in cases of genocide, war crimes, crimes against humanity and ethnic cleansing. While some regions and sub-regions have adopted treaties, conflict-specific resolutions and protocols relating to prevention, reaction and rebuilding in instances of mass atrocities, the challenge is whether these institutions will turn institutional commitments into operational readiness. Some regions have recently begun to put mechanisms in place to address prevention and reaction of mass atrocities, such as ECOWARN or the European Union battle groups. However, as exemplified in the failure of the AU and UN to protect civilians in Darfur, even established mechanisms are still confronted by significant operational limitations (logistical, human and/or financial). Finally, some regions and sub-regions do not have normative endorsement recognizing the responsibility to protect populations from mass atrocities and thus are unlikely to put in place mechanisms to do so.

We believe that the advancement and institutionalization of early warning and assessment within the international community, as represented by the United Nations, is of paramount importance to the development of the Responsibility to Protect. The mandate of the Responsibility to Protect is, first and foremost, to prevent genocide, war crimes, crimes against humanity and ethnic cleansing, at the earliest stage possible; and (as stated in the SG's report on Early Warning...), early engagement/early action is unlikely to happen without early warning and the assessment of early warning information.