

# First International Meeting of “Global Action Against Mass Atrocity Crimes” (GAAMAC), 4-6 March 2014

## Chair Statement

*San José, Costa Rica, 6 March 2014 (08.05.2014)*

### 1. Introduction

In Dar es Salaam in March 2013, six of the states engaged in the prevention of genocide and responsibility to protect networks – Argentina, Australia, Costa Rica, Denmark, Switzerland and Tanzania – decided to create “Global Action Against Mass Atrocity Crimes” (GAAMAC) and to hold its first international meeting one year later in Costa Rica. During this workshop a fruitful dialogue took place among these six states and representatives of the United Nations, regional and non-governmental organisations as well as individual experts.

The first international meeting of GAAMAC was held in San José, Costa Rica, from 4-6 March 2014. The aim of the meeting was to convene governments active in genocide prevention and implementing the responsibility to protect and their national focal points, discuss good practices, share learning and explore ways of strengthening their commitment at the national level.

The meeting brought together diverse communities, both governmental and non-governmental, and experts involved in topics related to the prevention of mass atrocity crimes, including security sector reform, early warning, protection of civilians, prevention of genocide, responsibility to protect, international justice, transitional justice, business and human rights, minority rights and humanitarian assistance. These different communities reflected the diversity and complementarity of the actors and issues involved that are crucial to the prevention of atrocity crimes. There was a total of 127 participants, including representatives from 52 states, the United Nations, regional organisations, international non-governmental organisations (NGOs), and experts in the prevention of mass atrocity crimes.

The meeting was designed to maximise opportunities for participants’ interaction and exchange through the use of plenary sessions with high-level speakers, good practice workshops organised around topics related to atrocity prevention, and working groups focusing on ways to move forward. The meeting was conducted in English with simultaneous interpretation into French and Spanish during plenary sessions.

The meeting:

- Emphasised that engagement at the national level is key to the prevention of mass atrocity crimes: the crime of genocide, war crimes, crimes against humanity, and ethnic cleansing;
- Identified current needs and challenges that governments are facing when engaging in prevention of atrocity crimes at the national level;
- Discussed how to operationalise prevention through national policies and architectures;

- Invited the participants to identify what kind of support the newly created GAAMAC platform could bring to this community of states;
- Explored the role of international and regional organisations in supporting national prevention structures and identified good practices in this regard.

Opening messages were addressed (in order) by His Grace Desmond Tutu, Archbishop Emeritus of Cape Town, H.E. Ms Yasmine Chatila Zwahlen, Ambassador of Switzerland to Costa Rica, and H.E. Mr Luis Fernando Salazar, Vice Minister of Foreign Affairs and Worship of Costa Rica.

During the meeting, Mr Adama Dieng and Ms Jennifer Welsh, UN Special Advisers to the UN Secretary-General on the Prevention of Genocide and on the Responsibility to Protect, Mr Gareth Evans, Chancellor of the Australian National University, and Ms Navi Pillay, UN High Commissioner for Human Rights, shared some important insights by video on how to advance in the prevention of atrocity crimes.

Ms Fatou Bensouda, Prosecutor of the International Criminal Court, and Professor Yehuda Bauer from the Hebrew University of Jerusalem, were among the most notable personalities participating in the meeting.

## 2. Main issues raised during the discussions

### **No society is immune: prevention begins at home**

- Many cases of failed prevention were highlighted during the discussions, most notably the situations in Syria, the Central African Republic and South Sudan;
- History shows that neither the level of development nor the sophistication of a society can prevent mass atrocity crimes from happening;
- Prevention is the primary responsibility of each state, with the participation of society at large, as well as a collective and shared responsibility of all states;
- States involved, or willing to be involved, in the prevention of atrocity crimes need to exchange views and ideas and to be exposed to other experiences, examples of good practices and lessons learned. They should take advantage of peer-to-peer counselling and support.

### **The complementarity between state leadership and society's ownership is key for prevention efforts to be effective**

- Prevention policies and support for national architectures should be designed and developed with the active participation of civil society actors and society at large.

### **Dealing with the past and acting against impunity are essential to the non-recurrence of mass atrocity crimes**

- Atrocity crimes generate social harm that endures for generations;
- Memory, truth, justice, reparation and institutional reform are key to ensure non-recurrence in societies living with a legacy of atrocity crimes;

- In deeply divided societies, a solid base for reconciliation can be provided by rebuilding trust in state institutions, strengthening the rule of law, ensuring inclusion and equality of rights, and designing a new social contract;
- Impunity increases the risk that atrocity crimes will recur.

### **Implementing norms and standards is a challenge**

- In recent decades, international norms and standards have been extensively developed in fields such as international justice, protection of civilians, human rights, rule of law, human security and international humanitarian law. They have created an important foundation and frame of reference for preventive efforts;
- Nevertheless, there is a huge gap between the development of norms and standards and their implementation;
- Engagement at the national level contributes favourably to the implementation of these norms and standards, and is also essential at the global level.

### **States acknowledge their primary responsibility to protect their population under existing international law**

- The 1948 UN Genocide Convention is an important historical milestone and includes a duty for each contracting party to prevent genocide;
- With the 2005 World Summit adoption of the Responsibility to Protect and its three fundamental pillars, the international community has made historic progress. The first pillar refers to the primary responsibility of each state to protect its populations by preventing genocide, war crimes, ethnic cleansing and crimes against humanity (referred to here as “atrocity crimes”). The second pillar sets out the parallel commitment of the international community to encourage and assist states in fulfilling their responsibility. The third pillar underscores the responsibility of the international community to act collectively to protect populations against atrocity crimes, employing the range of instruments available under the Charter of the United Nations, including its Chapter VII, for a timely and decisive response when states manifestly fail to meet their responsibilities;
- The institutional and operational development of the responsibility to protect continues to be the focus of annual United Nations Secretary-General reports and General Assembly informal dialogues;
- This inaugural GAAMAC meeting focused on how states can fulfil their responsibility at the national level and support each other at a regional level in a spirit of mutual support and non-indifference, and in accordance with existing international law, with the understanding that peace, justice and security are common shared goals of all states, and that all societies are mutually dependent in this endeavour;
- Engagement at the national level is key for global efforts to prevent atrocity crimes but there still remains a gap in terms of implementation.

**Committing mass atrocity crimes requires preparation and premeditation. Early warning in itself may not be sufficient to prevent atrocity crimes if it does not lead to timely decisions and action**

- Committing mass atrocity crimes requires preparation and premeditation, thus it provides opportunities and time to identify potential risks and act upon them;
- Early decision-making based on an authoritative risk assessment is critical for prevention;
- Acting at an early stage increases the possibility of reversing destructive dynamics; whereas inaction increases unpredictability and risks.

**It is important to understand the roots and dynamics of mass atrocity crimes in order to prevent them at the earliest possible stage**

- Understanding what can lead to mass atrocity crimes and addressing the different factors in a timely and efficient manner at the national level within the constitutional and legal framework is the most efficient way to prevent mass atrocity crimes;
- Understanding the cultural, historical, religious and socio-economic context of each society is crucial for the effectiveness and legitimacy of preventive strategies;
- Prevention of atrocity crimes needs to be context-specific and nationally owned and led.

**Prevention is an ongoing, continuous endeavour that needs to be included as a priority on the national agenda**

- Political will, knowledge, technical capacity and financial resources are critical in moving from commitment to implementation;
- It is easier to establish a national architecture and prevention policy in times of peace and security than in times of crisis;
- The existence of a prevention policy and supporting institutional architectures can also contribute to stability, peace and security.

### **3 Examples to take forward**

The meeting provided an opportunity for participants to share some promising initiatives and emerging good practice that is taking place across different continents, such as:

- The Protocol on the Prevention of Genocide, developed by the International Conference on the Great Lakes Region, signed by 12 states and so far ratified by ten;
- Examples of security sector reform or administrative vetting processes in several countries devastated by authoritarian regimes or following peace agreements;
- Truth, historical, investigation and fact-finding commissions;
- National and international prosecutions of atrocity crimes;
- Memorialisation, history books and other education efforts, as well as processes aimed at dealing with the past, including transitional justice initiatives;

- Business and human rights initiatives, such as the “voluntary principles on extractive industries”;
- The establishment of a multi-layered “infrastructure for peace” in several countries;
- Policies for constructive management of diversity.

These initiatives can be considered as a positive heritage of an emerging community of commitment and practice. Sharing these good practices contributes to enriching the array of resources at the disposal of this emerging community.

The International Conference on the Great Lakes Region, the Latin American Network for Mass Atrocity and Genocide Prevention, the Global Network of Focal Points for the Responsibility to Protect, the Budapest Centre for the International Prevention of Genocide and Mass Atrocities, the International Network of “infrastructures for peace”, the Genocide Prevention Advisory Network and GAAMAC, are all examples of networks and frameworks in which actors engaged at different levels can meet and share good practice regarding national, international prevention architecture and international cooperation in this field.

## 4. Recommendations

### Recommendations to states that are engaged or willing to engage in mass atrocity crime prevention

Building a national architecture for the prevention of mass atrocity crimes requires a conducive legal framework, identification of actors and communities that will be involved in the process, and funding allocated through the national budget. Each state is recommended to build a prevention architecture taking into account both the international responsibilities it has subscribed and the specific context within which it operates.

The main recommendations discussed included the following:

1. **National architecture:** Where focal points for prevention of atrocity crimes have not yet been named, consider appointing a focal point. Take a systemic approach and attribute a coordination function to the national focal point.
2. **Legal framework:** Develop resilient legal frameworks for the protection of populations that are resistant to short-term political volatility and compatible with regional and international norms and treaties. Ratify, domesticate and implement international human rights and humanitarian law covenants and agreements.
3. **Actors in charge:** Engage actors at multiple levels within and across the state, including the executive, the parliament, the judiciary, the security actors, education and health providers at the local, national and regional level, and cooperate with non-state actors such as local communities, religious leaders, the media, NGOs, academia and the private sector.
4. **Funding:** Allocate resources and funding within the national budget to support the national architecture, planning and implementation where and if possible.
5. **Cooperation with regional and international actors:** As required, engage regional and international actors, including the United Nations, in the development of national

capacities and in the design of prevention options, both with regard to current crises and to the creation of structures for the resilience to address future challenges.

6. **Cooperation:** Join and participate in the different existing networks that provide a diversified framework for discussions about national and international cooperation or a platform for exchange of best practice and lessons to be learned; among them as the International Conference on the Great Lakes Region, the Latin American Network for Mass Atrocity and Genocide Prevention, the Global Network of Focal Points for the Responsibility to Protect, the Budapest Centre for the International Prevention of Genocide and Mass Atrocities, the International Network of “infrastructures for peace”, and the Genocide Prevention Advisory Network.

### **Recommendations to GAAMAC**

GAAMAC is an open and inclusive, global, state-led effort to further strengthen national architectures for prevention of atrocity crimes, in a spirit of complementarity with existing initiatives.

GAAMAC focuses on creating an efficient, complementary platform for the exchange of experiences, good practice, lessons to be learned, and additional peer learning, and the sharing of knowledge and public policies for the prevention of mass atrocity crimes.

GAAMAC builds partnerships with existing initiatives dealing with the prevention of mass atrocity crimes and works in close cooperation with states, non-state actors and regional / international organisations.

The main recommendations discussed included the following:

#### **A. Role and function**

1. Facilitate, when appropriate, dialogues on atrocity prevention among existing networks and initiatives, inter-governmental, regional, and civil society actors.
2. Act as a platform for the exchange of ideas and good practice, in particular through the website, with the view to establishing a virtual community of committed members, providing a space and opportunities for regional exchange of experiences, lessons to be learned and challenges.
3. Act in complementarity to existing networks and initiatives and be mindful of resource constraints.
4. Foster synergies among communities involved in the responsibility to protect, genocide prevention, justice, security sector reform, infrastructure for peace, transitional and international justice and business.
5. Provide a platform for experience sharing, peer-to-peer support and access to expertise where applicable.
6. Facilitate access to expertise and capacities by linking via a virtual platform, the needs and opportunities for training, knowledge and technical support with the existing experience, capacities and expertise accumulated by states, civil society, resource persons, regional and international organisations and institutions associated with GAAMAC.

## **B. Next steps**

The main recommendations for next steps include the following:

1. Further clarify and elaborate GAAMAC's future role and potential added value in regard to existing initiatives and efforts dealing with the prevention of mass atrocities.
2. Jointly develop a mission statement for GAAMAC to be discussed during the next meeting.
3. Propose principles for being associated on a voluntary basis with GAAMAC.
4. Develop ideas for GAAMAC to serve as a hub for mapping existing structures, networks and resources that are available to this community.
5. Organise a meeting in 2015, in close coordination with other similar meetings.
6. Remain in touch via regular updates with the community of states, civil society organisations and other relevant actors, in particular through the website, and reach out to further states in order to invite them to participate in GAAMAC.