

FOUNDING DOCUMENT

BACKGROUND

1. The first international meeting of GAAMAC (Global Action Against Mass Atrocity Crimes) was held in San Jose, Costa Rica from 4-6 March 2014 following a collaborative engagement among six Member States (Argentina, Australia, Costa Rica, Denmark, Switzerland and Tanzania) and representatives of the United Nations, regional and non-governmental organisations (Auschwitz Institute for Peace and Reconciliation, Global Centre for R2P, International Coalition for RtoP, FXB Center for Health and Human Rights at Harvard University, School of Diplomacy and International Relations at Seton Hall University, and the Stanley Foundation). These partners are continuing to collaborate in order to enrich the array of resources at the disposal of this emerging community working on the prevention of atrocity crimes. GAAMAC commits itself to expand the number of partner States and NGOs in order to reach the widest possible geographic representation.
2. The purpose of this document is to outline the mission of GAAMAC and its operational framework.

MISSION STATEMENT

3. GAAMAC is a global, inclusive, state-led voluntary network of partners that support, are interested in or are involved in atrocity prevention. It intends to support states that wish to develop national architectures for the prevention of atrocity crimes in collaboration with other atrocity prevention initiatives, networks and actors.
4. GAAMAC's objective is to provide an open and global forum to facilitate greater international cooperation, networking, exchange of experience, trusted peer-to-peer support, sharing of information and provision of expertise amongst States and Organisations interested in operationalising the prevention of atrocity crimes, namely genocide, war crimes, ethnic cleansing, and crimes against humanity.
5. To achieve this, GAAMAC will link different communities of practice and stakeholders with each other to improve communication, encourage collaboration and maximize the contributions that each can make in atrocity prevention efforts between and amongst states, civil society and the private sector, as well as with regional and international organisations.
6. In light of the conclusions of the first GAAMAC international meeting and the July 2014 Report of the UN Secretary General¹ "Fulfilling our collective responsibility: international assistance and the responsibility to protect" and its recommendation to move from "the realm of rhetoric into concrete action", to "prioritize prevention", and to encourage states

¹ United Nations (2014). Fulfilling our collective responsibility: international assistance and the responsibility to protect. Report of the Secretary-General. A/68/947 S/2014/449.

“to meet their responsibility to protect by building national capacities to prevent atrocity crimes through training, institution-building and active sharing of best practices”, GAAMAC identifies the following issues as relevant to atrocity prevention:

6.1. States have a primary responsibility to protect their populations under existing international law as acknowledged in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide which obligates the contracting parties to prevent genocide. The articulation of the three fundamental pillars of Responsibility to Protect in the 2005 World Summit Outcome Document constitutes a further statement of States’ political commitment to uphold their international legal and protection obligations.

6.2. No state is immune. Atrocity crimes can occur in any society, regardless of its level of development, thus preventive efforts must be made early, in manifold ways and at multiple levels. Prevention begins at home and should be a continuous endeavour and a priority on the national agenda. The existence of a national atrocity prevention policy and supporting institutional mechanisms will also contribute to sustainable stability, to peace and security.

6.3. Identifying and understanding the root causes, dynamics, and risk factors of atrocity crimes and addressing them in a timely and efficient manner at the national level constitutes the first step in designing comprehensive preventive strategies.

6.4. In keeping with the principle of “inclusiveness”, effective prevention policies and national architectures should be designed and developed with the active participation of local civil society actors and society at large.

6.5. Committing atrocity crimes requires time, preparation and premeditation. Thus, there are multiple entry points for implementation of targeted prevention measures and policies. Firstly, States can prevent atrocity crimes by raising awareness about them. In parallel, they can build and strengthen mechanisms to prevent them. Early assessment (involving national and local actors), early decision and early action should constitute key components of any comprehensive operational national policy. In addition, national strategies should place a focus on strengthening specific “inhibitors” of atrocity crimes such as comprehensive institution building based on the respect of human rights. Overall, States should design and implement policies that enable them to address early signs and risk factors that could lead to the commission of atrocity crimes (as stated in the UNSG 2014 Report A/68/947 S/2014/449), such as the stigmatization of certain groups within society.

6.6. Dealing with the past and taking steps to end impunity with a view to preventing the recurrence of atrocity crimes. A solid base for non-recurrence can be provided by strengthening the rule of law, rebuilding trust in state institutions, addressing needs for truth, memory, justice, reparation and institutional reforms and also by ensuring inclusion and participation in decision-making processes and equality of rights, in particular in deeply divided societies. Impunity increases the risk that atrocity crimes will recur and/or lead to an increased risk of new atrocity crimes elsewhere.

6.7. Political will, knowledge, technical capacity and financial resources are critical in moving from commitment to implementation. Norms and standards in international humanitarian law, transitional justice, human rights, protection of civilians, and rule of law have created an important foundation for atrocity prevention efforts. However, a gap still exists between their development and implementation. In the effort to ensure that international norms and standards for prevention are actually implemented, engagement

at the national level is a key complement to regional and international efforts. If this level is left out, neglected, or insufficiently addressed, prevention may not be effective.

6.8. Atrocity prevention should be embedded in national policy frameworks. For prevention efforts to be successful, it is essential to review existing policy frameworks and integrate an atrocity prevention perspective in the design and implementation of policies connected to broader human rights protection, rule of law, governance and the security sector. Policy frameworks for atrocity prevention should include the training of public officials, in particular those with the authority to use force, apply the law, legislate or design and apply general public policies that have a direct impact on the population.

OPERATIONAL FRAMEWORK

FUNCTIONS

7. GAAMAC, in collaboration with other atrocity prevention initiatives, networks and actors, intends to offer ways and means to strengthen the responsibility of states to develop national architectures for the prevention of atrocity crimes by:

- supporting networks and enhancing linkages among states, civil society and private sector;
- providing a platform for sharing information, exchanging experience and lessons learned, and facilitating dialogue to deepen knowledge and practice;
- encouraging peer-to-peer support for developing and implementing national strategies for prevention; and,
- assisting interested states to strengthen their local capacity to operationalise prevention.

8. GAAMAC encourages all partners to work on atrocity prevention in accordance with their own context and needs and, by way of example, invites them to consider:

8.1. *Assessing local capacities for early warning and early prevention.* National, regional and local capacity to prevent and respond to atrocity crimes can be enhanced by regular assessments of risk factors and vulnerability of different population groups in each country. An assessment of national capacity to resolve conflicts needs to include both formal and informal mechanisms and processes.

8.2. *Taking steps toward developing a national policy and architecture* for the prevention of atrocity crimes including, where possible, designating funding within national budgets to support dedicated human resources, planning, and implementation of mechanisms for atrocity prevention.

8.3. *Developing prevention policies and strategies that are specific,* evidence-based, gender-sensitive, nationally owned and led, derived from best practice, and appropriate to the cultural, historical and socio-economic context. Prevention policies and practices should identify and minimize risk factors for atrocity crimes, include risk assessments, and strengthen inhibitors to the commission of atrocity crimes.

8.4. *Developing and strengthening legal frameworks* for the protection of their populations and implementing international obligations with regard to human rights, humanitarian and criminal law.

8.5. *Engaging actors and facilitating exchange of expertise at multiple levels within and across states to develop prevention policies and national architectures inclusively* with the active participation of civil society. These processes should involve governmental institutions and organs, inter alia, the executive, parliament, judiciary, security actors, national human rights institutions, ombudspersons, and education and health providers, as well as regional and international actors and non-state actors such as local communities, religious leaders, the media, NGOs, academia, think tanks, and the private sector.

8.6. *Exchanging views and ideas in order to develop national measures for the prevention of atrocities* including, inter alia, to develop appropriate policies, establish relevant institutions, counteract hate speech, implement early warning mechanisms, and avoid any support (financial, arms, logistical, etc.) to perpetrators of atrocities.

8.7. *Fostering synergies between relevant communities of practice and disciplines of work involved in atrocity prevention*, inter alia, responsibility to protect, protection of civilians, women, peace and security, human rights, rule of law, justice, security sector reform, infrastructures for peace², transitional and international justice, business and peace, gender, conflict prevention, accountability and transparency, and good governance in the service of enhancing national and global efforts for atrocity prevention.

8.8. *Enhancing complementarity and synergies* by working with and supporting existing networks and by exchanging views and ideas, through a virtual platform that will promote research, disseminate information, and share knowledge, good practices, and lessons learned on prevention efforts as a way of measuring and improving prevention outcomes.

8.9. *Contributing to advancing atrocity prevention at the international level* by sharing lessons learned and good practices on atrocity prevention grounded in national experiences and contributing to multilateral discussions on atrocity prevention on this basis.

8.10. *Contributing to advancing atrocity prevention at the national level* by disseminating information about GAAMAC's purposes and objectives to national and local civil society organisations and encouraging their participation when their work is relevant.

8.11. *Engaging in education or training* on the history, strategies, and tactics of prevention efforts and emphasizing leadership aspects of prevention of mass atrocity crimes.

8.12. *Fostering solidarity among states* by facilitating states to assist and advise each other in setting up national mechanisms for the prevention of atrocities and encouraging the international community to prevent and respond to atrocities.

² "Infrastructures for peace is a dynamic network of interdependent structures, developing human and institutional capacity building, as well as training and mechanisms promoting peace, which, through dialogue and consultation, contribute to conflict prevention and peace-building in a society." UNDP Experience-sharing Seminar on Building Infrastructures for Peace, Naivasha, Kenya, 2-4 February 2010.

GENERAL PRINCIPLES OF PARTNERSHIP

9. As a voluntary, non-binding, informal consultative group, GAAMAC is open for all States and Organisations³ on the following basis:
10. **Any State** or governmental institution may become a partner of GAAMAC by expressing interest to the Steering Group. States may identify one or more contact persons to be included in the GAAMAC mailing list.
11. **Any Organisation** may become a partner of GAAMAC, subject to the approval of the Steering Group, by submitting a letter signed by a senior representative expressing its interest in and motivation for becoming a partner of GAAMAC, endorsing the GAAMAC Founding Document, and confirming and demonstrating commitment to support atrocity prevention. The organisation shall appoint a representative as contact person for GAAMAC.
12. All GAAMAC partners are expected to support the mission, function, operational modality and principles of partnership of GAAMAC as set out in this Founding Document.
13. **All GAAMAC partners are invited to:**
 - Take part in the biennial GAAMAC global meeting and participate in initiatives undertaken by GAAMAC, as appropriate;
 - Share ideas, experiences, good practices, and lessons learned about prevention of atrocities at national and regional level via the GAAMAC online platform (for example, via website, listserv, e-discussions, online bulletin boards, and other modalities for exchange of knowledge and expertise);
 - Request and/or offer expertise and assistance via the provision of technical assistance, peer-to-peer support and advice;
 - Receive regular updates about activities and information (via electronic newsletters, the GAAMAC website, etc.); and
 - Suggest new GAAMAC initiatives and collaborate toward their realization.

OPERATING STRUCTURE

14. GAAMAC will have the following structure:

The **GAAMAC global meeting** is comprised of all GAAMAC partners and invited guests and meets every two years for an international thematic GAAMAC meeting. Ad hoc meetings may be convened as necessary with the approval of the Steering Group and can take place via video- or teleconference.

15. The **GAAMAC Steering Group** is composed of:

- partner states that endorse the Founding Document and wish to take a more active role in GAAMAC

³ The term "organisation" refers to a non-governmental organisation, private sector entity, academic institution, intergovernmental entity or initiative, or regional or international organisation (or subsidiary thereof).

- partner organisations that are actively supporting the development of national prevention architectures.
16. The Steering Group will initially be comprised of states (Argentina, Costa Rica, Denmark, Switzerland, and Tanzania)⁴ and civil society organisations (AIPR, GCR2P, ICRtoP, FXB Center for Health and Human Rights at Harvard University, School of Diplomacy and International Relations at Seton Hall University, and Stanley Foundation) with the support of the UN Office of the Special Advisors on the Prevention of Genocide and the Responsibility to Protect. Acknowledging that the Steering Group should represent different regions of the world and a diversity of experience as much as possible, it will be open to new members and will adjust its size to meet these criteria while at the same time maintaining efficiency.
 17. All decisions on the development and activities of GAAMAC will be made by the Steering Group through consensus.
 18. A **Chairperson** is selected by the Steering Group. The Chair shall organize and chair Steering Group meetings, convene the biennial global meeting, and provide reports on GAAMAC activities and required documents with assistance from the Support Team. In principle, the Chair should rotate every two years, allowing for sufficient time for good preparation of the turnover.
 19. GAAMAC partners may create **working groups** for specific thematic areas of interest, subject to the approval of the Steering Group.
 20. The **Support Team** is a small and flexible ‘virtually connected’ group whose primary tasks are to: (1) provide assistance to the GAAMAC Steering Group and its Chair; (2) facilitate internal and external communication; and (3) maintain the voluntary Community of Practice, the website and communication vehicles. The Support Team reports to the Steering Group through the Chair. In 2017, the Steering Group will review and determine the most appropriate structure, operation, financing and location of the Support Team for the long term on the basis of the development and needs of GAAMAC, bearing in mind that it shall remain a flexible and light structure.⁵

WORKING MODALITIES

21. GAAMAC is an informal state-led network, operating through the voluntary cooperation of its partners with no authority to take legally binding decisions. The GAAMAC global meeting, the GAAMAC Steering Group, the Chair and the Working Groups will operate by consensus, based on the spirit of trust, constructive multicultural cooperation, solidarity, and transparency.
22. GAAMAC operates in a transparent, voluntary, flexible and inclusive manner. It acts firmly in accordance with the principles of subsidiarity and complementarity to existing frameworks, mechanisms and nongovernmental entities working on

⁴ As per 30 June 2015, some of the state partners are still undergoing their national approval process for official endorsement.

⁵ Initially the Support Team is supported by Switzerland and any other partner that wishes to do so.

prevention, ensuring non-duplication. Its actions and activities are conducted in full and mutual communication and collaboration with those existing networks and actors, in order to optimize the comparative advantages of its partners and build synergies among them.

23. GAAMAC does not intend to create any obligations between the states or other parties nor a formal structure.

FINANCES

24. Partners and possibly private foundations and other donors, may voluntarily contribute funds, in-kind support and other resources to GAAMAC for the Support Team, website development or other activities. Any cost directly incurred by a partner state or organisation arising from the initiatives contemplated in this document are borne by the partner that incurs them, unless other arrangements have been decided. The Steering Group shall fully consult amongst its members and review contributions of private foundations and donors in advance of reaching a decision on their acceptance.

MODIFICATIONS

25. This document has been approved by the Steering Group and can be amended by the Steering Group. It will be presented at the second GAAMAC global meeting.