



Submitted by **Scientific Association of Young Political Scientists EONEPE**

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[www.eonepe.org](http://www.eonepe.org)

For:

**United Nations Office of the Special Adviser on the Prevention of Genocide**

**Inputs for the 2013 Report of the Secretary-General on the responsibility to protect**

**Question:**

**1. Beyond what is already identified in the Analysis Framework of the Office, what factors or trends contribute to increasing the risk of genocide, war crimes, ethnic cleansing and crimes against humanity? Which factors are specific to certain crimes and which factor could apply to all four atrocity crimes? Under what circumstances is a situation more likely to deteriorate?**

The international community has extensively identified the factors and/or actors responsible for atrocity crimes according to the Analysis Framework of the Office. Additional factors that may increase the risk of those crimes include non-representative governance, increased presence of transnational criminal organizations and/or terrorist networks accountable for political instability. Additionally, state corruption affiliated with the exploitation of mineral resources, by state and non-state actors such as armed opposition groups and international corporations, to fuel conflicts and illicit weapon trade contribute to the risk increase of atrocity crimes. Marginalized groups of people such as women who are considered inferior due to social and cultural beliefs, who are denied access and active engagement in their country's social and political life and decision making, border tensions between countries due to poor demarcation along with a highly militarized environment and the absence of culture of peace that leads to the recruitment and/or re-recruitment of child soldiers are factors to be taken also into consideration. A significant factor is the lack of education combined with attacks on schools and educational personnel.

The above mentioned factors are related to human rights violations and all can lead and apply to the four atrocity crimes if the elements of the crimes under International Humanitarian Law and International Criminal Law are met. However, the recruitment and use of children as soldiers falls specifically under the war crimes and the crimes against humanity category.

Circumstances that are more likely to deteriorate a situation include extreme poverty, absence of immediate action after early-awareness mechanisms indicate so, absence of dialogue and communication between opposing groups combined with lack of political will and commitment

for progress, absence of DDR mechanisms and programs for former child soldiers (contributing to the circle of violence), continuing disregard of the Rule of Law and International Law.

**Question:**

**2. What measures or policy options do you believe could be taken to address the risk of genocide, war crimes, ethnic cleansing and crimes against humanity? What combination of measures or policy options do you believe would contribute to preventing atrocity crimes?**

The international community in order to address the risk of genocide, war crimes, ethnic cleansing and crimes against humanity, needs to implement policy actions in multiple levels such those of security, education, state awareness, societal development, health and economy. Memorial days have been commemorated globally and the significant efforts of the NGOs, who act independently from the state and regional actors, have increased the support of human rights institutions. Additionally, nowadays through art exhibitions and cultural events we have acquired to inform and perhaps educate civilians over atrocities in international level.

To prevent and eradicate atrocity crimes collaboration of national and international authorities is required. Security reformation, such as psychological tests to be appointed in the military and the police forces, is essential to increase human security and to have better results when atrocity crimes intent to occur and/or to happen. Additionally, the international state actors should take accountability for the perpetrators of such atrocities by potentially creating a Trust Commission with joint support by the ICC and the UNSC for instance. Furthermore, fostering legislative measures for i.e. the use and/or possession weapons is essential to eliminate racial and bias attacks.

However, emphasis must be placed upon societal and educational development and awareness as lack of education and societal injustices have led to human atrocities. By strengthening and developing early warning assessment and response mechanisms international actors will be able to prevent, support national government initiatives and to intervene peacefully when the state itself violates those principles. To prevent human atrocities against minorities, women and children we need to encourage their involvement in knowing and acting over their fundamental rights; for example by participating in decision-making processes. Fostering educational programs mainly on developing regions of developing and/or failed states we increase awareness and simultaneously eliminate potential threats against humanity.

**Question:**

**3. What are the key challenges to undertaking preventive action?**

Preventive action is a process which prerequisites the agreement or common understanding, predominantly of the Security Council, that a current situation is likely to amount to commitment of genocide, ethnic cleansing, war crime or crime against humanity. It is salient that at this stage, the Security Council or the States immediately affected by such a threat must reach a consensus

as early as possible so as to address the risk preventively and according to the provisions of the UN Charter, Chapter VI and VII.

Impediments to reaching such a decision can be brought to bear by the State which faces or orchestrates actions against its own population or by States opposing to preventive actions due to their strategic interests in the region or due to their doctrine of foreign policy which opposes to any interference in the internal affairs of a third State. It is therefore apparent that the conduct of States and especially those which constitute permanent Members of the UNSC can hinder preventive actions.

Apart from the political issues as regards to preventive actions, legal issues, such as the principle of sovereignty and its interpretation in the expense of the human lives that are under threat pose serious obstacles to the adoption of preventive measures. It follows that that the principle of sovereignty should not be promoted to such an extent from the international community that leads to breaches of the International Humanitarian Law and impunity for their perpetrators.

**Question:**

**7. What initiatives have been taken by your organisation to ensure the participation of women in atrocity prevention processes? What initiatives have been taken to prevent sexual violence in a context of atrocity crimes?<sup>1</sup>**

As a non- governmental organization respecting fundamental values and human rights we have endorsed and supported women's rights and gender equality in every activity of our organization. The Secretariat of our organization is consisted of male and female members; therefore we support the role of women and fostering their rights with leadership skills and responsibilities.

Ensuring the participation of women in atrocity prevention process, we have created the Committee on Responsibility to Protect in which the majority of the scientific committee is consisted of female researchers. The research to be conducted and future research papers will be presented as well at the International Conference of EONEPE over the R2P initiative in Athens, in June 2013 in which we will be including an elaborative analysis of women's rights.

Women's contribution is unique, due to their academic background and personal interest, particularly in the fields of international law and human rights and more specifically women's rights and the role of women in prevention and decision-making.

**Question:**

**8. What further measures can Member States undertake to address risk factors for atrocity crimes? List key recommendations for Member States to strengthen atrocity prevention efforts.**

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<sup>1</sup> See United Nations Security Council Resolutions [1325](#) (2000), [1888](#) (2009), [1889](#) (2009) and [1960](#) (2010).

Atrocity crimes are often state sponsored and therefore it is salient that every State must adopt the necessary measures to enhance its legislation and capacity as regards to the atrocity prevention.

In the national level these measures can range from adopting laws protecting the Human Rights of the population, eradicating poverty, promoting growth, consolidating a viable educational system, ensuring freedom of press and abolishing discriminatory policies to adopting mechanisms capable of suppressing acts inciting or aiming to jeopardize the lives of individuals within its territory. In addition the mindset of “crisis management” must be replaced with the notion of “crisis prevention”, a process which will focus more on recognizing factors and situations that can lead to mass atrocities instead of suppressing them when these actions have already taken place. It is also important that Member States must ratify and implement in good faith the Treaties revolving around the protection of Human Rights, the Arms Trade Treaty and the Convention on Genocide.

In the international level, all States must forge their cooperation with the UN and third States as regards to atrocities prevention, analyse the lessons learned from similar cases and create a platform of dialogue seeking to consolidate a sustained mechanism of early warning and prevention of mass atrocities. We therefore believe that a Special Task force comprised of Civil Experts should be established with the responsibility to provide its good offices when a situation within a State is about to deteriorate.

**Question:**

**9. How can United Nations entities, regional and sub-regional arrangements or civil society further assist Member States in fulfilling their international obligations to protect populations from these crimes?**

According to the UN Charter, Chapter I all member states are obliged and entitled under international law to promote peace and security whereas protecting civilians from any injurious intentions and /or acts against humanity.

Nonetheless, supplementary arrangements need to be examined and introduced to the international community. Extensive and effective collaboration between the UN, UN-related agencies and member states is required in order to eradicate potential violations of International Human Rights Law and International Humanitarian Law and ensure their practice and implementation in state practice. Facilitating regional and sub-regional activities aims to a comprehensive observation of potential needs and incapacities of the specific region providing humanitarian relief to unprotected populations.

Emphasis needs to be placed upon member states to sign and ratify any relevant international Treaties related to the protection of human rights, i.e. the UN Arms Trade Treaty which was adopted by the UNGA on April 2, 2013 (Resolution A/RES/67/234B). Member states which until today have not signed or ratified the Rome Statute of the ICC should be reminded of their obligations under international law and reaffirm their state’s position. Respect for international and regional institutions and conventional texts aiming at preventing atrocity crimes is utterly necessary, without underestimating the importance of imposing stricter sanctions by the international community to its Member-States in cases of serious violations of the latter’s

international obligations and if necessary to implement preventive measures under UN Charter Chapters VI and VII.

The deployment of fact-finding missions, independent expert groups and rapporteurs, under the UN auspice or other regional organizations in endangered regions is essential to monitor and prevent any atrocity acts.

Protection against atrocity crimes may be also achieved when joint forces of the civil society and specialized NGO's introduce alternative methods and initiatives in areas of ground-breaking research, advocacy and security sector training.

**Question:**

**10. What do you think should be the next steps towards further advancing implementation of the responsibility to protect concept?**

The advancement of the responsibility to protect concept should be approached and analyzed from the perspectives of the UN, the member states and the regional and civil society organizations accordingly.

Foremost, the UN should play a significant key role to assist, in order to achieve this common perception and enhance the political will for all member states. The reformation of the UNSC, without veto reservations and a potential expansion, would assist to eliminate any violations of International Law, leading to crimes under the R2P norm. Additionally, the creation of a Joint UN-ICC Committee with judicial power in collaboration with the UNSC would allow the R2P doctrine to be accurate and more effectual in atrocity crimes. The implementation of the R2P policies and their integration into the international legal system assists the preventive action doctrine.

Sovereign states should act according to International Law and the R2P norm primarily by implementing an effective human rights protection system within their territories. The recognition of the role of the ICC regarding R2P crimes and their future prevention should be accompanied by the states' right to vote and prosecute any state or non-state actor who commits atrocity crimes. Furthermore, social awareness and education should be of high governmental priority and women to be dynamically supported with their participation in higher academic and governmental positions.

Regional and civil society organizations should enhance and develop participation and constant interaction in advancing the R2P norm and its implementation in national, regional and international levels. Additionally, by integrating R2P policies into the educational and societal environment the organizations will be able to cooperate with national governments and the UN achieving their goals.