

# MANUAL

## FOR R2P FOCAL POINTS

GLOBAL NETWORK OF R2P FOCAL POINTS



# GLOBAL NETWORK OF R2P FOCAL POINTS

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The Global Network of R2P Focal Points was established in 2010 to improve national and international efforts to prevent and halt mass atrocities. The Global Network is comprised of governments that have demonstrated commitment to upholding their Responsibility to Protect (R2P) by designating a senior official who acts as an advocate for, and a primary point of contact on, matters related to mass atrocity prevention.

An R2P Focal Point is a senior level government official who aims to promote the prevention of genocide, ethnic cleansing, war crimes and crimes against humanity at the national, regional and international level. One of the primary functions of an R2P Focal Point is to advocate for mass atrocity prevention and response within their government.

The Manual for R2P Focal Points was written by the Global Centre for the Responsibility to Protect, which acts as the Secretariat of the Global Network.

# PURPOSE OF THE MANUAL

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This Manual is a tool that offers practical guidance to **R2P Focal Points**. The first part of the Manual provides an overview of the Responsibility to Protect and outlines tasks that R2P Focal Points should undertake from the time of their appointment until they leave their position. It details activities and initiatives for R2P Focal Points regarding how to operationalize atrocity prevention within their departments and governments.

The second part of the Manual addresses a number of cross-cutting issues related to the implementation of R2P. It outlines policies that R2P Focal Points and their governments can initiate and implement to integrate mass atrocity prevention within their domestic and foreign policy. While the information in the Manual is not exhaustive, we hope it will inspire R2P Focal Points to explore how other thematic issues relate to their work.

The Manual has been written with the recognition that R2P Focal Points are positioned within a diverse set of ministries as well as within departments, offices and countries of varying sizes and capacities. The Manual identifies certain priorities that all R2P Focal Points should undertake in their roles. R2P Focal Points are not expected to implement *all* of the activities and initiatives outlined in the Manual. However, the programs and cross-cutting agendas proposed here should complement and not compete with related priorities of an R2P Focal Point and their government.





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Photo Source: © UN Photo/Cia Pak

The Responsibility to Protect (or R2P) refers to the obligation of states toward their populations and toward all populations at risk of genocide, war crimes, crimes against humanity and ethnic cleansing. Following the failure of the international community to adequately respond to mass atrocities committed in Rwanda and the former Yugoslavia during the 1990s, the International Commission on Intervention and State Sovereignty (ICISS) developed the concept of R2P in 2001. The principle of the Responsibility to Protect was then unanimously adopted by heads of state and government at the UN World Summit in 2005.

The four crimes that R2P covers – **genocide, war crimes, crimes against humanity and ethnic cleansing** – are often collectively referred to as “mass atrocity crimes” or just “atrocity crimes.” For a full definition of the crimes, see Annex I.

# 2005 SUMMIT OUTCOME DOCUMENT

## **Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity**

138. 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. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

# R2P'S THREE PILLARS

During 2009 the UN Secretary-General issued his first annual report on the Responsibility to Protect: Implementing the Responsibility to Protect. Within this report the UN Secretary-General conceptualized R2P as comprising of three interconnected pillars:

**Pillar I:** Every state has the Responsibility to Protect its populations from the four mass atrocity crimes.

**Pillar II:** The wider international community has the responsibility to encourage and assist individual states in meeting that responsibility.

**Pillar III:** If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter.

## PILLAR

# 1

### **EVERY STATE HAS THE RESPONSIBILITY TO PROTECT ITS POPULATIONS FROM FOUR MASS ATROCITY CRIMES.**

This includes:

- Protecting human rights and minority rights through constitutional protections and other legal mechanisms
- Ensuring the security sector adheres to the highest standards of professionalism, international law, and the protection of human rights
- Providing equal access to justice and strengthening the rule of law
- Creating conditions for the equitable distribution of resources
- Establishing laws against hate speech and incitement
- Ensuring education curriculum does not foster identity-based divisions
- Memorializing and acknowledging past atrocities, both domestically and internationally
- Ratifying and upholding international treaties that protect and enhance human rights

## PILLAR

## 2

**THE WIDER INTERNATIONAL COMMUNITY HAS THE RESPONSIBILITY TO ENCOURAGE AND ASSIST INDIVIDUAL STATES IN MEETING THAT RESPONSIBILITY**

This includes:

- Providing financial, logistical or development assistance to a state to enable the government to fulfill its Pillar I commitments
- Providing capacity building assistance for government institutions and programs, including through technical assistance for human rights
- Training military and police to help build security sector capacity to protect vulnerable populations
- Supporting hybrid courts for transitional justice
- Collaborating with the UN Peacebuilding Commission
- Denying the means to commit atrocities by suspending trade, military training and aid programs with governments that are abusing and/or violating the universal human rights of their populations

## PILLAR

## 3

**PILLAR THREE: IF A STATE IS MANIFESTLY FAILING TO PROTECT ITS POPULATIONS, THE INTERNATIONAL COMMUNITY MUST BE PREPARED TO TAKE APPROPRIATE COLLECTIVE ACTION, IN A TIMELY AND DECISIVE MANNER AND IN ACCORDANCE WITH THE UN CHARTER.**

This includes activities such as:

- Using good offices, mediation and other forms of preventive diplomacy
- Applying targeted sanctions against identified perpetrators
- Authorizing and upholding arms embargoes that restrict or deny the means to commit atrocities
- Establishing no-fly zones
- Authorizing Fact-Finding Missions and Commissions of Inquiry to gather evidence of potential atrocity crimes
- Establishing or providing support to international tribunals, the International Criminal Court (ICC) and other institutions of international justice in order to hold perpetrators accountable
- Deploying peacekeeping missions
- Using force to protect vulnerable populations that are under attack, in accordance with the UN Charter\*

*\*Coercive measures under Pillar III must be undertaken in accordance with the UN Charter, typically meaning that they must be approved by the UN Security Council.*

# INSTITUTIONAL DEVELOPMENT OF R2P SINCE 2005: MILESTONES

## 2005

The principle of the Responsibility to Protect was endorsed by the UN General Assembly at the 2005 World Summit.

## 2006

In January 2006 the UN Security Council first adopted a resolution that included R2P. To date, more than 80 UN Security Council Resolutions reference R2P, addressing situations in at least 15 countries and regions as well as 10 thematic issues, including *Small Arms and Light Weapons, Protection of Civilians, Security and Policing in UN Peacekeeping Missions, and Protection of Healthcare facilities in Armed Conflict*.<sup>1</sup>

## 2009

The first report of the UN Secretary-General on R2P was released in January 2009. Since then the Secretary-General has released nine annual reports on R2P. The UN General Assembly held annual Informal Interactive Dialogues on R2P from 2010 to 2017.

## 2010

The Global Network of R2P Focal Points was launched in September 2010 by the governments of Denmark and Ghana in collaboration with the Global Centre for the Responsibility to Protect. The network now includes more than 60 countries, the European Union and the Organization of American States.

## 2011

In 2011 R2P featured for the first time in several UN Human Rights Council resolutions. To date, at least 40 UN Human Rights Council Resolutions reference R2P, addressing at least 7 country-specific situations as well as 2 substantive issues: *Human Rights and Transnational Justice and Prevention of Genocide*.

## 2008

The first UN Special Adviser on R2P was appointed by Secretary-General Ban Ki-moon in 2008 with the mandate to advance the conceptual, political and institutional development of the principle.<sup>2</sup> There have been four Special Advisers on R2P. The current Special Adviser, Ms. Karen Smith, was appointed by Secretary-General António Guterres in December 2018.

The Global Centre for the Responsibility to Protect was launched by UN Secretary-General Ban Ki-moon in February 2008 to promote the universal acceptance and effective operational implementation of R2P.

In 2008 the Group of Friends of R2P - a cross-regional group of UN member states - was established in New York with the aim of advancing the Responsibility to Protect within the UN system. The Group now consists of more than 50 states and the European Union.

## 2015

In 2015 the Group of Friends of R2P was established in Geneva, mirroring the membership of the Group of Friends in New York.

## 2017

In 2017 the UN General Assembly voted to include a supplementary item entitled “The Responsibility to Protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity” on the formal agenda of its 72<sup>nd</sup> session. The first formal debate on R2P since 2009 was held on 25 June and 2 July 2018.

## WHY IS A FORMAL DEBATE IMPORTANT?



The formal debate had a number of procedural benefits that ensured it better fulfilled the General Assembly's commitment to “further consider the R2P” by comparison to the informal interactive dialogue format. Formal debates allocate more time for member state interventions and provide an opportunity for states to have an on-the-record exchange of lessons learned and best practices on the prevention of and response to atrocities. This enables the General Assembly to maintain a full record of the response and reaction of states to the Secretary-General's annual report on R2P, ensuring all perspectives on implementation are reflected.

<sup>1</sup> For more information please visit <http://www.globalr2p.org/publications/232>

<sup>2</sup> <http://www.un.org/en/genocideprevention/office-mandate.html>



## WHY IS R2P IMPORTANT?

Photo Source: © Dado Ruvic/Reuters

R2P emerged in response to the failure to protect populations during the genocides in Rwanda and at Srebrenica during the 1990s. R2P was designed as a mobilizing principle for accomplishing the aim of “*Never Again*” – the idea that the world should never stand idly by when populations are suffering from genocide, war crimes, crimes against humanity and ethnic cleansing. This new approach would be based not just on crisis response, but also on taking steps to actively prevent the conditions that lead to the commission of mass atrocity crimes.

R2P is a political commitment to act in the face of conscience-shocking crimes. Rooted in the concept of “*sovereignty as responsibility*,” R2P builds upon the notion that state sovereignty does not shield governments from international scrutiny, but rather that sovereignty bestows a moral responsibility upon the government to protect all those within their borders. Moreover, in order to avoid repeating past failures, R2P was intended as a tool to counteract the politics of indifference. It was designed to ensure the international community responds to help protect populations within states that were unwilling or unable to uphold this sovereign responsibility. As noted by Gareth Evans, co-chair of ICISS, “the whole point of the R2P doctrine was to generate a reflex international response that genocide and other mass atrocity crimes happening behind sovereign state walls was everybody’s responsibility, not nobody’s.”

Implementation of R2P can help shape our collective response to the challenges of today. Over the past few years the entire international human rights and protection architecture has been under attack, with various actors, including governments and non-state armed groups, flagrantly violating international human rights and humanitarian law.

# RELEVANCE OF R2P TO ALL STATES

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R2P Focal Points are often asked by their colleagues about the relevance of R2P to their own country and to their work. R2P Focal Points from countries with no recent history of mass atrocities may sometimes face questions as to the relevance of R2P to their country and region. The points below may help you address such concerns.

## **NO COUNTRY OR REGION IS IMMUNE TO MASS ATROCITIES**

Modern history demonstrates that genocide, ethnic cleansing, war crimes and crimes against humanity have occurred almost everywhere. Less than a century ago Europe witnessed the Holocaust, and in 1995 approximately 8,000 men and boys were massacred in the genocide at Srebrenica, Bosnia. In the Americas, civilians in Argentina, Brazil and Chile have experienced military dictatorships that engaged in enforced disappearances, torture and other grave human rights abuses. Recent responses of government security forces to mass protests in Nicaragua and Venezuela have included use of disproportionate and deadly force that may amount to mass atrocity crimes. Mass atrocities have also been perpetrated in Asia, including atrocities under the Khmer Rouge in Cambodia between 1975-1979, and more recently a genocide perpetrated against the Rohingya ethnic minority in Myanmar (Burma). In Africa mass atrocities have been committed recently in Sudan, South Sudan, Central African Republic (CAR), the Democratic Republic of the Congo (DRC), and elsewhere. Today, populations in Syria and Yemen in the Middle East continue to live in situations where crimes against humanity and war crimes are committed with impunity.

There are currently more than 68.5 million people displaced around the world as a result of conflict, persecution and atrocities. Groups continue to be targeted based upon their identity, including religion, gender and ethnicity. Across the world we are also witnessing increasing warning signs of potential mass atrocities, including a rise in toxic nationalism, xenophobia, hate speech targeting migrants and refugees, targeted violence against human rights defenders, and diminishing space for independent media and civil society groups.

## PREVENTION IS IMPORTANT FOR ALL STATES

R2P is primarily about prevention. As a strategy, prevention is more effective and typically less expensive than reaction. Apart from the moral imperative to prevent and halt mass atrocities, as well as a government's relevant international legal and political obligations, prevention saves lives. By transforming societies through incremental changes, prevention addresses root causes of conflict and builds the resilience of communities to mass atrocities.

### **Failure to prevent atrocities has long-term consequences. The commission of atrocity crimes:**

- Poses an inherent threat to international peace and security
- Can destabilize an entire region by displacing populations and creating refugee flows
- Reverses or erodes developmental gains, including mortality rates, literacy rates and empowerment of women and girls
- Adversely impacts economic growth of the affected country and region
- Globally increases the need for life-saving humanitarian aid and long-term development assistance
- Creates an enabling environment for other crimes that have a global impact, such as human-trafficking, violent extremism, proliferation of weapons, as well as negatively impacting the environment.

Since atrocity prevention remains the primary responsibility of the state, governments must continue to take measures that mitigate factors that could increase the risk of atrocity crimes within their societies. Prevention is neither easy nor fast.

While prevention is important for all states, if the risk of mass atrocity crimes nationally is low, governments may choose to focus on regional and international efforts to prevent mass atrocities, in keeping with their commitments under Pillar II of R2P. States should assist other governments in preventive efforts, including through sharing best practices or providing financial support for domestic programs that mitigate risk.

Prevention remains important even after atrocities have been perpetrated. When a state is unable to protect its population or is the primary perpetrator of mass atrocity crimes, other governments should undertake multilateral and bilateral action to urge the state to stop committing crimes against their populations. Such action may prevent escalation or the recurrence of atrocities.



Photo Source: © Dai Kurokawa/EPA

### **R2P AND THE “ATROCITY PREVENTION LENS”**

R2P provides us with a framework to prevent and halt atrocities by analyzing a situation through an atrocity prevention lens, which assesses whether risks of the potential commission of atrocity crimes exist in any particular situation. The atrocity prevention lens examines factors that might be overlooked within the traditional conflict prevention frameworks, such as hate speech, increasing xenophobia, or the emergence of political parties mobilizing supporters around identity-based divisions.

The atrocity prevention lens helps in understanding the nature of the threat faced by populations in both armed conflict and non-conflict settings. Applying the lens increases our awareness of how groups within a society may be particularly vulnerable (based on gender, ethnicity, religion or political affiliation) as well as of the means and motives by which potential perpetrators may commit atrocity crimes.

By assessing the dynamics of a conflict, the atrocity prevention lens helps us in understanding the nature of the violence. It assists in deciphering when violence is an individual act or a systematic attack on a particular population based upon their identity. In the absence of armed conflict, the lens aids in understanding how populations may be threatened through policies that marginalize, discriminate against, or persecute particular groups.

By enabling us to better understand these risks, the atrocity prevention lens allows for an informed decision-making process regarding appropriate responses to emerging threats in any situation.

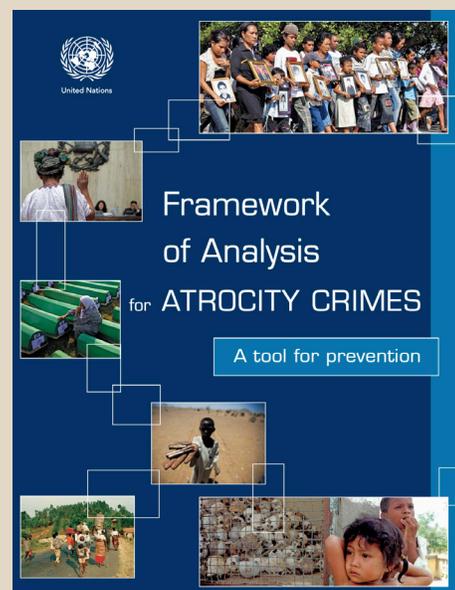
# TOOLS OF THE TRADE:

## THE UN FRAMEWORK OF ANALYSIS FOR ATROCITY CRIMES

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The UN's Framework of Analysis is one tool available to expand your comprehension of the circumstances under which various risks to populations arise, and can help enhance threat assessments.

The Framework was developed by the Office of the UN Special Advisers on Genocide Prevention and the Responsibility to Protect. It was designed as an integrated analysis and risk assessment tool for addressing atrocity crimes. In this sense it can compliment other early warning mechanisms as well as monitoring and assessment tools.



The Framework lists **14 risk factors** for atrocity crimes. These include various behaviors, circumstances or other elements that create an environment conducive to the commission of mass atrocity crimes. Risk factors include both structural issues – such as weakness of state institutions – as well as more dynamic issues such as triggering events.

For the full text, see [Framework of Analysis for Atrocity Crimes: A tool for prevention](#).

**See also, Annex II.**



# ADDRESSING MISCONCEPTIONS & CRITICISM

Photo Source: © Mahmud Turkia/AFP

Despite the institutional progress R2P has made since its unanimous endorsement by the international community in 2005, it is not immune to controversy and misconception. As an R2P Focal Point, you will likely be confronted with questions and criticism of R2P. The following aims to provide guidance regarding how to respond.

## R2P IS A “WESTERN” NORM

The origins of R2P can be traced to Article 4(h) of the African Union Constitutive Act and the principle of “non-indifference” to mass atrocities as opposed to the previous adherence to a doctrine of “non-intervention.” Article 4(h) specifically espouses the right of the AU to intervene in the affairs of a state in response to the commission of war crimes, genocide and crimes against humanity.

## R2P IS A FOREIGN POLICY/NEW YORK ISSUE

Commitment to prevention is at the heart of all three pillars of R2P – prevention of an initial outbreak of a crisis, prevention of its escalation, and prevention of recurrence. Mass atrocity prevention is, at its core, about the state’s responsibility as a sovereign entity to protect all its populations, regardless of identity or citizenship status, and must be a domestic policy imperative.

## ATROCITY PREVENTION AND CONFLICT PREVENTION ARE THE SAME THING

There is significant overlap between conflict prevention and mass atrocity prevention, largely because armed conflict provides an enabling environment for the perpetration of mass atrocity crimes. However, the two prevention agendas are distinct. It is

important to recognize that not all armed conflicts give rise to mass atrocities, and that atrocities often occur outside a situation of formal armed conflict.

For example, prior to the so-called “clearance operations” in Rakhine State during 2017, mass atrocity crimes were committed against the Rohingya community in Myanmar. Decades of institutionalized persecution of this distinct ethnic minority group included the denial of citizenship, involuntary confinement to displacement camps, and severe restrictions on freedom of movement and other universal human rights.

Moreover, prioritizing conflict prevention over mass atrocity prevention may sometimes exacerbate the risk of mass atrocity crimes. For example, by focusing exclusively on maintaining the 1993 Arusha Peace Agreement, the international community neglected evidence of the planning of genocide in Rwanda. This included underestimating or disregarding warning signs such as increased hate speech, the stockpiling of small arms and machetes, the development of target lists of ethnic Tutsis, and the radicalization and training of youth militias.

## **R2P IMPLIES MILITARY INTERVENTION AND REGIME CHANGE**

Responding to ongoing atrocities is only one part of implementing R2P. Preventive measures under Pillars I and II should enable societies to mitigate and ameliorate the risk of atrocities in order to ensure that Pillar III measures never become necessary.

However, in the absence of successful preventive efforts, a timely and decisive response to atrocity crimes may include a range of coercive and non-coercive measures. This includes mediation, humanitarian assistance, protection of refugees and displaced persons, human rights monitoring, unarmed civilian protection, peacekeeping, sanctions, arms embargoes and peacebuilding. Military intervention is considered a tool of last resort. Even then, decisions to militarily intervene must be undertaken in accordance with the UN Charter, and must be proportional to the threat posed.

## **A RESPONSE TO THE LIBYA QUESTION**

Critics of R2P often point to the international response to the 2011 conflict in Libya, following the UN Security Council-authorized military intervention by the North Atlantic Treaty Organization (NATO), as an example of R2P being used as a doctrine for regime change or to justify military intervention by “western powers.”

In response to the violent state repression of anti-government demonstrations in Libya in early 2011, the UN Security Council adopted Resolutions 1970 and 1973 in February

and March respectively. Resolution 1970 invoked the Libyan authorities' primary responsibility to protect civilians while imposing an arms embargo and travel ban in an attempt to pressure the government to halt violence against civilians. Despite this, the government of Muammar al-Qaddafi ignored the Security Council's demands and continued to perpetrate atrocities. Utilizing the framework of R2P's third Pillar, the Security Council adopted Resolution 1973 to halt the commission of atrocities by Qaddafi's forces by authorizing the use of all necessary measures, including coercive military action, to protect the civilian population. This led to the imposition of a "no fly zone," enforced by a NATO-led coalition, and the launch of airstrikes against Libya's air force, tanks and artillery.

During the months that followed, strict adherence to the R2P mandate waned, with several states admitting to breaking the UN-imposed arms embargo and supplying Libyan rebels with weapons. By the autumn of 2011 there was a growing view that the objective of NATO was no longer to uphold its civilian protection mandate, but rather to overthrow the Qaddafi regime. Eventually on 20 October Qaddafi was captured and extrajudicially executed by rebel forces.

The post-conflict situation was exacerbated by the fact that decades of misrule by Qaddafi had resulted in a hollowing out the country's institutions and the deliberate manipulation of tribal and regional rivalries. The international community also hastily disengaged politically from Libya, leaving rival militias and armed groups to struggle for political control of the country, rather than focus on the rebuilding, redevelopment and reconciliation.

In the aftermath of Libya, Brazil championed the concept of "Responsibility while Protecting" (RWP). The essence of RWP was that military force must be a last resort, that any response must be proportional to the threat posed and that no intervention should cause more harm than it seeks to prevent. RWP resuscitated meaningful dialogue at the UN around both the preventive core of R2P and the potential need, post-Libya, for prudential criteria for all use-of-force mandates by the Security Council.

While there have been many lessons learned from Libya, responding to atrocity situations will continue to require complex elements of coercion and consent, with an active dialogue about how a state can uphold its responsibility to protect and how the international community can assist and compel them to do so. Finally, it is also important to emphasize that Libya and military intervention are not the sole benchmarks to measure the success of R2P. The situations in Kenya (2007-2008), northern Iraq (2014) and the Gambia (2017), among others, provide positive examples of international efforts to halt or prevent atrocities.

# THE GLOBAL NETWORK OF R2P FOCAL POINTS



The Global Network of R2P Focal Points was launched in 2010, five years after R2P was endorsed by the UN General Assembly, in order to help create advocates for atrocity prevention policies in national capitals. The creation of the Global Network was a necessary step to initiate substantive discussion about domestic policies on atrocity prevention. Since 2010 the Global Network has grown from 11 states to more than 60, representing every region of the globe.

The appointment of an R2P Focal Point in countries with a history of mass atrocities or current imminent atrocity risks is intended to encourage the implementation of policies that inhibit their commission. In countries that primarily provide assistance to states with an elevated risk of atrocities, the appointment of an R2P Focal Point was intended to mainstream atrocity prevention within conflict prevention and development assistance policies. Throughout the last eight years, the network has encouraged substantive reflection by governments regarding what it means to implement and uphold R2P in its day-to-day work.

## STEERING GROUP

To encourage greater involvement of R2P Focal Points in the activities and direction of the Global Network, the Secretariat of the Network facilitated the creation of a Steering Group comprised of several R2P Focal Points and the Secretariat. The Steering Group, currently comprised of Australia, Denmark, Ghana, Lithuania, Slovenia and the Secretariat, began its work in Spring 2019 by drafting Terms of Reference for the Steering Group.

# THE SECRETARIAT OF THE GLOBAL NETWORK OF R2P FOCAL POINTS

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In collaboration with the governments of Denmark and Ghana, the Global Centre for the Responsibility to Protect (Global Centre) launched the Global Network of R2P Focal Points in 2010. Since the establishment of the Global Network, the Global Centre has acted as its Secretariat. The Global Centre is the leading non-governmental authority on R2P, and since its inception in 2008 has worked to expand and deepen global support for the norm. The Global Centre has also played a role in the creation of other institutional mechanisms for the advancement of R2P, including the appointment of the Special Adviser on R2P and the establishment of the Group of Friends of R2P in New York and Geneva.

With offices in New York and Geneva, the Global Centre plays a unique “insider/outsider” role at the United Nations as the only organization carrying out monitoring, research and advocacy on all current and potential mass atrocity situations around the globe, as well as working with governments to translate this research into actionable policy responses. The Global Centre’s research and publications – the bi-monthly publication *R2P Monitor* and weekly publication *Atrocity Alert*, among others – provide analysis and recommendations to help shape responses to situations where populations are at risk of, or are currently facing, mass atrocity crimes.

The Global Centre has published various documents that articulate the function of the Global Network of R2P Focal Points. It has undertaken mapping exercises to gauge and understand best practices that result from the diversity in functions, capacities, and structures of the offices of R2P Focal Points. As Secretariat, the Global Centre has also facilitated nine annual meetings of the Global Network. The Secretariat has also taken steps to strengthen linkages between members on a number of policy initiatives, including through organizing joint letters and hosting global calls amongst R2P Focal Points.

# FUNCTIONS OF THE SECRETARIAT

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## INSTITUTIONAL DEVELOPMENT

- Through its advocacy, urges governments to appoint R2P Focal Points;
- Contributes to the development and mainstreaming of R2P internationally;
- Serves as a repository of information related to R2P and its implementation through the UN Security Council, the UN General Assembly and the UN Human Rights Council;
- Corresponds with and provides expert advice to R2P Focal Points, including on particular country situations or thematic issues and their relevance to R2P;
- Developed the Manual for R2P Focal Points as well as earlier recommendations for R2P Focal Points;
- Facilitates and participates in the work of the R2P Focal Points Steering Group;

## COMMUNICATION

- Maintains the contact list and facilitates communication between R2P Focal Points;
- Communicates important R2P-related announcements and events to the Global Network;
- Acts as a bridge between New York, Geneva and capitals;
- Publishes and disseminates summaries of the annual meeting of the Global Network;

## ORGANIZATION

- Identifies potential co-hosts for the annual meetings of the Global Network;
- Collaborates with governmental co-hosts in organizing annual meetings of the Global Network, including developing thematic and country-specific elements of the agenda, as well as providing logistical support;
- Hosts meetings for R2P Focal Points who are in New York during the opening of the UN General Assembly

## WHEN TO CONTACT THE SECRETARIAT



- When you are initially appointed as an R2P Focal Point.
- When you require assistance in understanding your role as a R2P Focal Point.
- When you or your colleagues require additional information and analysis about an ongoing crisis or to discuss possible bilateral and multilateral responses to a situation where populations are at risk of atrocities.
- When you would like to garner support for a multilateral initiative championed by your country (for example, a resolution or a mechanism related to R2P and other protection and accountability agendas in New York, Geneva, Addis Ababa, Brussels, etc.).
- When you want to share best practices of R2P implementation, including initiatives that you or your government have implemented or need help implementing.
- When your government is interested in co-hosting the annual meeting of the Global Network of R2P Focal Points.
- When you are planning on holding an event focused on atrocity prevention and related agendas. The Secretariat can assist you in identifying and inviting possible speakers. For larger events it can also announce or encourage other R2P Focal Points and their governments.
- When you are in New York or Geneva and have the opportunity to meet with the Secretariat. Please contact the Secretariat if you will be attending the UN General Assembly High Level Week so that we may extend an invitation to the annual R2P Focal Points Working Lunch.
- When you are about to transition from your role as an R2P Focal Point.



# MEETINGS OF THE GLOBAL NETWORK

## ANNUAL MEETING OF THE GLOBAL NETWORK

Every year R2P Focal Points gather at an annual meeting hosted by one or two members of the Global Network, in collaboration with the Global Centre. The first two meetings of the Global Network of R2P Focal Points were held in New York (2011 and 2012), led by Denmark, Ghana, Australia and Costa Rica, and focused on conceptual questions regarding the role of R2P Focal Points and the functioning and utility of the network. The subsequent annual meetings have been hosted by the following governments: Ghana and Denmark (Accra, 2013), Botswana and the Netherlands (Gaborone, 2014), Spain and Chile (Madrid, 2015), Republic of Korea and Timor-Leste (Seoul, 2016), Qatar (Doha, 2017), Finland and Mexico (Helsinki, 2018) and the European External Action Service and the European Commission (Brussels, 2019).

### The purpose of the annual meetings includes:

- Providing R2P Focal Points with an opportunity to meet their counterparts from around the world;
- Providing a forum for R2P Focal Points to:
  - Share experiences on how to operationalize R2P to protect populations at risk despite the very different country context that each individual R2P Focal Point (and government) is operating in.
  - Learn from past successes and failures to identify, prevent and respond to atrocity risks. Brainstorm regarding ways to address current crises.
  - Identify tools that R2P Focal Points can harness to trigger effective action within their governments or regional organizations.

- Develop strategies to influence decision-making within their governments around particular situations.
- Identify factors that can enable political will within governments to consistently respond in a timely and effective manner to all mass atrocity situations.
- Deepen understanding of the relationship between R2P and various human rights and humanitarian issues and their implementation.

Preparations for the annual meeting of the Global Network also has a number of benefits for the host government as it encourages them to have important internal discussions on R2P and its implementation with colleagues from various departments and ministries. This process re-affirms the host government's commitment to atrocity prevention and provides an opportunity to "mainstream" R2P.



## OTHER MEETINGS

### REGIONAL MEETINGS AND INITIATIVES

In addition to meetings of the entire Global Network, R2P Focal Points are encouraged to hold regional meetings. The government of Slovenia, for example, has hosted three regional meetings in Ljubljana for European R2P Focal Points (in 2013, 2015 and 2017). The discussion at these meetings has focused on how European countries can implement R2P domestically and regionally and the role European R2P Focal Points can play in mass atrocity prevention at a multilateral level.

European R2P Focal Points also gather on the sidelines of meetings of the United Nations Working Party (CONUN), which develops common EU policy on UN issues of interest to EU member states. One of the outcomes of such discussions was the development of the *Recommendations on promoting the Responsibility to Protect by the EU and EU Member States* and the development of the *EU Atrocity Prevention Toolkit*.

R2P Focal Points from all regions are encouraged to identify opportunities for further collaboration, including by holding meetings on the sidelines of formal regional meetings.

**NOTE**

Please contact the Secretariat if you wish to discuss the possibility of organizing a meeting for R2P Focal Points in your region or undertake other regional or national initiatives that may require the support of the Global Centre.

**BEST PRACTICE**

A significant achievement that demonstrates the efficacy and potential of the regional groupings within the Global Network to work together is the appointment of an R2P Focal Point by the European Union (EU).

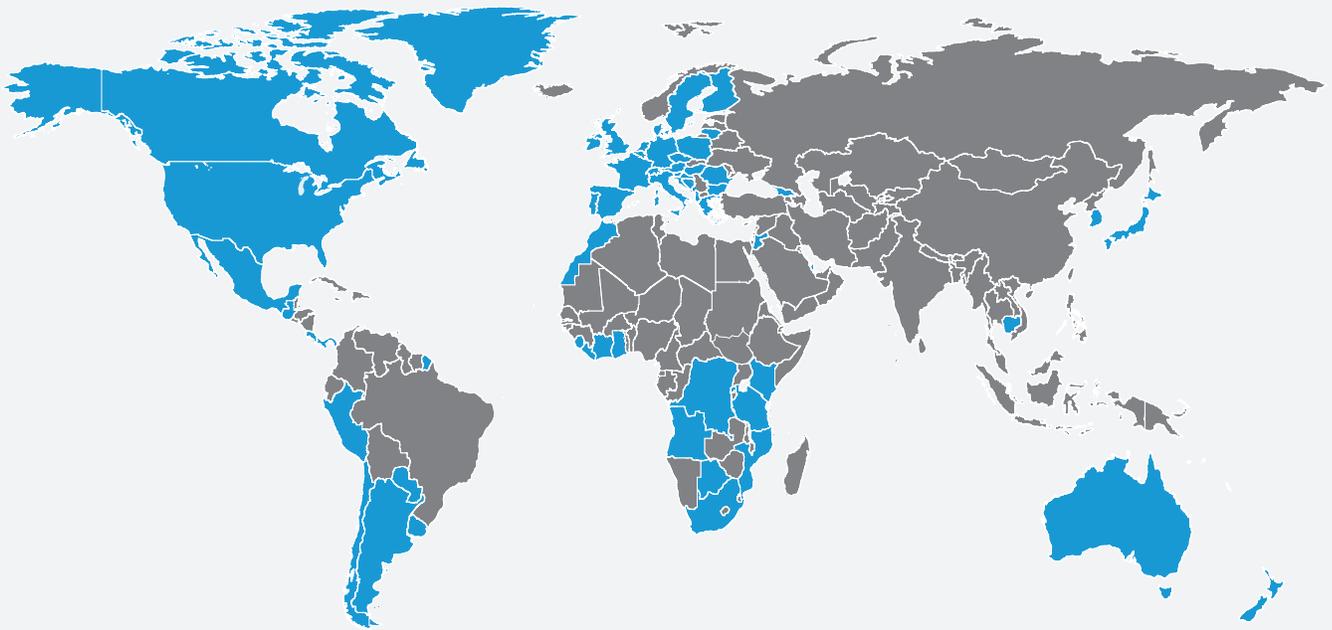
A number of factors contributed to the EU appointing an R2P Focal Point, including EU representatives attending regional meetings of R2P Focal Points in Slovenia and annual meetings of the Global Network. What proved crucial, however, was that several EU members who had already appointed national R2P Focal Points directly lobbied the organization to appoint its own R2P Focal Point, including by co-authoring an official proposal.

Similar networking initiatives may be undertaken in Africa, Middle East and North Africa, Asia-Pacific and Latin America regions so that the aims of all regional and sub-regional organizations better reflect those of their constituents regarding the importance of mass atrocity prevention.

**ANNUAL WORKING LUNCHEON DURING THE OPENING OF THE UN**

Every year the Global Centre organizes a working luncheon with R2P Focal Points who are in New York for the opening session of the UN General Assembly during September. The luncheons serve as an opportunity for R2P Focal Points to informally discuss issues of common concern. Meetings have included briefings from high-level UN officials, including the Special Advisers on the Prevention of Genocide and R2P, the Team Leader of the UN Peace and Security Review, and others. The Secretariat is exploring opportunities for facilitating similar events in Geneva.

# PROCESS: HOW TO BE AN R2P FOCAL POINT



**MAP OF THE GLOBAL NETWORK OF R2P FOCAL POINTS.** Since September 2010, 61 countries, representing every region of the world, have appointed a national R2P Focal Point. The European Union and the Organization of American States have also appointed an R2P Focal Point. Updated as of June 2019.

## ROLES & RESPONSIBILITIES OF R2P FOCAL POINTS

Mass atrocity risks are dynamic and universal. Developing capacities to prevent and halt atrocities either domestically or internationally involves a process of continuous self-reflection by all states.

The role of an R2P Focal Point should be tailored to the unique context of each individual country, recognizing the varying forms of government, diverging bureaucratic cultures

and diverse policy priorities and capacities. The roles and responsibilities outlined below offer R2P Focal Points options for establishing the institutional capacities necessary to uphold R2P within their system.

### CORE ROLE: ENABLER

The core role of an R2P Focal Point is to **enable the integration of mass atrocity prevention within their department and ministry as well as across other ministries.** The R2P Focal Point serves as an advocate for mass atrocity prevention, educating their colleagues on the atrocity prevention lens and applying the lens to their government's work across numerous domestic and international policy issues (See Annex III).

Atrocity prevention is a cross-cutting issue that is relevant to the work of various departments and ministries and requires the focus of a wide array of policy actors at both the domestic and international level. The R2P Focal Point can be described as a 'hub' for policy input - helping to create linkages between departments and ministries relevant to the prevention of mass atrocities at a national level (e.g. Ministries of the Interior, Defense, Education, Office of the Ombudsman) and international level (e.g. Ministry of Foreign Affairs, regional, sub-regional and international organizations).

One aspect of serving as an enabler is playing a role in strengthening institutional resilience to mass atrocity crimes. This can include coordinating the responses of policy makers from various internally focused departments to assess national capacities to address atrocity risks domestically.

Similarly, the R2P Focal Point can enable intra-governmental and inter-governmental coordination to address atrocity risks in other country situations. This includes coordinating their country's messaging across a number of external fora, including their Permanent Missions in New York and Geneva, Embassy staff within countries, and representatives to regional organizations. Inter-governmental coordination can also involve encouraging their government to facilitate multilateral diplomacy, information sharing and international coalition-building to promote human rights and prevent atrocities.

## MASS ATROCITY PREVENTION SHOULD BE A NATIONAL PRIORITY

For the role of the R2P Focal Point to be truly effective, mass atrocity prevention should be a priority for the government concerned. While many governments have demonstrated their support for R2P and atrocity prevention by appointing an R2P Focal Point, joining the Group of Friends of R2P, or speaking in support of R2P at UN debates and dialogues, making atrocity prevention a national priority involves making a commitment to developing the tools necessary to protect populations domestically and internationally. In some cases, this will be made explicit in strategic national policy documents that outline executive commitment and elaborate on the connections between atrocity prevention and the mandates of specific institutional actors. Buy-in from other domestic stakeholders is more readily assured when there are clear indications from the political leaders that atrocity prevention is a priority.

The seniority and stature of an R2P Focal Point can reflect both the seriousness and depth of a government's commitment to this agenda. It can also impact upon the ability of the government to undertake the necessary assessment of existing mechanisms and gaps.

# PLACEMENT & POSITIONING OF R2P FOCAL POINTS: BEST PRACTICE & CHALLENGES

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## RANK/SENIORITY

Some members of the Global Network have previously noted the benefit of appointing a high-ranking R2P Focal Point as “they generally have greater influence and ability to push certain agendas forward.” This is particularly true of R2P Focal Points who are Heads of their departments or have direct access to Ministers in their government.

One challenge with appointing a senior-level official, however, is the limited time available to focus exclusively on atrocity prevention initiatives if they have a number of portfolios within their area of responsibility. Some governments have effectively addressed this challenge by ensuring that the R2P Focal Point has working-level staff responsible for overseeing mass atrocity prevention on a day-to-day basis. Assigned working-level experts also help to preserve institutions during changes in government and ensure continuity over longer periods of time.

## MINISTRY

Since the establishment of the Global Network, R2P Focal Points have come from a variety of ministries and departments, including the Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Justice and Ombudsman's Office. While R2P Focal Points in some countries are located within ministries mainly concerned with domestic policies (Pillar I), the majority of governments have chosen to place R2P Focal Points within the Ministry of Foreign Affairs, including in departments focused on Multilateral Affairs, International Law, Human Rights, and International Organizations. Placement in an externally focused ministry allows states to strengthen their work on Pillars II and III including via participation in multilateral institutions, such as the UN Security Council or as a member of the Group of Friends of R2P at the UN in New York and Geneva.

Meanwhile, R2P Focal Points placed within domestically-oriented ministries could potentially play a significant role in strengthening their own government's capacity to address significant mass atrocity risks at home. The small number of R2P Focal Points in this position, however, has limited the collection of best practices in this area. Some governments have also found that appointing two R2P Focal Points – one focused on domestic mechanisms and one on international prevention – to be an efficient means of influencing policy in both arenas.



## MINISTRY

- Ministry of Foreign Affairs
- Ministry of Justice
- Ministry of Interior

## OFFICE

- Office of Human Rights and/or International Organizations
- UN Office
- Office for International Law
- Permanent Mission to the UN
- Office of the Ombudsperson
- National Peace Council

# DEMOGRAPHIC SNAPSHOT

Who is appointed R2P Focal Point? Where are they located?

## RANK

- Director General for International Organizations
- Director of Human Rights
- Ambassador-at-large
- Head of Unit (various specialties)
- Desk Officer for Human Rights

## GOVERNMENT SIZE

Governments large and small have appointed an R2P Focal Point. All governments can benefit from this specialized role, whether it be monitoring internal situations or informing foreign policies on international crises.

# RESPONSIBILITIES OF THE R2P FOCAL POINT

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## HOW TO BEGIN

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**Introduce yourself** to the Secretariat by sending your name, position and contact details to [info@globalr2p.org](mailto:info@globalr2p.org)/[nkhudayberdieva@globalr2p.org](mailto:nkhudayberdieva@globalr2p.org). The Secretariat maintains a **contact list** of all R2P Focal Points and will add your details and ensure you receive all communications regarding the Global Network.



**Review this Manual** for guidance and do not hesitate to contact the Secretariat if you have any questions.



**If you are taking over from another R2P Focal Point** - if possible, meet the previous R2P Focal Point and discuss their experience within the Global Network and what they have accomplished



**Inform relevant colleagues** that you are the R2P Focal Point. This includes colleagues within your department/ministry and across other relevant ministries whenever possible, as well as your Permanent Missions in New York, Geneva, regional organizations and other relevant postings. Ask colleagues to inform you about significant R2P-related developments in New York, Geneva and other relevant forums. This may enable you to ensure that your government's position on these issues is consistent across all ministries and missions.



**Include "R2P Focal Point"** in your title/e-mail signature/business card to help raise awareness about your role.

## RAISING AWARENESS: MAKE YOUR GOVERNMENT'S POSITION ON R2P AND MASS ATROCITY PREVENTION ACCESSIBLE

One of the first steps that an R2P Focal Point can take to enhance R2P implementation is raising awareness regarding mass atrocity prevention. Raising awareness about R2P with colleagues in other departments and ministries can help ensure that they know about the government's position and help them understand how R2P may relate to their work. Approaching colleagues in your own department as well as in other departments and ministries to communicate the importance of mass atrocity prevention is a major function of an R2P Focal Point.

Awareness raising and training can help government officials look at situations using the atrocity prevention lens. R2P Focal Points may discuss how the atrocity prevention lens relates to an issue that cuts across multiple ministries or institutions - for example, during the development of a National Action Plan on Women, Peace and Security or while assessing national human rights institutions. Some R2P Focal Points have concentrated on raising awareness among diplomats and civil servants, while others have used this sensitization process to ensure members of their Foreign Service are aware of the risk factors of mass atrocities and are empowered to suggest appropriate policy responses.

We acknowledge that there are significant differences between various governmental systems, including in terms of the size of a country and government, that affect the ease of utilizing these approaches.

## NATIONAL EXAMPLE: ORGANIZE INFORMAL LUNCHES OR SEMINARS ON R2P AND MASS ATROCITY PREVENTION

The office of the R2P Focal Point of the European Union introduced a *“lunch and learn”* initiative, aimed at raising awareness on mass atrocity prevention among colleagues across units, departments and delegations. For one such lunch they took advantage of a visit by the Special Adviser on R2P to Brussels and invited him to brief colleagues. At least 40 participants from various delegations and departments, including Crisis Management, Conflict Prevention and Early Warning, Human Rights, military, as well as country and region-specific experts, attended the briefing.

## NATIONAL PRACTICE: DEVELOPING A FACT SHEET ON R2P

To simplify the process of articulating your government’s position to all relevant colleagues and widen your outreach, an R2P Focal Point can support the production of a fact sheet explaining what R2P is, outlining the government’s position on mass atrocity prevention and summarizing relevant activities and memberships. This could take the form of a one-pager distributed members of your government such as the one produced by the office of the R2P Focal Point of Australia (see Annex IV).

The fact sheet should be tailored to the unique context of each country or region. Should you desire assistance in developing a fact sheet, you are encouraged to contact the Secretariat.

The following documents could also be distributed (and/or translated into your country’s official languages) to raise awareness about R2P, and may help initiate conversations with colleagues: [The Responsibility To Protect: A Background Briefing](#) and the [UN Framework of Analysis for Atrocity Crimes](#).

## ENSURING CONSISTENCY IN YOUR GOVERNMENT'S POSITION ON R2P

Governments that have appointed an R2P Focal Point have made an important commitment to prevent mass atrocities in their country and around the world. It is important that this commitment is reflected consistently in bilateral foreign policy responses as well as across different multilateral fora where your government is represented, including at the UN in New York and Geneva (UN General Assembly, UN Security Council, UN Human Rights Council), in regional and sub-regional organizations, as well as at embassies around the world.

### You can do this by:

- Ensuring that your government supports resolutions (as well as other relevant outcomes and motions) directed at preventing or responding to mass atrocity situations.
- Ahead of significant votes at the UN or regional organization, speaking with relevant colleagues to ensure that a representative from your government is present and votes in support of measures to protect populations from mass atrocities, including measures that support the normative development of R2P.
- Communicating regularly with colleagues in New York, Geneva and relevant regional organizations to help ensure that your government's position on R2P and preventing and responding to mass atrocities is consistent across all fora.
- Working with your colleagues in New York and Geneva to contribute to and help implement the program of work for the Group of Friends of R2P.

## EXAMPLE – UN GENERAL ASSEMBLY

Every year within the [Fifth Committee](#) of the UN General Assembly the Permanent Mission of Cuba proposes an amendment to remove “the budgetary estimates and associated narrative for the Special Adviser on the Responsibility to Protect.” The amendment has consistently been voted down by the majority of member states. However, some states that support R2P have sometimes voted for this amendment, abstained or failed to attend the vote. Some member states have indicated that the primary reason for this contradiction between support for R2P and voting behavior sometimes includes a lack of information provided to Fifth Committee officers about the importance of the office in question, as well as lack of knowledge about the government's support for R2P.

Similarly, during September 2017 and 2018 the UN General Assembly voted to include a supplementary item entitled “The Responsibility to Protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity” on the [Formal Agenda](#) for its 72<sup>nd</sup> and 73<sup>rd</sup> sessions. While no governments within the Global Network of R2P Focal Points or the Group of Friends of R2P voted against the inclusion of this item, a small number of members of the Network and Group abstained, while others were not present and therefore did not cast a vote.

R2P Focal Points should communicate with relevant colleagues in advance of such meetings and make attendance and voting in support of R2P a priority.

## CONVENING RELEVANT STAKEHOLDERS

Atrocity prevention cuts across a diverse spectrum of governance institutions and requires the focus of a wide array of policy actors at both the national and international level. One role of the R2P Focal Point is to collaborate with individuals from relevant ministries to establish collective priorities for the prevention of mass atrocity crimes at home and abroad. By acting as a convener who organizes meetings of actors from various departments, the R2P Focal Point can enable inter-agency coordination on human rights, mass atrocity prevention, accountability, and other cross-cutting agendas.

Some R2P Focal Points have indicated that by working closely with colleagues in other departments they have been able to influence how human rights and mass atrocity prevention activities are incorporated into their government's policies on a number of issues, including international development assistance and fulfilling the UN's Sustainable Development Goals. Through this kind of cooperation R2P Focal Points can integrate atrocity prevention across their government and enhance its implementation. It also enables an R2P Focal Point to “bring home” outcomes from global and regional meetings, disseminate them within relevant departments and implement them.

### NATIONAL EXAMPLE: PROMOTING R2P WITHIN THE MINISTRY AND ACROSS GOVERNMENT – FINLAND AND THE UNITED STATES

Under the leadership of the R2P Focal Point of Finland, the Ministry of Foreign Affairs adopted a policy decision on the Responsibility to Protect in June 2016 (Annex V). The policy decision affirmed Finland's commitment to the promotion of R2P and set out priorities for its effective implementation, including through promoting the government's position on atrocity prevention during discussions on conflict prevention, mediation and countering impunity for international crimes. The policy decision now serves as a guide to Foreign Service officers and is used in awareness-raising and outreach with other ministries as well as with Finnish civil society.

The R2P Focal Point of Finland also convenes regular meetings of their “national R2P network,” which is comprised of representatives from other departments within the Ministry of Foreign Affairs, from other Ministries (including Ministries of Defense, Labor, Social Affairs and Education), as well as research institutions and NGOs. During meetings of Finland's national R2P network, participants share their respective achievements and challenges and discuss efforts to tackle issues of common concern. Recent topics of discussion have included domestic efforts to prevent social exclusion and marginalization as well as ways to address the issue of refugees, many of whom have fled mass atrocities and conflict.

Other countries have similar mechanisms for inter-ministerial coordination. For example, the R2P Focal Point of the United States is part of the inter-agency Atrocities Prevention Board, which brings together individuals from many sections of the government.

## MAINSTREAMING R2P AT THE NATIONAL LEVEL

Mainstreaming R2P at the national level includes introducing the atrocity prevention lens to how governments view human rights promotion, conflict prevention and resolution, justice and accountability, protection of minority rights and other protection related issues.

An R2P Focal Point can initiate a government-wide discussion to evaluate existing policy and initiatives for mass atrocity prevention. This exercise would identify gaps in capacities across government institutions. One option for doing this would be to include R2P in your country's submission to the UN's Universal Periodic Review (UPR). The UPR is a unique process which involves a periodic review of the human rights records of all 193 UN member states and includes the sharing of best practices around the globe. Since the UPR requires inputs from multiple departments, ministries and agencies, the process can also improve awareness of existing human rights problems, socialize officials on the atrocity prevention lens, and build institutional capacity.

### You can do this by:

- Use existing interagency bodies or programs on mass atrocity prevention as a resource and platform for interaction with actors across government (e.g. The Atrocity Prevention Board in the United States or the National Peace Council in Ghana).
- Identify whether there are existing interagency frameworks for collaboration on other cross-cutting issues, for example on human rights, international justice, or peacekeeping, and if possible use these frameworks to introduce discussions on mass atrocity prevention and response.
- Refer to the Responsibility to Protect during meetings you are attending, or convene a briefing on an ongoing mass atrocity situation. For example, if you are speaking at an event, publicly identify as the R2P Focal Point and highlight warning signs of atrocity crimes in country situations (e.g. the R2P Focal Point of the European Union has done so during annual meetings for political officers within the European External Action Service).
- Identify possible areas for collaboration with colleagues in other units, departments and ministries and approach them bilaterally to discuss potential cooperation (e.g. talking to colleagues in the Ministry of Defense about the Kigali Principles on the Protection of Civilians, or discussing with colleagues at the Ministry of Education the possibility of launching a course on R2P in local schools).

- Include atrocity prevention in your country's submission to the UPR. The UPR process provides an opportunity to initiate a strategic discussion on what priorities and resources are required to strengthen atrocity prevention, and determine responsibilities and timeframes at the national level to fulfill these aims.

## PROVIDING EARLY WARNING AND POLICY RECOMMENDATIONS ON POTENTIAL ATROCITY SITUATIONS

Another role of the R2P Focal Point is to raise the alarm on potential atrocity situations by providing early warning risk factors (internationally or domestically) to other colleagues within their system and feeding into the decision-making of the political leadership. By making sure that risk assessments are communicated in a timely fashion within your government, R2P Focal Points can play an influential role in raising the alarm and mobilizing their government's response.

The UN Framework of Analysis for Atrocity Crimes (Annex II) and analysis produced by the Global Centre through its publications - including *Atrocity Alert* and *R2P Monitor* - can assist R2P Focal Points in assessing risks in particular countries of concern and identifying appropriate policy responses. Additional warning signs may be identified by Human Rights Council mechanisms, such as reports by the High Commissioner for Human Rights, Fact-Finding Missions, Commissions of Inquiry and thematic or country-specific special procedures mandate holders.

When you observe warning signs of mass atrocity crimes in your own country, or believe that your government should take action in response to a mass atrocity situation elsewhere, as an R2P Focal Point you should bring more attention to this situation. As you become aware of situations where civilians may be at increasing risk of genocide, war crimes, crimes against humanity or ethnic cleansing, contact relevant colleagues (across departments, in Permanent Missions in New York and Geneva, regional organizations, embassies/delegations, etc.) to ensure that they are aware of the escalation and that appropriate measures are being undertaken.

An R2P Focal Point can initiate such action by approaching relevant officials, outlining your role as an R2P Focal Point, sharing the latest information on the mass atrocity situation. *The Secretariat can provide the latest information on the mass atrocity situation in question, if requested.*

# ADVOCACY MEASURES FOR R2P FOCAL POINTS

## EXAMPLES OF POSSIBLE BILATERAL AND REGIONAL RESPONSES

- Provide humanitarian, technical, financial and other necessary support and assistance;
- Issue official statements of condemnation regarding atrocity crimes, human rights abuses, hate speech, etc;
- Suspend trade and/or military cooperation;
- Review development programs to ensure that they do not reinforce discriminatory structures or neglect persecuted communities;
- Support domestic investigations into alleged human rights abuses and atrocity crimes;
- Impose targeted sanctions and arms embargoes.

Additionally, R2P Focal Points should engage their colleagues in relevant embassies. If your government has an embassy in a country or region where populations are at risk of mass atrocity crimes, you may encourage and/or assist the embassy staff in developing a policy response to the situation. This could involve:

- Requesting a meeting with the host government to communicate concern and/or offer assistance, if applicable,
- Organizing a visit by your Ambassador to the impacted area, liaising with embassies of other governments on a potential joint response (e.g. letter or statement), etc.

Such measures would demonstrate your government's solidarity with vulnerable populations, communicate concern about the situation and inform your government's wider response to the crisis.

## EXAMPLES OF POSSIBLE UN RESPONSES

- **AT THE UN GENERAL ASSEMBLY**
  - call for the President of the General Assembly to hold a formal or informal session to address the situation;
  - table or support a resolution condemning the atrocities; call for the appointment of a Special Envoy;

- establish a mechanism to assist in the investigation and prosecution of perpetrators of atrocities;
- call upon the UN Security Council to consider referring the situation to the International Criminal Court (ICC); etc.
- **AT THE UN SECURITY COUNCIL**
  - call for the situation to be discussed on the formal agenda, under “any other business” or at an Arria-Formula;
  - invite civil society representatives from the affected country to brief the Council on the situation;
  - organize a Council visiting mission to the affected country or region;
  - issue a Presidential Statement or support a resolution that would condemn mass atrocities and help end their perpetration;
  - authorize deployment of a Special Political or Peacekeeping Mission;
  - create a mechanism to investigate and attribute responsibility for atrocities;
  - refer the situation to the ICC;
  - impose targeted sanctions and/or an arms embargo.
- **AT THE UN HUMAN RIGHTS COUNCIL**
  - ask questions during the UPR process to relevant states regarding their capacity to prevent atrocities and provide states under review with recommendations that would help prevent their commission;
  - call for a special session to discuss a situation where atrocities are being committed and support a resolution condemning the atrocities;
  - establish a fact-finding mission/Commission of Inquiry/alternative investigative mechanism;
  - appoint a Special Rapporteur or Independent Expert on the situation;
  - call upon Special Rapporteurs to conduct country visits to assess the situation, etc.





## ENGAGING WITH THE GLOBAL NETWORK

While the majority of an R2P Focal Point's responsibilities are aimed at strengthening their government's commitment to R2P and improving its capacity to respond to potential atrocity crimes, another important element of this role is interacting with counterparts in other governments. Such interactions strengthen the effectiveness of the Global Network and improve our collective capacity to promote R2P and respond to atrocity risks.

In addition to attending annual meetings of the Global Network or joining the Steering Group, R2P Focal Points can engage with the Network in a number of ways:

- **Create a “focus group” (2-5 R2P Focal Points) on a country-specific situation.** R2P Focal Points can choose to form a small working group to brainstorm ideas for improved response – whether bilateral, regional or international – to an ongoing mass atrocity situation, including coordinated action to influence relevant actors.
- **Using the Global Network for joint advocacy.** With the support of the Secretariat, one or more R2P Focal Points can mobilize members of the Global Network to create and endorse a joint advocacy product that expresses concern about a situation and suggests necessary action to prevent or halt the commission of mass atrocity crimes. This could be an open statement or a letter directed at relevant stakeholders, such as government officials or UN bodies. Working with the Secretariat, the letter or statement could be signed by members of the Global Network.





# DEFINING THE FOUR CRIMES

Genocide, crimes against humanity and war crimes are legally defined in various international legal documents, such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1949 Geneva Conventions and their 1977 Additional Protocols, and the 1998 Rome Statute of the International Criminal Court. Their status as international crimes is based on the belief that the acts associated with them affect the dignity of human beings, both in times of peace and in times of war.

## GENOCIDE

**Genocide means acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, including:**

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

To constitute genocide, there must be a intent on the behalf of the perpetrators to physically destroy a national, ethnic, racial or religious group. Victims of this crime are deliberately – and not randomly – targeted because of their perceived membership in one of a protected group. Genocide can also be committed against only a part of the group, as long as that part is identifiable and substantial.

## WAR CRIMES

There is no single document in international law that codifies all war crimes. Lists of war crimes can be found in both International Humanitarian Law (the Hague and Geneva Conventions) and International Criminal Law treaties (the Rome Statute of the International Criminal Court), as well as in international customary law. War crimes take place in the context of an armed conflict, either international or non-international. What constitutes a war crime may differ depending on whether an armed conflict is international or non-international.

The Rome Statute of the ICC makes a distinction between four categories of war crimes, depending on its character:

- War crimes in *international armed conflicts* include:
  - Willful killing, torture or inhuman treatment, or willfully causing great suffering or serious injury to body or health against the sick, wounded and shipwrecked persons not taking part in hostilities, prisoners of war and other detainees, civilians and civilian objects.
  - Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.
- Other serious violations of the laws and customs, such as:
  - Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
  - Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;
  - Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives;
  - Employing poison or poisoned weapons.
- War crimes in *non-international armed conflicts* include:
  - Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture of persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause against the sick, wounded and shipwrecked persons not taking part in hostilities, prisoners of war and other detainees, civilians and civilian objects.
- Other serious violations of the laws and customs, such as:
  - Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
  - Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives

## CRIMES AGAINST HUMANITY

Crimes against humanity have not yet been codified in a separate treaty of international law. The crime has, however, been clearly defined in the Rome Statute of the International Criminal Court.

**Crimes Against Humanity means acts committed as part of a widespread or systematic attack directed against any civilian population, such as:**

- Murder;
- Extermination;
- Deportation or forcible transfer of population;
- Torture;
- Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- The crime of apartheid;
- Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

Crimes against humanity involve either large-scale violence in relation to the number of victims or its extension over a broad geographic area (widespread), or as part of a wider policy or plan (systematic). This excludes random, accidental or isolated acts of violence.

## ETHNIC CLEANSING

Ethnic cleansing has not been recognized as an independent crime under international law. The term surfaced in the context of the 1990's conflict in the former Yugoslavia and has been used in resolutions of the UN Security Council and the General Assembly. Notably, the term has been acknowledged in judgments and indictments of the International Criminal Tribunal for the Former Yugoslavia, although it did not constitute one of the counts for prosecution.

A UN Commission of Experts mandated to look into violations of international humanitarian law committed in the territory of the former Yugoslavia defined ethnic cleansing in its interim report as “rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups from the area” and as “a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas.”

The Commission also stated that coercive practices used to remove the civilian

humanitarian law committed in the territory of the former Yugoslavia defined ethnic cleansing as “rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups from the area” and as “a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas.”

The Commission also stated that coercive practices used to remove the civilian population can include: murder, torture, arbitrary arrest and detention, extrajudicial executions, rape and sexual assaults, severe physical injury to civilians, forcible removal, displacement and deportation of civilian population, deliberate military attacks or threats of attacks on civilians and civilian areas, use of civilians as human shields, destruction of property, and robbery of personal property, as well as attacks on hospitals, medical personnel, and locations with the Red Cross/Red Crescent emblem.

# UN FRAMEWORK OF ANALYSIS FOR ATROCITY CRIMES

## WHAT DOES THE FRAMEWORK INCLUDE?

The Framework lists **14 risk factors** for atrocity crimes. Risk factors include various behaviors, circumstances or other elements that create an environment conducive to the commission of mass atrocity crimes. Risk factors include both structural issues – such as weakness of state institutions – as well as more dynamic issues such as triggering events.

Among those risk factors are ones that are considered “common” to all four mass atrocity crimes, such as situations of armed conflict or a record of serious violations of international humanitarian and human rights law. This means that under these circumstances, there is a risk that any of the crimes may be committed. In addition, the framework describes several risk factors that are specific to only one of the crimes – for example “Signs of an intent to destroy in whole or in part a protected group” is unique to the crime of genocide.

Each risk factor also includes a list of indicators designed to help determine the degree to which a particular risk factor is present. For example, under the risk factor “Capacity to commit atrocity crimes” indicators include:

- Availability of arms
- Presence of armed groups
- Capacity to recruit large numbers of supporters
- Capacity to transport personnel and distribute arms

## HOW DO YOU USE THE FRAMEWORK?

The Framework is designed as a broad guide that can help monitors and analysts assess potential atrocity risks. If the risk factors and indicators are used as a guide in the collection and assessment of information in the field, you may be better able to make qualitative assessments of the risk of atrocity crimes in specific situations.

In order to effectively utilize the Framework, analysts and monitors should collect reliable information on the situation and use it to inform whether any of the indicators are present. They should be particularly attentive to changes that may contribute to an increase or decrease the likelihood of crimes occurring.

**There are a few things to bear in mind while using this tool:**

- Not all fourteen risk factors need to be present for there to be a significant risk of atrocity crimes being perpetrated.
- An assessment must situate atrocity risk factors within a broader political, historical and cultural context. If a society has various factors that help mitigate the risks of atrocities or a lack of potential triggers, then there could be several risk factors present and yet a low probability of crimes occurring.
- A significant number of countries, for example, may have a record of serious violations of human rights, weak state structures, and a capacity to commit crimes through arms flows across borders – but the violations perpetrated against civilians do not reach a threshold beyond violations and abuses of basic human rights.
- That said, while the presence of risks does not always lead to atrocities, the more risk factors and relevant indicators that are present, the higher the risk of atrocity crimes being committed.

## NOTE

Below is a leaflet developed for schoolchildren by the R2P Focal Point of Slovenia in coordination with the Ministry of Education as an example of how an R2P Focal Point can work across ministries.

## AS CHILDREN REFUGEES IN THIRD COUNTRIES WE HAVE THE RIGHT TO APPROPRIATE CARE AND PROTECTION.



### SUGGESTED ACTIVITIES:

Discussion on the basis of current developments and news from the media

- Who are refugees, asylum seekers and foreigners?
- Do you know any? Where are they from?
- What do they need most, who can help them and how?
- How can we help them (if one of them comes or is already among us)?

The text was prepared in 2005 on the basis of the teaching material for the project entitled Our Rights. With the Our Rights project, Slovenia has actively enabled education on children's rights for more than 180,000 children in a number of countries in Europe, Asia, the Middle East, Latin America and Africa.

More information is available at the website:

[http://www.mzz.gov.si/en/foreign\\_policy\\_and\\_international\\_law/slovenian\\_foreign\\_policy\\_and\\_human\\_rights/the\\_our\\_rights\\_project\\_human\\_rights\\_education/](http://www.mzz.gov.si/en/foreign_policy_and_international_law/slovenian_foreign_policy_and_human_rights/the_our_rights_project_human_rights_education/)

The picture was drawn in 2016 by Katarina (13 years old) and Rebecca (11 years old) Agius Jager, Junior UNICEF Ambassadors in Slovenia.

## **CONVENTION ON THE RIGHTS OF THE CHILD**

Adopted by General Assembly resolution 44/25 of 20 November 1989, entered into force on 2 September 1990.

### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

### **Article 22**

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

## **REFUGEE**

According to the Convention Relating to the Status of Refugees, a refugee is any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country or return to it and has been granted the right to international protection (asylum).

## **APPLICANT FOR INTERNATIONAL PROTECTION (ASYLUM)**

According to the 1951 Geneva Convention, an applicant for international protection is any person who applies for international protection (asylum) in a country, which is not the country of his or her nationality, owing to persecution or fear of persecution and who awaits a decision concerning the application waiting for a final decision, such a person may not be compelled to return to the country of his or her nationality.

## **INTERNATIONAL PROTECTION (ASYLUM)**

Asylum is protection or sanctuary which a country grants to a foreigner where it deems that return to the country of his or her origin might pose a threat to their safety or physical integrity for reasons of race, religion, nationality, membership of a particular social group or political opinion. This protection entails, in particular, the right to reside in a foreign country, the rights granted to refugees under the 1951 Geneva Convention and the rights enshrined in the International Protection Act.

JUNE 2019



**Australian Government**  
**Department of Foreign Affairs and Trade**

## R2P – FACT SHEET

**Responsibility to Protect (R2P) is a global political commitment to prevent mass atrocity crimes. Australia is a global advocate on R2P and DFAT leads Australia's domestic, regional and international policy implementation.**

### WHAT IS R2P?

Endorsed by world leaders at the 2005 UN World Summit and referenced in over 50 subsequent resolutions and presidential statements of the UN Security Council, R2P rests on three pillars:

1. states have primary responsibility to protect their populations from mass atrocity crimes;
2. the international community has a responsibility to assist states to protect their populations;
3. if a state is manifestly failing to protect its population, the international community has a responsibility to take timely and decisive collective action to protect populations, in accordance with the UN Charter.

*Mass atrocity crimes* include genocide, crimes against humanity, war crimes and ethnic cleansing.

All action taken under R2P's Pillar 3 must comply with the UN Charter. R2P does not create a new legal basis for collective action.

### MASS ATROCITY: EXAMPLES AND IMPACTS

- **Rwanda** – In 1994, at least 800,000 Rwandans killed over a 100-day period.
- **Srebrenica** – In 1995, approximately 8,000 men and boys killed by Bosnian Serb forces over a few days.
- **Burundi** – Targeting of civilian populations based on ethnicity (1993–2005).

Beyond tremendous loss of life, mass atrocities provoke long-lasting shocks to development. The conflict in Syria has wound the country back decades in terms of economic, social and human development, halving its GDP from 2011 to 2016 (IMF; UNDP). Rwanda's economy collapsed with the 1994 genocide. In 2001, the World Bank estimated that per capita GDP would have been 25-30 per cent higher if the genocide had not occurred.

Mass atrocity crimes in Rwanda (1994), Syria (since 2011) and Myanmar (since 2017) triggered three of the most significant refugee crises of the past 25 years.

### AUSTRALIA'S ROLE

Australia has consistently supported R2P since its inception. At the United Nations General Assembly in 2015, Australia's Foreign Minister, Julie Bishop, said: "All states must uphold their responsibility to protect civilians from the most serious international crimes". Former Australian Foreign Minister, Gareth Evans, co-chaired the International Committee on Intervention and State Sovereignty that first articulated the principle.

Australia continues to advocate for R2P through multilateral fora — including via our current term on the UN Human Rights Council — and in our regional and bilateral diplomatic engagement.

Australia is also on the Steering Group of the Global Network of R2P Focal Points, an active member of the New York and Geneva-based Groups of Friends of R2P, and a member of the Global Action Against Mass Atrocity Crimes Association (GAAMAC).

Australia funds R2P advocacy and capacity building through the UN Office on the Prevention of Genocide and R2P, the Global Centre for R2P and the Asia Pacific Centre for R2P. Our funding will support the first Regional Meeting of Asia Pacific Focal Points in 2019.

DFAT officers posted overseas play an important role in identifying and reporting on risk factors for mass atrocity crimes – as our 'eyes and ears on the ground'. The *UN Framework for Analysis on Mass Atrocity Crimes* provides useful guidance on identifying mass atrocity risk factors.

### MORE INFORMATION

For more information on R2P, please contact the Peacekeeping and Conflict Prevention Section, International Organisations Branch.



MINISTRY FOR FOREIGN  
AFFAIRS OF FINLAND

## The Responsibility to Protect, Finland's policy decision 2016

1. The *Responsibility to Protect* (RtoP or R2P) is a concept that underlines the responsibility of every state and the joint responsibility of the international community to prevent, suppress and halt mass atrocity crimes (genocide, war crimes, crimes against humanity and ethnic cleansing).
2. *The Responsibility to Protect* is not a legal term and does not create new legal obligations. Instead, it relies on the existing rules of international law which protect human dignity and the physical integrity of the individual to strengthen the effective implementation of these rules under all circumstances. The implementation of the RtoP must always be consistent with international law.
3. Promoting the RtoP is one of the priorities in Finland's UN policy. Finland works to consolidate the concept, to strengthen its broad acceptance and to ensure its effective implementation. Finland supports the efforts to limit the use of the right of veto to hamper effective action by the UN Security Council in situations of mass atrocities.
4. Finland supports the work of the UN special advisers on the Responsibility to Protect and on Prevention of Genocide. Finland is a member of the cross-regional Group of Friends of RtoP operating in New York and Geneva. Finland participates also in the global network of National Focal Points for RtoP. Finland's Focal Point for RtoP is placed in the Ministry for Foreign Affairs.
5. Finland considers it important that the European Union continues to provide active support to the promotion of RtoP while creating and promoting cross-regional partnerships. The EU should use the available tools of, inter alia, early warning, crisis management, and development policy effectively to prevent and suppress mass atrocity crimes. Finland supports the activities of the EU's Focal Point for RtoP.
6. Finland emphasises the significance of preventive measures, as well as international cooperation to strengthen the capabilities of states to prevent and suppress mass atrocity crimes. Of major relevance in this respect are conflict prevention, mediation, support to fragile states, strengthening of the rule of law structures and civil society, focusing on the human rights of women and girls as well as other measures strengthening respect for human rights, better use and observation of the analysis produced by human rights mechanisms, as well as countering impunity for the most serious international crimes.
7. While Finland is not a high-risk country for RtoP, efforts are required both from the central government and NGOs to prevent social exclusion, support the status of minorities, prevent mounting confrontations in migration issues and combat violent radicalisation and extremism. On the national level, Finland's work to promote RtoP is preventive. Finland's national operating models may be of international interest as examples of 'best practices' of the Responsibility to Protect.





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