



Making an Impossible Mandate Possible: The Challenge of Preventing Genocide
and Mass Atrocities: End of Assignment Note
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On 25 January 2012, the Secretary-General of the United Nations, Ban Ki-moon, announced that my term of office as Special Adviser on the Prevention of Genocide will end on 31 July, 2012, as part of the senior management changes for his second term.

I will leave with deep gratitude to the Secretary-General for the opportunity he granted me to serve on this mandate of great importance to humanity, the prevention of genocide. I also leave with the satisfaction that, during my term of Office, we endeavoured to establish a conceptual, normative, and operational framework for our work on genocide prevention.

Despite the challenges of the mandate and the constraints on its implementation, I am confident that we have laid down a framework for cooperation with Member States of the United Nations, regional and sub-regional organizations, governmental and non-governmental organizations, civil society in general, and other stake holders. This collaboration is essential for advancing the cause of preventing genocide and related atrocities.

Although genocide is one of the most heinous crimes that humanity is expected to prevent, stop and punish, it is also a highly sensitive issue. Genocide evokes denial on the part of both perpetrators and those who are called upon to intervene. While allegations of genocide are often loosely made to describe mass violence, the legally defined crime of genocide is in most cases recognized only after the fact. For this reason, taking preventive measures early – before situations escalate and the stakes become so high that denial sets in – is the best course of action.

From the start, I was aware that I was undertaking a mandate that was virtually impossible, but one that must be made possible. Toward this end, the challenge of genocide prevention must be defined in a way that reduces its complexity. As such, I tried to define genocide in a way that would make it more manageable. To make the mandate less threatening, I decided to de-mystify genocide from being viewed as something too sensitive to address.

My understanding of genocide is that it is an extreme form of identity-related conflicts stemming not from the mere differences between groups, but from the implications of those differences, reflected in gross inequalities, discrimination, marginalization, exclusion, stigmatization, de-humanization and denial of fundamental rights. The most effective form of prevention is therefore constructive management of diversity to promote equality, inclusivity, respect for fundamental rights and observance of democratic values and practices.

I built my approach on four key assumptions and principles:

First, we must admit that most, if not all, countries that confront the challenges of protecting populations within their national borders are severely divided by crises of national

identity. These crises split populations into in-groups and out-groups, creating vacuums of national responsibility to protect the out-groups. Marginalized and often persecuted, where do these groups turn for protection and assistance, but to the international community?

Second, when these desperate populations seek international protection, national authorities invoke sovereignty as a barricade against external involvement. And, indeed, state sovereignty is still a core principle in international relations. Sovereignty, as a result, becomes a tool for states, whose record of gross mistreatment of their own populations makes them vulnerable to outside scrutiny, to assert in self-defence.

Third, to recast sovereignty in a positive light, it must be stipulated as a concept of state responsibility to protect its own populations, if necessary with international support. This means that the respectability and legitimacy of any national authority must rest on meeting international standards for protecting populations in need.

This concept of “Sovereignty as Responsibility” has ultimately led to the development of the “Responsibility to Protect” (RtoP) principle. This concept rests on three pillars: state responsibility for its people, international support for states in exercising their responsibility, and a more assertive, multi-faceted, international involvement where a state is “manifestly failing” to protect its own population from genocide, war crimes, ethnic cleansing or crimes against humanity.

As the mandates on genocide prevention and that of the responsibility to protect are interconnected, the Secretary-General directed my colleague, Edward Luck, the Special Adviser of the Secretary-General on the Responsibility to Protect, and me to form a Joint Office to cover all four crimes and violations.

Fourth, while the first two pillars of RtoP do not generate controversy, recent actions sanctioned by the Security Council in Cote d’Ivoire and Libya under the third pillar of RtoP have demonstrated that international response is incrementally gaining ground. Intervention, however, continues to be controversial.

Guided by these assumptions and principles, our Office undertakes a number of activities related to monitoring and risk assessment, advising and alerting, enhancing capacity, and raising awareness to advance national, regional and international efforts to protect populations from genocide as well as war crimes, ethnic cleansing and crimes against humanity, and their incitement.

A critical element in our work is the collection and analysis of information for early warning purposes. The Office analyses developments worldwide based on our Framework of Analysis, which is an objective tool for assessing the risk of genocide through eight identity-relevant sets of factors. When there is a risk of genocide or related crimes in a specific country situation, we issue reports and policy advisory notes to alert the Secretary-General and members of the Security Council to the situation.

To strengthen prevention, early warning and response capacities, the Office has also undertaken a capacity-building training programme. Between 2009 and 2011, we conducted 34 training sessions in 13 countries and trained 738 persons on the prevention of genocide and related crimes.

Since we see the role of our Office as catalytic, collaboration with partners within and outside the UN, including governmental and non-governmental organizations, civil society in general, research institutions, and the scholarly community, is essential to the over-all prospects of achieving the objectives of prevention.

Looking to the future and whomever the Secretary-General appoints as my successor, I hope that the conceptual, institutional and operational framework which we have established for the work of the Office will provide a basis to build upon.

On a personal note, whatever I do in the next phase of my professional life, I have no doubt that the causes that have preoccupied me over the last several decades, the mandate on genocide prevention being the latest, will remain areas of concern for me and provide a basis for continuing cooperation with organizations and institutions that share these concerns.