

## Written evidence from Protection Approaches (RTP0002)

### Executive summary

1. **This submission addresses the questions set out in the terms of reference regarding the extent to which United Nations member states, and most particularly the United Kingdom, are able to fulfil their commitments made in 2005 to protect civilian populations from genocide, war crimes, crimes against humanity and ethnic cleansing.**
2. In 2005 the UK and all UN member states committed to uphold the Responsibility to Protect civilians from atrocity crimes. This is a commitment that this and all UK governments since 2005 have firmly reiterated. The UK's commitment to the Responsibility to Protect Protocol was renewed in the National Security Strategy and Strategic Defence and Security Review in 2015 through to 2025. The UK prides itself on being a flag bearer of the norm and as a champion of global human rights.
3. The 2005 commitment and framework of the Responsibility to Protect are crucial tools that assist states and the International community in preventing mass atrocities and in protecting populations. However, the UK, unlike many other UN member states, has yet to integrate these commitments into wider Government decision making. At times it is difficult to see how the UK discharges its responsibilities to protect much beyond its activities via the United Nations. The UK, unlike a growing number of states in Africa, Asia, Latin America, Europe, and the United States, has yet to articulate a public policy or approach to atrocities. **The UK is at risk of falling behind many like-minded states in its approach and contribution to the timely and effective prevention, prediction, and protection from mass atrocities.**
4. The absence of a cross-Government mechanism has resulted in actions that have at times been inconsistent –or in direct contradiction to– the UK's stated commitments to R2P. The prevention of atrocities requires a joined up, holistic approach in which different stakeholders lend their different instruments towards a shared goal.<sup>1</sup> The application of what is sometimes called an 'atrocity prevention lens', ( the integration of atrocity-specific analysis into existing policies and decision-making processes), or 'establishing an atrocity prevention "seat" at the policy-making table' can help maximise and coordinate contributions towards effective prediction and prevention across Government but is currently lacking from UK strategy.<sup>2</sup>
5. The UK cannot and should not shoulder the burden of responsibility alone. However, as a P5 member, leading soft power, major aid donor, and influential diplomatic broker, the UK has a responsibility –and the opportunity – to lead by example.
6. **Any HMG office, mechanism or policy on preventing, predicting and responding to mass atrocities would strengthen the UK's ability to better:**
  - I. Uphold its responsibilities to protect populations from mass atrocities and as articulated in the 2005 and set out in the 1948 UN Convention for the Prevention and

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<sup>1</sup> Matthew Rycroft speaking at [How to Prevent Mass Atrocities](#), Chatham House, 20 Feb 2018; see also [The UK Needs to Speak With One Voice to Prevent Mass Atrocities](#), Champa Patel, Chatham House, 28 Feb 2018

<sup>2</sup> Alex Bellamy, "Operationalizing the "Atrocity Prevention Lens" in *Reconstructing Atrocity Prevention*, (eds.) Rosenberg, Galis & Zucker, Cambridge University Press, 2016, p.69

## Punishment of Genocide

- II. Address the prevention of mass atrocities as a core national security interest and a moral responsibility
- III. Apply an atrocity prevention “lens” to HMG decision making, particularly when it comes to conflict prevention and work in fragile states
- Iç. Coordinate cross-Whitehall information sharing and response to early warnings of atrocities
- ç. Integrate indicators of risk particular to identity-based violence, including violent extremism and mass atrocities, into horizon scanning and strategic planning
- çI. Promote accountability for perpetrators of atrocity crimes, whether in the UK or abroad.

## About Protection Approaches

7. Protection Approaches works to assist the UK in better predicting and preventing identity-based violence, particularly mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity and war crimes). Protection Approaches is registered charity in England and Wales, charity number 1171433 For more information please see [www.protectionapproaches.org](http://www.protectionapproaches.org).
8. This submission has been prepared by Dr. Kate Ferguson, Director of Research & Policy and Ben Willis, Research Associate. Dr. Ferguson is an experienced analyst in the fields of atrocity prevention, violent extremism, and civilian protection. She is a member of the Centre for Science & Policy's Network for Evidence and Expertise at the University of Cambridge and the British Academy Network on the Responsibility to Protect. She is Editor of Refugee History and Honorary Research Fellow at the University of East Anglia where she lectures on human rights, including on the history of humanitarian intervention and R2P. She holds a PhD from UEA on the dynamics of modern mass atrocities, and an M.Phil in Russian and East European Studies from the University of Oxford. Mr Willis is a PhD Candidate at the European Centre for the Responsibility to Protect (ECR2P), University of Leeds. He received his MA and BSc (Hons) degrees in International Relations from the University of Plymouth, specialising in critical security studies.
9. Dr Ferguson gave oral evidence to the Foreign Affairs Committee as part of this inquiry on 1 May 2018. This submission builds on that evidence. Evidence and recommendations set out below have been informed by research carried out for a soon-to-be published policy brief, *Towards a National Approach to Atrocities*.

## Rationale

10. Despite the breadth and grievousness of mass atrocities, the United Kingdom, unlike the United States and many other states around the world, has yet to adopt a national strategy or mechanism of atrocity prediction, prevention, or response. Episodes of genocide and mass atrocity “carry serious economic consequences that go beyond those of 'regular' civil wars” due to the intense targeting of human as well as physical capital.<sup>3</sup> In addition to their appalling human costs, mass atrocities force people from their homes, increase the risk of terrorism, and perpetuate global instability. These crimes also affect Britain’s own security

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<sup>3</sup> Economic Aspects of Genocides, Other Mass Atrocities, and Their Preventions, Charles H. Anderton, ed. Jurgen Brauer Oxford University Press, 2016, p. 138

and prosperity. The incidence of mass atrocities is rising yet these crimes can often be prevented, and their root causes interrupted; it is in the UK's national interest to do so.

11. Following inquiries into UK policy in Burma, both the International Development Committee (IDC) and Foreign Affairs Select Committee (FAC) have recommended that Government prioritise its approach to mass atrocity prevention.<sup>4</sup> The FAC concluded that '[t]here was too much focus by the UK and others in recent years on supporting the 'democratic transition' and not enough on atrocity prevention'.<sup>5</sup> The March 2018 [report](#) of the Joint Committee on the National Security Strategy (JC-NSS) has similarly highlighted that HMG should consider improving its approach to tackling instability overseas in order to provide a more suitably '[joined-up, effective and efficient](#)' approach to UK national security challenges.<sup>6</sup> The broader 'strategic' recommendations of the JC-NSS should be understood as reinforcing the need to take on board lessons offered by the more case-specific FAC, and IDC reports.
12. In light of recent UK actions in Syria, Libya, Iraq and Afghanistan, this includes, but is not limited to, consideration of 'whether the UK has a responsibility to intervene overseas, through military means if necessary, if civilians are at risk of harm, [...] whether the UK risks doing more harm than good through intervention, especially (but not only) in relation to military intervention, [...] and] whether the UK should focus its efforts on the causes of instability [...] rather than seeking short-term, and often military-led, responses"<sup>7</sup>
13. It is evident that there are gaps in current UK approaches to predicting violent crises and that, once the point of violence has been reached, lack of strategic and departmental clarity obscures where responsibility for decision making lies. The absence of specific mass atrocity related expertise in Government further encourages reliance upon reactive and inconsistent policies aimed at alleviating suffering and contributing to civilian protection. The absence of a publicly available strategy leaves the UK open to criticism at home and abroad regarding the extent to which HMG is committed to and is upholding its states responsibility to protect populations from atrocities.

### **The need for a clearly defined strategy**

14. **HMG should recognise atrocity prevention as a distinct national security issue and a matter of national interest, making explicit that which is already implicit within National Security Objective 2 of the 2015 NSS-SDSR.**
15. Atrocity prevention remains a grievously under-examined policy area in the UK, to the extent that the UK risks falling behind many likeminded states. Far from being a narrow agenda, atrocity prevention cuts across various elements of National Security Objective 2 of the 2015 NSS-SDSR.<sup>8</sup> However, it has yet to be suitably identified as an overlapping but distinct agenda that requires the insertion of an 'atrocity prevention lens'<sup>9</sup> into existing policy frameworks and institutional mechanisms. The insertion of such a lens –supported by

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<sup>4</sup> House of Commons Foreign Affairs Committee, Violence in Rakhine State and the UK's response, First Report of Session 2017–19 / House of Commons; International Development Committee, Bangladesh and Burma: the Rohingya crisis, Second Report of Session 2017–19

<sup>5</sup> FAC, *Violence in Rakhine*, p.3

<sup>6</sup> Joint Committee on National Security Strategy, NSCR 2018 report, p.31-33

<sup>7</sup> *Ibid.*, para.73

<sup>8</sup> [Sections: A. Global Britain / B. Allies, partners and global engagement / C. Strengthening the rules-based international order and its institutions / D. Tackling conflict and building stability overseas]

<sup>9</sup> Alex Bellamy, [Reducing Risk, Strengthening Resilience: Toward the Structural Prevention of Atrocity Crimes](#), Policy Brief, Stanley Foundation, April 2016

appropriate institutional platforms such as, for example, an FCO-DFID Joint Analysis Unit, a well-resourced R2P Focal Point to connect national strategy with activities at the UN, and a Ministerial portfolio, would assist with developing exactly the type of ‘joined up, effective and efficient’ approach to UK national security issues as identified by HMG.

16. While the UK performs world-leading work through soft power and via a number of related international development and security concerns, its approach to the specific issue of atrocity prevention remains ad hoc and disjointed. The absence of a clearly articulated strategy has led at times to incoherent policies, as identified by the Foreign Affairs and International Development Select Committees regarding UK policy in Burma. However, without an explicit policy commitment, articulated strategy, or mechanism situated within Government, British contributions to predicting, raising warning of, and responding to atrocity crises have too often fallen between the gaps of foreign affairs and international development. As a result, the UK falls short of the holistic understanding of atrocity crimes that is intrinsic to successfully tackling conflict and instability overseas and to strengthening the rules-based international system in a time of considerable duress. Moreover, national security concerns arise too from wider global perceptions of the UK’s role in response to mass atrocity situations. This can be seen in analysis of UK’s Syria policy where ‘the failure to prevent mass atrocity radicalises opinion in ways that may have a direct bearing on UK national security’<sup>10</sup>.
17. The still-to-be fully defined identity of a Global Britain holds an opportunity to redefine British leadership on the world stage. Effective prevention requires both the tools of development and diplomacy; the UK is world leading in both. Responsibility in current HMG policy for preventing, predicting and responding to atrocities implicitly crosses many departmental briefs but also at times falls between gaps of FCO and DFID. The DFID Building Stability Framework and both DFID and CSSF programme designs as they currently stand – as well as existing UK approaches to military intervention overseas – all neglect to incorporate an ‘atrocity prevention lens’ that would enable HMG to far more effectively and efficiently tackle conflict and instability.

## **Mainstreaming R2P in the Foreign Office**

18. Mainstreaming atrocity prevention throughout FCO structures, bolstering the role of R2P focal point, and articulating atrocities as a distinct global challenge would be in line with global best practice. The 2017 UN Secretary General’s report ‘Implementing the Responsibility to Protect: Accountability for Prevention’, calls upon states to strengthen their contribution to and accountability for atrocity prevention worldwide.<sup>11</sup> The absence of an atrocity lens or articulated approach to atrocities in the FCO has led to inconsistent policies, patchy analysis, and confused public policy.
19. The 2016 Foreign Affairs Committee inquiry into the intervention in Libya concluded that ‘the UK Government focused exclusively on military intervention’ and assessed that the Committee had ‘seen no evidence that the UK Government carried out a proper analysis of the nature of the rebellion in Libya.’<sup>12</sup> The recommendations from the Foreign Affairs

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<sup>10</sup>Jason Ralph, [Mainstreaming the responsibility to protect in UK strategy](#), United Nations Association UK, 2014

<sup>11</sup> Implementing the Responsibility to Protect: Accountability for Prevention, Report of the Secretary-General, General Assembly Seventy-first session Items 13 and 117, 10 August 2017

<sup>12</sup> House of Commons Foreign Affairs Committee, [Libya: Examination of intervention and collapse and the UK’s future policy options](#), Third Report of Session 2016–17

Committee on the need for the FCO to learn on atrocity prevention from the Burma case support this need for joined up thinking and clearer analysis.

20. In its response to the Foreign Affairs Committee Rakhine report, the Foreign Office reiterated Government ‘support for mass atrocity prevention and for the principle of the Responsibility to Protect (R2P)’. However, all mechanisms enumerated in the response as vehicles of delivery for HMG support of atrocity prevention were international.<sup>13</sup> The only mechanism in the UK that currently exists within Whitehall tasked specifically with these responsibilities is the Focal Point for the Responsibility to Protect.<sup>14</sup> Lack of transparency and stretched resources risks the role of focal point becoming unfit for purpose. It is unclear, for example, what role the focal point played within HMG, the global network of focal points, or in conversation with UN stakeholders in response to early warnings in the past 12 months from Burma, or in April this year following the chemical attack in Douma.
21. Resourcing the overstretched Multilateral Directorate within FCO and clarifying DfID/FCO responsibilities regarding early warning, initiating internal and external processes of information sharing, of raising alarm, and coordinating Government response would likely, for example, strengthened UK policy in Burma.
22. The [announcement](#) in the 2018 National Security Capabilities Review of a Global Britain Board to ‘coordinate Global Britain activity across departments, agencies and our overseas network’, provides an opportunity to ensure atrocity prevention is given a ‘seat’ at the ‘policy-making table’<sup>15</sup> and to make sure it is added to the Global Britain agenda.

### **Recommendations to Government:**

23. ***Take a whole of Government approach to mass atrocities, including a single cross-government Ministerial decision-making body, better civil society and community engagement, and a national atrocity prevention centre.***
24. A UK cross-departmental unit, a well-resourced office of the R2P focal point, and a publicly available national strategy would enhance Government capacity for early prediction and timely response to early warnings, with an emphasis on early and effective non-violent interventions that help address root causes, disrupt harmful processes and mitigate escalation. Any such mechanism could be tasked with sharing information, assessing risks, communicating with relevant networks, and providing Government and Parliament with policy options.
25. **In order to better articulate a national strategy on predicting, preventing and responding to mass atrocities, HMG could:**
  - I. Assess feasibility of a joint-departmental or a whole of Government unit**
  - II. Resource and elevate the position of the UK’s Focal Point for the Responsibility to Protect, in line with global best practice<sup>16</sup>**

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<sup>13</sup> FAC, Violence in Rakhine, p15

<sup>14</sup> Currently Mr Paul Williams, also Director of the Multilateral Directorate, FCO

<sup>15</sup> ‘Operationalising the “atrocity prevention lens”’ Bellamy in ‘Reconstructing Atrocity Prevention’ edited by Sheri P. Rosenberg, Tibi Galis, Alex Zucker, Cambridge University Press, 2016

<sup>16</sup> [National R2P Focal Points Recommendations](#), Global Centre for the Responsibility to Protect

**III. Place UK contributions to the prediction, prevention, and responses to mass atrocities within the portfolio of a Minister**

May 2018