

## Written evidence submitted by Dr. Kate Ferguson on behalf of Protection Approaches

### Executive summary

1. This submission recommends that DFID acknowledge the prevention of mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity, war crimes) as being a matter of national interest and therefore commit to addressing the challenge as a priority. It contends current DFID and FCO policy fails to recognise and respond to pre-atrocity situations in a timely and effective manner. This leads to greater human and financial costs later down the line. This submission suggests DFID humanitarian assistance would be more effective as a protective and preventative measure if an understanding of identity-based mass violence, particularly mass atrocity crimes, accompanied decision making and programme development.
2. This submission recommends DFID
  - Apply an atrocity prevention lens to ensure humanitarian assistance addresses immediate threats of atrocity crimes, early warnings, and root causes<sup>1</sup>
  - Develop a matrix or framework for identifying risk factors, warning signs, and root causes, similar to that used by the Offices of the Special Advisors to the UN Secretary General for the Prevention of Genocide and for the Responsibility to Protect<sup>2</sup>
  - Call for a cross-cabinet coordinated policy response mechanism
  - Acknowledge atrocity prevention as national interest and therefore a national priority
3. At the Humanitarian Summit DFID should push the issue of mass atrocity prevention and a matter of priority and use the occasion as an opportunity to address the challenges posed by the need for civilian protection in mass atrocity situations

### About Protection Approaches

4. Protection Approaches works to end identity-based mass violence, particularly mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity, war crimes). For more information please see [www.protectionapproaches.org](http://www.protectionapproaches.org) Protection Approaches is a not-for-profit NGO with charitable objectives currently seeking charity status with the Charity Commission. Protection Approaches is registered with Companies House as a not-for-profit company in England and Wales with registered number 09304012.
5. This submission has been prepared by Dr. Kate Ferguson, Director of Protection Approaches. Dr. Ferguson is an experienced research and analyst in the fields of atrocity prevention and civilian protection. She is Research Associate for the Partnership for Conflict, Crimes & Security Research at the University of Cambridge, and lectures on Human Rights at the University of East Anglia. She has a PhD and BA. Hons. in History from the University of East Anglia, and an M.Phil in Russian and East European Studies from the University of Oxford.

### Rationale

6. Many of the world's current humanitarian and human rights crises can be seen as consequences of repeated international failures to prevent mass atrocity crimes. Civilians in Syria, Iraq,

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<sup>1</sup> Alex Bellamy, [Mass Atrocities and Armed Conflict: Links, Distinctions and Implications for the Responsibility to Protect](#), The Stanley Foundation, February 2011

<sup>2</sup> [Framework for Analysis for Atrocity Crimes: A Tool for Prevention](#), United Nations, 2014

Burundi, Myanmar/Burma, Central African Republic, and Yemen continue to live under the threat of these crimes while others flee or lose their lives. The UK Government has acknowledged its responsibility to protect civilians from mass atrocity crimes but has so far failed to integrate atrocity prevention into its main policy streams such as the Building Stability Overseas Strategy.

7. In situations where a state manifestly fails to protect its citizens from mass atrocity crimes the UK has a responsibility to respond. In Syria this threshold has long been met; in Syria the Assad regime is committing war crimes and crimes against humanity against its own civilian population.<sup>3</sup> In Myanmar the Rohingya Muslims have become one of the most vulnerable and marginalised groups in the world.<sup>4</sup> Burundi is descending into a state of identity-based violence where the threat of mass atrocities is imminent.<sup>5</sup> Civilians in Central African Republic, Yemen, and Iraq are at daily risk of mass atrocity crimes. Communities in the Sudans remain acutely vulnerable, including in Darfur. It appears that the lessons of history have not been learned, despite the high profile commemorations that are attended each year to mark the human tragedies of Rwanda, Srebrenica, the Holocaust.
8. As a permanent member of the UNSC, the UK has a crucial role to play in ensuring these lessons are learnt and acted upon. The UK has been a good supporter of the R2P at the UN level and contributes financially to the UN Secretary-General's Special Advisors for the Prevention of Genocide and for R2P. However, the UK is falling behind other states on the national level and needs to integrate the R2P principle into national policies and processes. There is an urgent need for a UK R2P-focussed policy, with emphasis on early warning, in order to draw attention to emerging mass atrocity situations and enable the UK, through its considerable humanitarian assistance, the Building Stability Overseas Strategy, and its position at the UNSC, to implement pillar two responses.
9. This submission seeks to draw attention to a series of recommendations that would strengthen the UK's response to mass atrocity crimes:
10. The absence of an explicit commitment of atrocity prevention and mechanism for responding to early warning signs has meant the UK's policy towards crises in Syria or CAR were inadequate. The consequence in Syria has been dire: 250,000 have died, 90 percent at the hands of their government; the region has been destabilised; the rise of ISIS is directly related to the failure of the international community to respond in Syria; and the cost to the UK continues to grow. Applying an atrocity prevention "lens" to policy making, risk assessments, and funding decisions would place civilian protection at the heart of UK international development policy and enable humanitarian assistance to address the root causes and common processes that lead to identity-based mass violence and mass atrocity crimes. Similarly, utilising a risk matrix of the triggers, warning signs, and indicators of this particular kind of mass violence, such as the framework of atrocity crimes designed by the UN Offices for Genocide Prevention and R2P, would enable DFID personnel in the field to identify situations of concern long before violence begins. This would save lives and money.
11. The UK makes admirable contributions to the humanitarian consequences of mass atrocity crimes, most notably the refugee communities hosted by Syria's neighbours. More recently, the

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<sup>3</sup> Most recently, see Human Rights Council, Thirty-first session, Agenda item 4: Human rights situations that require the Council's attention Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic, United Nations, 3 Feb 2016

<sup>4</sup> Statement by Adama Dieng, Special Adviser of the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Adviser of the Secretary-General on the Responsibility to Protect, on the upcoming elections in Myanmar, United Nations, 4 Nov 2015

<sup>5</sup> United Nations Security Council Resolution 2248, 12 Nov 2015

UK has provided similar humanitarian assistance for Burundian refugees being hosted by Burundi's neighbours. Humanitarian assistance currently only addresses the immediate consequences of atrocity crimes. Situations where mass atrocities have occurred should be considered as protracted crises and trigger a specific humanitarian framework, together with pro-active and coordinated FCO and DFID response tailored to the needs and threats of atrocity and post-atrocity contexts. For example, an awareness of identity-divisions, prejudices, and grievances should inform programme development and where appropriate should facilitate inter-group dialogue, and include the capacity to counter rumour through media and communication strategies.<sup>6</sup>

12. The refugee exodus from mass atrocity affected-states such as Syria, Iraq, and Yemen underlines the need for a more effective commitment to atrocity prevention. Furthermore, refugees of mass atrocity crimes must be understood as an R2P responsibility, whether they are in refugee camps across the border of where the violence takes place or closer to home. Humanitarian assistance to refugees and all UK refugee policy must become more rights-based.
13. The UK appears to be lagging behind the United States in its reluctance to acknowledge atrocity prevention as a matter of national interest and therefore a national priority. The International Development Select Committee should open an inquiry into the potential for the UK government to establish a similar cross-cabinet, multiagency mechanism to strengthen the UK's prevention and protection policies. FCO, DfID, MoD, and Home Office all have a role to play in ensuring that the UK upholds its responsibility, as too do the police, security services, army, and NGOs. For example, the failure (or reluctance to) prosecute individuals suspected of committing mass atrocity crimes resident in the UK illustrates the inconsistent application of a commitment to tackling these grave crimes.<sup>7</sup> A joined up approach to atrocity prevention and civilian protection would ensure the UK Government was able to respond earlier and in a more efficient manner to warning signs.
14. Promoting the position of R2P Focal Point from the civil service to a cabinet position, to by creating a cabinet portfolio for atrocity prevention and civilian protection from mass atrocities would elevate the challenge to the sphere of parliamentary and public interest and increase transparency and accountability.

## **Recommendations:**

### **15. International Development Select Committee**

- a) Support calls for an inquiry to investigate the extent to which the UK is upholding its commitments to preventing mass atrocities and protecting civilians at risk of such violence, with a view to considering the potential to establish UK mechanism similar to US Board for Prevention of Mass Atrocities
- b) Call on political parties to appoint a spokesperson for civilian protection/prevention of mass atrocities
- c) Increase scrutiny of UK atrocity prevention and civilian protection measures through the work of the International Development Select Committee

### **16. UK Government**

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<sup>6</sup> Dr. Kate Ferguson, The Effectiveness of Media and Communication Strategies in preventing identity-based violence, Partnership for Conflict, Crimes & Security Research, 1 March 2016

<sup>7</sup> An FOI request submitted by the author indicates that in the period between May 2013 and July 2015 141 people have had their asylum or nationality applications turned down 'on account of serious reasons for considering they were involved in war crimes or crimes against humanity.' To our knowledge no charges have been brought against these individuals.

- a) Recognise that mass atrocity prevention is distinct from conflict prevention and should therefore be identified as a separate policy challenge
- b) Acknowledge the prevention of mass atrocities is a matter of national interest and therefore a national priority
- c) Integrate a mass atrocity prevention “lens” or risk matrix into DFID decision making, particularly in determining where funds are allocated and how to respond presciently to early warning signs
- d) Mainstream the concept of the ‘Responsibility to Protect’ civilians from mass atrocity crimes throughout its human rights work overseas, particularly in states with a history of identity-based mass violence
- e) Promote the position of R2P focal point to the cabinet to improve transparency and accountability

### **17. UK at the United Nations**

- a) Continue to support proposals for voluntary restraint of veto powers by UNSC permanent members in contexts of mass atrocity crimes and work actively towards making the ACT proposal a reality
- b) Increase the UK’s role and capacity as a diplomatic broker at the UN and on the UNSC
- c) Take the lead in building greater, more skilled and dynamic peacekeeping capacities via the United Nations