

Enhancing International Cooperation for Preventing Genocide and Mass Atrocities: The Case for Transatlantic Cooperation*

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I. Making the Case

That international cooperation to prevent mass atrocities and genocide is highly desirable, if not strictly necessary, is hardly a matter for debate. Concerted action by multiple states holds the best chance of changing the incentives of key players and reversing the slide toward mass violence in areas most at risk. Moreover, cooperation among multiple governments can enhance the legitimacy of preventive action, especially when it may be perceived to infringe on a state's sovereign prerogatives. And in the current climate of fiscal and foreign policy retrenchment, collective action promises the sharing of costs and other operational burdens associated with efforts to prevent mass atrocities—not an insignificant factor in gaining and sustaining public support.

Yet, for all the apparent advantages of international cooperation for preventing mass violence, it remains elusive. Broad normative proscriptions and condemnations of these crimes against humanity have not been translated into reliable and effective international mechanisms to prevent them from being committed. This is most evident at the United Nations. While the inclusiveness of the UN's membership provides it unrivalled legitimacy to propagate global norms against genocide and mass violence, it paradoxically hobbles it when urgent action is needed—especially against the interests of member governments, which more often than not are the perpetrators of such crimes. Within the all-important UN Security Council, there are clear differences among the veto-wielding P-5 members about the principle of “non-interference” into a governments' domestic affairs and in their national interests that make decisive action a major challenge in situations at risk of mass atrocities. The same is true in other UN forums, where groups of states have often coalesced to stymie the intentions of more activist members—whether to defend sovereign rights or simply to counter what they see as hegemonic behavior by

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stronger states. The UN Secretariat, for its part, has relatively meager capacity dedicated to atrocity prevention while its dominant culture is not surprisingly risk-averse and deferential to member states.

Among regional organizations the situation is much the same. If anything, the requirement for consensus based decision making is even stronger. Although some regional organizations, notably the African Union, have openly embraced the collective right to intervene to halt mass atrocities and other humanitarian disasters if a member state cannot or will not do so, most have not. In any case, the capacity of virtually all the major regional actors for preventive diplomacy let alone preventive intervention remains woefully undeveloped.

Within this discouraging picture, the transatlantic community of states—essentially North America and Europe—represents a promising venue and springboard for improved international cooperation. There is both a strong foundation for enhanced transatlantic cooperation on the prevention of mass atrocities and good reason to expect that strengthening transatlantic cooperation would have a significant positive impact on global efforts.

The foundation for enhanced cooperation begins with shared interests, declared policy, and existing commitments regarding the prevention of genocide and mass atrocities. A broad consensus exists in the transatlantic community on the desirability of preventing genocide and mass atrocities, not only on moral and humanitarian grounds but for strategic and political reasons. With the notable exception of policy toward the ICC, the declared policies of the US and European governments on atrocity prevention are highly consonant—e.g., both US and EU security strategy documents include explicit support for the responsibility to protect (RtoP) principle. In addition, the US and European governments share existing legal and political commitments to the prevention of mass atrocities and genocide—as states parties to the Genocide Convention, through multiple declarations of the UN General Assembly and Security Council, and in outcomes of ad hoc meetings such as the 2004 Stockholm International Forum. Moreover, the well established patterns of collaboration and mutual support that the US and European states have developed in other domains should facilitate the expansion of their cooperation on atrocity prevention.

In addition, the US and some European governments have recently taken steps to strengthen their internal organization and external partnerships for atrocity prevention. For example, the Obama administration created an interagency committee on atrocity prevention and appointed a Director for War Crimes and Atrocities on the National Security Staff. Several

European governments, at a recent meeting of the Group of Friends on RtoP, committed to designating focal points on RtoP issues. The Swiss government has organized two regional forums on genocide prevention with partner governments in Latin America and Africa. And the Hungarian government is in the process of establishing a Budapest Centre for the International Prevention of Genocide and Mass Atrocities.

Stronger transatlantic partnership would significantly advance the global effort to eradicate genocide and mass atrocities by virtue of the combined influence these states possess, namely:

- A disproportionate amount of the global capacity in areas relevant to atrocities prevention (e.g., intelligence collection and analysis, development assistance, global diplomatic presence, military expeditionary capabilities).
- High level representation in all the major global organizations whether it be the UN, international financial institutions, or ad hoc bodies like the G-8 and G-20.
- Considerable influence or special relationships with key governments in regions at greatest risk.

Enhanced transatlantic cooperation, however, cannot substitute for continued efforts to improve broader international cooperation. The rising influence of states like Brazil, China, India, Indonesia, South Africa and Turkey, in particular, suggests that a purely Western-centric effort would be shortsighted. Building cooperation on genocide prevention with “emerging powers” will be a longer-term venture. Enhanced transatlantic partnership is within reach and can serve as a critical building block toward wider global cooperation on preventing genocide and mass atrocities.

II. A Program of Enhanced Cooperation

A useful framework for considering how international cooperation can be enhanced to help prevent genocide and mass atrocities is to view preventive action as made up of three complementary areas of activity: (1) *risk reduction efforts* that consist of, on one hand, broad global or “systemic” measures to curb mass violence through the promotion of relevant norms, regimes and institutions and, on the other, more focused efforts in countries or regions deemed particularly susceptible to ameliorate the “structural” or underlying causes of concern; (2) *crisis prevention efforts* taken in response to early indications that mass violence could erupt which are

intended to forestall further escalation through a range of mainly diplomatic and economic measures; and (3) *violence mitigation efforts* designed to quickly limit attacks on civilians and their consequences through military and non-military coercive measures, diplomacy and/or humanitarian assistance. There is scope for strengthened transatlantic cooperation in each of these areas.

a. Risk Reduction

Norm promotion: Norms provide general standards of behavior for states to uphold or risk the opprobrium of the international community. As indicated above, existing norms proscribing mass atrocities and genocide are relatively comprehensive and strong. It is the related norm *obliging* states to act—to prevent, respond, and punish—that is weak, thereby weakening the deterrent effect of the proscription. This has been evident in the continuing debates and slow progress toward operationalization since the RtoP principle was adopted at the 2005 World Summit. Although North America and Europe are generally on the same page about RtoP they can do more to jointly promote the norm--globally in the UN General Assembly and Security Council as well as within regional organizations and when specific cases arise. On this last point, the sharp disagreement about whether RtoP applied in the humanitarian emergency in Myanmar following Cyclone Nargis complicated the response to that crisis as well as the general perception of the RtoP concept, illustrating the downside of dissension in the transatlantic community.

Strengthening the UN and Regional Organizations: The US and European governments share a basic interest and active engagement in building the capacity of the UN and regional organizations like the African Union to promote democratic governance, protect human rights, and manage crises, all of which can lessen the risk of mass violence. Support to regional and sub-regional organizations, in particular, is not well coordinated and much more can be done to rationalize assistance in a strategic way. The same logic also applies to the support given to various UN initiatives and specific UN agencies (e.g., OSAPG, OHCHR, DPA, DPKO, etc) as well as when the UNSC refers cases to the ICC.

Coordinated Development Assistance to High Risk States: Through the OECD's Development Assistance Committee (DAC), the United States, Canada, and leading European donors do try to coordinate their development aid and also make disbursements sensitive to the threat of instability and conflict. Best practices and lessons learned from prior efforts are also distilled and shared. This process is carried out at a very general level, however, with very little

attention given to the specific threat of mass violence in specific areas. The OECD's DAC is probably not the best mechanism for sharing risk assessments and coordinating specific assistance to high priority states, but the need clearly exists.

b. Crisis Prevention

Information/intelligence gathering, analysis, and early warning: Crisis prevention is impossible without timely and accurate analysis. The US and European governments have access to enormous amounts of information that is potentially relevant to mass atrocities prevention. Yet, while there are established transatlantic channels to share intelligence--some of which are more sensitive than others--the focus is typically on traditional political-military concerns. Existing intelligence sharing could be extended, therefore, to include information and analysis pertinent to mass atrocities prevention. Joint assessments and "red team" exercises could also be commissioned on a regular basis. US and European governments could also benefit from closer cooperation in engaging NGOs and other non-traditional sources of information and analysis—a broader set of sponsors could make it easier for some independent experts to share their perspectives with government intelligence agencies.

Coordination of Preventive Diplomacy: Perpetrators of mass atrocities have proven very skillful at taking advantage of the availability of multiple diplomatic venues (i.e., forum shopping) and uncoordinated messages from international actors. For example, mixed messages by outside actors reportedly complicated negotiations over the Darfur crisis, whereas having closely coordinated support for a single channel of mediation in Kenya was a key to its success. Frequently, differences in diplomatic approach stem not from fundamentally divergent interests or understanding, but rather concerns about public perception (e.g., wanting to be seen as peacemaker) or simply lack of coordination. Developing a mechanism for more routinely coordinating diplomatic strategies across the US, European governments, and the EU could have profound impact.

c. Violence Mitigation

Humanitarian Assistance: The timely provision of life-saving aid can make the difference between genocide and a massive but reversible refugee crisis. However, "humanitarian space" is increasingly under threat, and as seen in Darfur and elsewhere, host governments and armed groups frequently use their control of access for humanitarian groups as political leverage. Coordination by major donors—the US and European Commission frequently being the largest—is important not only for the efficient use of funds, but also for ensuring that diplomatic

strategies incorporate plans for maintaining humanitarian access throughout various crisis contingencies.

Peace operations and military action: UN peace operations can serve as a bulwark against mass atrocities, but only if properly mandated, resourced, and commanded. Representing three of the five permanent members of the UN Security Council (plus two rotating members), the US and European governments have tremendous influence in decisions to deploy UN peace operations. In addition, the US and Europe are virtually the only places to turn if an operation to prevent or halt mass atrocities requires rapid deployment to a remote location and/or advanced military capabilities. In some instances, such as Operation Artemis in the DRC in 2003, relatively modest military operations by highly capable forces can dramatically change the dynamics on the ground. Given existing military commitments and limits in capacity (e.g., in helicopters, civilian police), close transatlantic cooperation can help ensure that military capabilities serve as an effective deterrent, and when necessary, that force is used to greatest effect.

III. Potential mechanisms for enhancing transatlantic cooperation on mass atrocities prevention

Any potential mechanism of intergovernmental cooperation must seek to balance multiple features that shape its effectiveness: inclusiveness, coherence, robustness, agility, and ability to progressively expand the circle of cooperation. A strategy to enhance transatlantic cooperation could seek to leverage an existing organization to which both the US and European governments belong (e.g., NATO, OSCE), build cooperation between the US and an existing European institution (e.g., EU, Council of Europe), or deepen cooperation among an informal group of states. We explore one of the multiple options in each of these categories.

- *NATO:* The fact that the US and European governments are already members of NATO, with well developed institutional arrangements and political decision making mechanisms, is a major benefit for considering NATO as a vehicle for enhancing transatlantic cooperation on atrocities prevention. The adoption of a new Strategic Concept by NATO could be an opportunity to inject attention to mass atrocities, though the process is well advanced and set to be completed at the Summit of 19-20 November 2010. The Group of Experts convened to lay the groundwork for the new Strategic Concept did recommend, *inter alia*, "Coordination between the UN and NATO can prove crucial in the event of genocide, other massive violations of human rights, or humanitarian emergency. The Strategic Concept should make clear that NATO is willing to consider requests from the UN to take appropriate action in such circumstances (possibly in support of other regional organizations), provided the NAC agrees

to the mission and resources are available to carry it out” (p. 25). The core challenge for NATO stems from its identity as a military alliance created for self-defense. Though NATO’s role in the 1999 Kosovo intervention suggests there could be willingness to respond to mass atrocities through the alliance, NATO is unlikely to be the best fit for promoting largely non-military preventive actions. In addition, NATO’s status as a mutual defense pact could militate against expanding cooperation beyond NATO countries.

- *US-EU partnership*: The Lisbon Treaty and resulting EU External Action Service has potential to facilitate something closer to a unified foreign and security policy among the EU’s 27 member states. This could, in turn, offer new opportunities for enhanced cooperation between the US and the EU. The major benefit and the greatest challenge of strengthening US-EU partnership are one and the same: the EU’s composition of 27 member states. Coordinated or joint US-EU action would reflect unrivaled weight, representing 800 million people, more than half of global economic output, nearly 90 percent of official development assistance, and the vast majority of advanced military capabilities. Yet, the EU in general and the EEAS in particular have yet to prove their ability to develop and manage a unified foreign and security policy for the 27 member states. Most US efforts to engage Europe, therefore, have been bilateral or through ad hoc coalitions (e.g., the EU3 on Iran). RtoP may provide a natural basis for US-EU cooperation given statements pledging support for the norm in the 2010 US National Security Strategy and the 2008 Report on the Implementation of the European Security Strategy.
- *“The Quad” (US, UK, France, Germany)*: This ad hoc grouping that initially evolved in the context of facilitating cooperation within NATO during the Cold War evidently remains an active coordinating mechanism not only for alliance issues but for other matters. Representing three permanent members of the UN Security Council plus the fourth largest economic power in the world, it is a very powerful grouping despite its small size. As such it could be used to promote closer cooperation on a range of activities relevant to the prevention of mass atrocities from intelligence sharing and joint assessments to contingency planning and diplomatic and military coordination. As a small, informal arrangement, the Quad could be a more flexible and agile means to promote cooperation than working through an existing multilateral institution. The lack of established working level procedures, however, could pose a challenge in getting mass atrocities prevention on the agenda, with the possible exception of a specific crisis.

IV. Enlarging the circle of cooperation

It is critical at the outset of any initiative to enhance transatlantic cooperation on mass atrocities prevention to ensure that it is not perceived as an exclusive club for Western powers, but rather a platform for more inclusive engagement. In addition to sensitive North-South politics, other states may fear that any effort outside of the UN system will undermine the UN's role and in particular, raise questions about commitment to the primacy of the UN Security Council.

Whichever specific mechanism or forum for transatlantic cooperation is utilized, one way to move from a US-European effort to a global one would be to take incremental steps to expand the circle by leveraging extant institutions/groupings such as the G8, G20, OSCE, OECD DAC, and Group of Friends of RtoP. Since moving an issue to the agenda of these groups depends largely on the initiative of a rotating chair, it is worth noting that France is due to chair the G20 in 2011, the US is scheduled to chair the G8 summit in 2012, and the OSCE Chair is due to be Lithuania in 2011 and Ireland in 2012. The Netherlands and Rwanda are the current co-chairs of the Group of Friends of RtoP, and Hungary will hold the EU Presidency in the first half of 2011.

V. Proposed next steps

- *Within the structure of the US-EU summit process initiate a preliminary dialogue on areas for enhancing transatlantic cooperation for atrocities prevention. This might include a standing US-EU working group that among other things would explore closer coordination of foreign assistance to at risk areas and diplomatic efforts, especially at the UN (e.g., budgetary support for the OSAPG, thematic debates, UNSC action on crisis situations) and at the G8 and G20. Given the evident interest of the Government of Hungary, this could be launched in 2011 when it assumes the EU Presidency.*
- *Expand existing bilateral transatlantic intelligence and policy planning exchanges to cover the issue of mass atrocity prevention. This could include the sharing of relevant assessment methodologies and even specific estimates relating to areas of concern. Operational lessons and best practices from previous cases could also be shared. These bilateral discussions could be enlarged and configured as deemed useful.*
- *Building on its organization of regional forums on genocide prevention in Buenos Aires and Arusha, the Swiss government should consider partnering with others in the*

transatlantic community to convene a regional forum on genocide prevention with a focus on promoting closer cooperation across the Atlantic.

- *As part of its "strategic dialogue" with emerging powers the U.S. should raise the issue of mass atrocity prevention with the goal of building key constituencies/pivotal partnerships in the global community. Similarly, as the agenda of the G20 expands, mass atrocity prevention should be on the list of issues to be discussed. This could be initiated when France assumes the chairmanship in 2011.*