

Parliamentarians for Global Action (PGA) UN Committee Meeting
17 February 2016
“The Prevention of Atrocity Crimes”
Remarks by Adama Dieng, Special Adviser on the Prevention of Genocide

Ladies and gentlemen,

I was delighted to be invited to speak to you today.

As parliamentarians, you have a very special role and responsibility and I was delighted to see the very many initiatives that the members of **Parliamentarians for Global Action** have undertaken around the world to use this role for good. It is impressive – and the focus of your activities is very close to my heart, especially the important work undertaken to advance the rule of law and human rights.

Respect for human rights and rule of law lie at the core of my mandate, which was established following the failure of the United Nations – and the international community as a whole - to prevent genocide in Rwanda and Srebrenica. The Special Adviser on the Prevention of Genocide is tasked to provide early warning to the Secretary-General of any risk of genocide or related crimes around the world and advise on courses of action to prevent genocide. The Special Adviser is also tasked to help the United Nations to develop the capacity to identify, assess and mitigate the risk of genocide. I work in close collaboration with the Special Adviser on the Responsibility to Protect, Jennifer Welsh, whose mandate is closely linked to mine.

Ladies and gentlemen,

We had hoped that by now the risk of genocide would have been eliminated. We hoped that the world would have learned from the lessons of the past. We hoped that the many and important gains made in the twentieth century, including the development of an elaborate international human rights framework, would lead to a more peaceful, accountable and united world - but sadly, that is not the case.

The world faces a crisis of protection. In just the past five years, we have witnessed the deaths of hundreds of thousands of people in conflicts around the world. At least 60 million people have been forcibly displaced from their homes - the most since the Second World War.

The outbreaks of intercommunal violence in the Central African Republic and South Sudan represent significant failure to prevent atrocity crimes.

International action has not proved effective in addressing the situation in the Democratic People's Republic of Korea, notwithstanding the conclusions of the commission of inquiry that systematic, widespread and gross violations of human rights are being committed that may constitute crimes against humanity.

In Iraq and the Syrian Arab Republic, the rise of the Islamic State in Iraq and the Levant and other violent extremist groups has resulted in an increase in atrocity crimes and the deliberate targeting of religious minorities that in the case of Iraq, may amount to genocide. The conflicts in Yemen and the Occupied Palestinian Territory of the Gaza Strip have generated high numbers of civilian casualties, raising concern about the indiscriminate use of force by all parties and the possible commission of war crimes.

The human cost of these conflicts is intolerable and the political and economic costs are unsustainable. We live in an intricately connected and globalized world. Political, economic and social waves on one shore create ripples and storms in all regions.

I believe we can stop this tide of violence if we work collectively to do so. I will speak briefly about a few ways in which I believe you as parliamentarians can play a role.

First, we must act earlier and more effectively. Too often, despite our stated desire to be more focused on prevention, we are still oriented more towards crisis response, acting only when violence is imminent or after it has already broken out – when both the stakes and the costs of taking action are higher. This means paying attention to the many warning signs along the path to genocide and other atrocity crimes and taking an often unpopular stand in support of early action.

We have tools to assist with early warning. Some of you may be familiar with **the Framework of Analysis for Atrocity Crimes**, which was developed by my office. The Framework, which is an official United Nations document, is based on an analysis of existing jurisprudence and academic research into past cases of genocide, war crimes and crimes against humanity. It can guide assessment of the risk of these crimes in any situation. The Framework can be used by States to assess their strengths and vulnerabilities and develop policies to address those vulnerabilities; it can be used by civil society to support their advocacy. Of course, political action is required – and you as parliamentarians can influence the actions of national authorities.

Second, States should strengthen their legal framework for protection. They can become parties to the legal instruments that criminalise genocide, war crimes and crimes against humanity – and this is where you as parliamentarians play such an important role. Some States have implemented their legal obligations at the national level through revisions of criminal law or have developed practical measures for these legal instruments to be implemented more effectively. Of particular importance are national measures to ensure that no one is above the law, such as removing obstacles to the prosecution of State officials accused of serious crimes and reinforcing the legal obligations incumbent on security and police forces. Impunity for crimes committed is one of the key risk factors for their recurrence.

Third, effective, legitimate and accountable State structures advance atrocity crime prevention, especially by resolving sources of tension at the earliest stage. Of particular importance are constitutional and other legal measures that institutionalize respect for diversity, effective and responsive judicial systems, public policies that address persistent patterns of inequality, and the capacity to counter incitement to hostility and violence. The overwhelming majority of victims of atrocity crimes have endured deprivation and discrimination, whether based on race or ethnicity, religion or belief, political or other opinion, gender, sexual orientation, caste or class.

All States recognized the imperative to prevent and halt atrocity crimes when they adopted the principle of the responsibility to protect at the 2005 World Summit. Heads of State and Government affirmed their primary responsibility to protect their own populations from atrocity crimes and accepted a collective responsibility to assist each other in fulfilling this responsibility. They also declared their preparedness to take timely and decisive action, in accordance with the UN Charter when States fail to protect their populations.

While prevention is the preferred approach to implementing the responsibility to protect, it does not always succeed. Experience demonstrates that timely and decisive response remains essential to protecting populations and that a collective response can dampen the determination of potential perpetrators to commit atrocity crimes. However, the record also shows a lack in both the political will and cohesion of the international community, which has compromised the pursuit of a consistent and timely response to protecting populations. Inaction remains the greatest threat.

You as parliamentarians have a critical role to play in shaping policy and influencing national authorities. I would like to hear from you today how you feel you have been able to contribute to the prevention of atrocity crimes – and how we might be able to help each other.

I thank you for your attention.