



28 January 2004

Please find enclosed a summarized report of the proceedings of the Stockholm International Forum 2004.

I would like to express my gratitude to all the participants in the Forum 2004 for their contributions. I especially thank Alyson Bailes for assuming the responsibility as the Forum's chief rapporteur.

The enclosed report reflects some of the many ideas and concrete proposals that have been presented by independent researchers, academics and practitioners as well as by representatives of governments and of international and regional organizations. The Stockholm International Forum 2004 has been a unique opportunity to focus attention on a question of crucial importance to us all: How can we prevent genocide, mass murder and ethnic cleansing from taking place in the future? The tentative answers proposed at the Forum merit serious consideration. Now, we all share a responsibility to make the best possible use of the conference results.

The Stockholm International Forum was born in 2000 out the need for Holocaust remembrance. At this year's Forum, a book of remembrance of the 10th anniversary of the Rwandan genocide was opened. Learning the lessons of the past must be the starting point in our quest to prevent future atrocities.

Pär Nuder,
Conference Chairman of the Stockholm International Forum 2004

Stockholm International Forum 2004
Preventing Genocide: Threats and Responsibilities
26-28 January 2004

Summary Report¹

The theme of the fourth Stockholm International Forum was how to prevent genocide. The Forum, organized and hosted by the Swedish Government, was the first international conference to address this topic since the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. More than 1000 delegates from 55 countries, international organizations and NGOs participated in the deliberations.

Opening Plenary

In his opening address, Swedish Prime Minister Göran Persson made a call to action. He urged delegates to go beyond the mantra of “never again” and commit themselves to an active agenda of genocide prevention. Recalling the obligation of all state parties to the Genocide Convention to prevent and punish genocide, delegates pointed to the disparity between this commitment and the neglect to act in cases such as Rwanda. This failure of the international community was the point of departure for the Forum. Its main objective was to help narrow the gap between commitments and actions. This was a question of improving the means for prevention, but even more of the political will to use these means.

In his keynote address, United Nations Secretary General Kofi Annan proposed two possibilities to improve the UN capacity for action. The first was the creation by the members of the Genocide Convention of a Committee on the Prevention of Genocide. This group would meet regularly to review reports and recommend actions. The second was the establishment of a Special Rapporteur on the prevention of genocide, supported by the High Commissioner for Human Rights, and reporting directly to the Security Council. This would help make clear the link between massive and systematic violations of human rights and threats to international peace and security.

A key theme in the opening plenary was the responsibility to protect. Sovereign states had the primary responsibility for the protection of their own citizens. However, when they were unwilling or unable to do so, the international

¹ This interim Summary Report is not a negotiated or official document of the Forum. It brings together the records and impressions of conference proceedings (up to the evening of the 27th of January) provided by a team of independent rapporteurs. It does not include statements by Heads of Delegations, which will be incorporated in the official report produced later.

community should assume this responsibility of protecting from genocide, including by intervention. Strong support was expressed for this idea, developed by the International Commission on Intervention and State Sovereignty.

It was stressed that effective protection demands the move from a culture of reaction to one of prevention. Signs of developing conditions which can lead to genocidal actions must be recognized and believed. To this end, improved early warning systems are needed.

The speakers also suggested ways to act upon information of developing genocidal conditions. They underlined the need for an understandable and practical toolbox of preventive measures - “real measures for the real world”. The use of force is only justified as a means of last resort.

Finally, in the event that genocide does occur, reconciliatory measures are necessary. The past cannot be forgotten, but steps forward must be taken. Delegates focused on education, impartial media, providing a sense of personal security and making perpetrators accountable as vital for the acceptance of the “other” and the process of reconciliation. The creation of the international ad hoc tribunals for Rwanda and the former Yugoslavia, and the creation of the International Criminal Court were deemed especially important in this respect by a majority of states. One delegation proposed to designate 2005 the year of genocide commemoration and reconciliation.

Plenary Panel One: *Identifying the Threats*

As the Panel’s topic was identifying threats, a natural departure point for discussions was the effectiveness of early warning systems. Some panellists thought that early warning systems are not the issue, instead the problem is identifying which situations of conflict and/or ethnic violence will escalate into genocide. More predictability in this field would be desirable, in order to bridge the gap between *information* and *knowledge*.

It was also agreed that early warning systems will not be effective without the *political will* to take action when potentially genocidal situations arise. It was pointed out that the political calculus for many leaders is not in favour of taking action to intervene in genocidal situations. To change this, leaders must signal to its bureaucracy that human rights issues/genocide are important components of statecraft and must facilitate the discussion of these issues at the highest levels. This would help bridge the gap between *knowledge* and *action*.

The panellists also discussed *the role of public opinion and civil society* to pressure political leaders into putting genocide on the agenda. While they did not negate the importance of politicians taking positive leadership on this issue, the panellists also stressed the responsibility citizens have in forcing their leaders to take action when genocidal situations occur.

One point made was that the focus should be on *prevention* rather than reaction, and that the international community should be more pro-active. For this to be achieved, countries need to work with each other and with international organizations, not separately.

The concept of *neutrality* of intervening forces was also touched upon as being problematic, given its consequences both for the perpetrators and victims. One participant stated that neutrality in the midst of a genocidal situation can be equal to complicity.

The role of the *media* in genocide was raised as an important issue. Panellists agreed that the media could act both as a positive and a negative force. The example of Rwandan radio inciting ethnic violence was brought up as an example of the negative role of the media. Panellists also discussed, however, the positive role the media can play in both as an early warning tool and in putting pressure on politicians to intervene in genocidal situations by drawing attention to the problem and mobilizing public support.

Finally, the issue of the establishment of a *rapid reaction force* at the international level (possibly within the UN framework) was discussed as one potential solution to the dilemma of intervention that individual states face. One panellist also noted that Chapter VII of the UN Charter needs to be more fully developed and implemented.

The overall theme of the panel discussion centred on the gaps between information and knowledge, and knowledge and action. The participants agreed that it is not the availability of information that is a concern; it is the acknowledgment of the information and readiness to respond that matters.

Plenary Panel Two: *The Responsibility to Prevent*

The second panel addressed the responsibility to prevent genocide from a number of different aspects; including the establishment and implementation of new rules and procedures. Among the institutions and instruments proposed, the importance of the ICC, particularly its deterring effect, was stressed.

Panellists argued that the principles of state sovereignty need to be redefined. States have a responsibility to protect the people, but not the power. One answer to the call for new principles was the establishment of the *International Commission on Intervention and State Sovereignty*, which, in its report, published in 2001, among other things proposes a set of guidelines for military intervention for human protection purposes: 1) just cause; 2) right intention; 3) last resort; 4) proportional means; 5) reasonable prospects; and 6) right authority. It was noted that the failure to establish and abide by certain rules leaves the field open to no other alternative than ad hoc intervention.

To allow for a more accurate and comprehensive discussion, a proposal was made to change the terminology at hand. The terms atrocity crime (including genocide, crimes against humanity and serious war crimes) and atrocity law were introduced.

While refining mechanisms for preventing genocides from taking place, sufficient attention and resources need to be focused on finding an immediate stop to the current and recurring atrocities. There is a need for a preparedness and willingness to bypass conventional procedures and act unconventionally when needed: within hours not weeks. For prevention to be successful, timing is everything—‘the time to act is not today, not tomorrow, but yesterday.’

The ICC was presented as a key institution in the prevention of genocide, and is one of the most recent contributions to global efforts within this area. It is to be regarded as more than a court; it embodies the common will of ninety-two states, as well as citizens around the world. It will function most effectively with the cooperation and true support of state parties and other relevant actors.

Prevention is a shared responsibility between individual states and the international community. It is dependent on the idea of protecting not just one’s family and friends, but also the “other.” The rights of the enemy also warrant protection. Long-term structural prevention, including the protection of minority rights through promotion of democracy and human rights, is of paramount importance. The OSCE, in particular the High Commissioner on National Minorities (HCNM), was highlighted as a valuable and unique instrument in this regard.

A number of recommendations on how to enhance our international capabilities for the prevention of genocide, both on an institutional and societal level, were offered:

- call for new mechanisms at the UN, including the proposals put forward by the UNSG; making greater use of the Secretary General’s

Group of Eminent Persons; and setting up a new subsidiary body to the Security Council to bring to attention issues requiring foresight and imminent action;

- encourage governments to explore the possibility to establish *Atrocity Prevention Interagency Groups*, with liaison functions to the UN;
- facilitate the possibility to deploy rapid reaction military forces to atrocity zones;
- encourage the UN Security Council to refer the Ituri case (DR Congo) to the ICC, using its possibility under Chapter VII;
- create fora and spaces for dialogue for everyone, not just policy makers;
- ensure that women are included in both political processes and societal dialogue;
- include, empower and protect NGOs as key partners;
- incorporate the values of humanity as a priority of globalization;
- empower educational facilities (universities) for research purposes in developing countries.

Workshop One: *Threats: Anticipating Genocidal Violence*

The workshop was divided into three sessions focusing on *The Roots of Genocidal Violence*, *Global Genocidal Ideologies* and *Risk Assessment and Early Warning*.

The panellists in the initial session presented scholarly research concerning the attributes which are characteristic of genocidal violence. The issues of media and genocidal propaganda were also discussed, and it was broadly agreed that propaganda makes an impact, evidenced by the crucial role the manipulation of radio media played in the Rwandan genocide. The discussion then shifted to the failure of western nations to intervene in Rwanda, and the role the media did *not* play. Attention was drawn to the fact that HIV-infected Rwandan war criminals held at the tribunals were provided with life prolonging medication, while their rape victims—who were called upon by the ICTR to testify—were denied the same medical treatment. Other topics discussed were the linkages between African genocide and concerns for public health and the concerns of several constituents about the lack of spotlight on the Sarajevo, Cambodian, Albanian and Roma genocides during this forum.

Concrete proposals and suggestions included: Holocaust museums incorporating information on current genocidal violence; an internet resource on contemporary hotspots; and an ecumenical effort to engender discussion supporting a culture of tolerance and accountability. A final suggestion was that the motives of perpetrators should be examined for the sake of prevention, not only after the fact.

The second section discussed genocidal ideologies and how they could be countered. International ideologically based terrorism became the main topic of discussion. Differences between strategic and tactical terrorism were emphasized, as well as social and political methods of combating such terrorist and potentially genocidal ideologies. There was also much discussion of how a genocidal ideology was constituted; in particular, its malleable nature, motivations, and the means by which this potential threat could be eliminated. Participants emphasized that it was important not to stigmatize and generalize on the basis of national, racial, ethnic or religious characteristics.

The third session addressed the issue of early warning, both concerning the methods available and the institutions needed. It was concluded that in order to be effective, early warning needs to be objective or independent and at the same time have a clear link to policy makers. An early warning model of genocide, based both upon structural factors and direct accelerators, with a high prediction rate was presented. The panellists discussed the respective advantages of qualitative and quantitative methods of assessment, and worries were expressed about a model without connection to reality. In the discussion the panellists all agreed on the importance of local knowledge in addition to more general early warning systems; local information is essential, yet relying only on local sources may create bias problems. An equally important question raised was the necessary reaction of the international community to war crimes as well as the judicial consequences of genocidal acts. It was stated that for long term prevention, we must send the message to perpetrators that the world is watching and that anyone committing war crimes will be prosecuted and punished.

Workshop Two: *Responsibilities: Individual, National and Multilateral*

The workshop consisted of three sessions which covered the following topics: responsibility to protect and national sovereignty; retributive justice as a deterrent; and developing international action.

Session one focused on the responsibility to protect, and mainly on the responsibility of the international community. The panellists agreed with the conclusions from the *International Commission on Intervention and State Sovereignty* (ICISS), including both the responsibility to protect—ranging from states to the international community—and the criteria for military intervention when prevention fails. However, one participant raised doubts about the formal adoption of any such guidelines, referring to the UN Security Council's record of paralysis in humanitarian crises. The explanations lay, among other things, in

the uneven distribution of information in the Council and the dominance of national interests, often conceived in defensive terms.

The discussion then focused on the way forward, along three lines:

- Clarifying the principles:
Guidelines both promoting and disciplining humanitarian intervention should be built in some way into UN jurisprudence. The current work of the Secretary General's Group of Eminent Persons would give a chance to push for this again.
- Strengthening capacities:
Emphasis should be put on regional actors' right and responsibility to act, already stipulated in the UN charter. The need for a variety of viable frames for multinational intervention, beside NATO and US-led forces, was also stressed. Other UN institutions dealing with humanitarian issues such as UNHR and UNHCR were relevant and deserved financial and political support.
- Change in policies:
A centre for the prevention of genocide should be set up, possibly by a couple of like-minded governments, in New York. This focal point should be responsible for gathering data and information from NGOs about threats of genocide in order for it to be fed into the UN system.

The second session centred on the potential role of retributive judicial mechanisms in deterring future war crimes and genocidal acts. The effectiveness and efficiency of the current process of fighting impunity through the establishment of various models of international and domestic criminal courts was examined. The importance of the ICC was underscored and genuine enthusiasm was expressed for the new 'hybrid courts' in places like Sierra Leone (views differed on whether the Iraqi Special Tribunal fitted into this spectrum or not). The proposal to maximize the catalytic role of the ICC (brought up in plenary session) was reiterated. The principle of complementarity to national systems, whereby the state has the duty to prosecute in the first instance is embedded in the Rome Statute. The prosecution of war crimes at the domestic level was highlighted, therefore the need for the latter to be supported by technical know-how, financial resources, and careful monitoring of performance by the international community was stressed—not least because they provide the longer-term solution.

A key point raised was the importance of successful outreach programs for any judicial entity to ensure that the tasks and objectives of the court are made transparent and accessible to the affected population. This will enhance their sense of ownership and the reckoning of their collective past. Sensitivities to

local circumstances will also help ensure that retributive justice is matched to the actual expectations and needs of the victims in each case.

The nexus between justice and peace was a reverberating theme of the session. Although the norm of retributive justice may not in itself possess a strong preventive function, the indictments of top leaders do bring immediate benefits to move peace processes forward, as illustrated by the experience in the Balkans.

The panellists also recognized that comprehensive justice goes beyond sentencing individuals at the highest level. Therefore, it is essential that a multidimensional approach be taken—other forms of delivering justice such as truth and reconciliation commissions should be made available to complement the formal process. It was further agreed that there was a need to strengthen the link between retributive and restorative justice.

The third session addressed the essential role of non-governmental organisations (NGOs) in promoting and protecting the cause of human rights in an environment marked by continuing or past atrocity crimes. The panellists stressed the importance of international NGO presence in conflict-ridden societies, which may offer the only way to give warning of existing and potential threats of violent conflicts in countries where local NGO growth has been repressed. To increase the effectiveness of NGOs' preventive actions, the following recommendations emerged: international NGOs should coordinate their resources to map and monitor conflict development, prioritising the recommendations that they seek to translate into policy; they must use collaborative strategies for advocacy and, at the same time, regularly share information and analysis with governments, international organisations and the media. The more influential international NGOs also have to build the capacity of local NGOs. More intense cross-sectional collaboration between humanitarian and human rights NGOs with other types of NGOs, e.g. those involved in human security and environmental issues, was seen as necessary.

Another aspect that was central to the session's debates was the matter of NGO support for issues of transitional justice, specifically for those revolving around the International Criminal Court. This was seen as particularly salient in a climate where various players, some very powerful, were actively hostile to the configuration of a functioning system of international justice. At a national level, it was concluded that NGOs active in post-conflict societies must strive to create conditions for dealing with the criminal past, making space for the democratic consolidation process.

Workshop Three: *Prevention: Policy Instruments and Responses*

Using both failures to prevent genocides and apparent successes to avert conflict as a starting point, the workshop focused on practical measures to prevent genocide. It was agreed that the best way to secure prevention is through strong *political leadership*. It is crucial to create an atmosphere in which preventative measures are both respected and encouraged. Public pressure is necessary in order to influence leaders towards action.

The workshop endorsed the UN Secretary General's suggestion to create a Committee and establish a Special Rapporteur on the Prevention of Genocide. Concerns about *responsibility* and *responsiveness* were raised in respect of this. In the current framework, no one person or organization is held responsible for reporting threats of genocide or other atrocities. The Special Rapporteur, if adopted by the UN, would clarify that responsibility, but this does not in any way alleviate the obligation of member states and the Security Council to act.

While waiting for the establishment of the proposed Rapporteur or Committee, the workshop recommended that information be provided through an interim, ad hoc task force. It was also emphasized that the Committee must not be perceived as merely another bureaucratic layer, but rather be an independent reporting body, drawing upon NGO and UN resources. The workshop offered the suggestion that NGOs concerned with genocide should form an alliance, which could be represented on this Committee. The Special Rapporteur, furthermore, must be given direct access to the Security Council and should be based in New York.

Aside from the Secretary General's suggestions, further steps must be taken in order to effectively implement preventative measures on a global scale. Policy makers must make use of the broad range of instruments available to them. The Eliasson Ladder of Conflict Prevention, for example, offers a structure by which proportionate responses may be implemented through every stage of conflict. Planning for military action should be an integrated part of the preventive response. If deployed, military forces must be allowed to act within a broad and integrated mandate.

Creating a preventative culture requires long-term *educational efforts* for all sectors of society, from the community level up through the highest governmental institutions. Of special importance here would be training diplomats, as well as peacekeeping forces, to become aware of and act upon the early signs of atrocities. The workshop proposed supporting the initiative to create a committee with the task of organizing seminars for professionals and presenting quarterly reports to the UN Security Council on early warning and risk assessment.

The media and NGOs are crucial actors in raising public awareness of genocide and gross human rights violations, especially in their early stages. NGOs have a well developed capacity for information gathering. However, a *mobilization gap* exists – that is, information is not efficiently translated into action. Therefore the capacity to rally political forces for action must be improved.

The workshop also highlighted the importance of taking into account potential contributors to the preventative process who are often ignored. Regional efforts can offer the ability to react quickly, and to alert the international community at the onset of conflict. Women, furthermore, should be seen as both a force for information and a resource during reconstruction.

Workshop Four: *Creating Awareness – Education, Media, Memory*

The panel members of *The Role of the Media* session suggested that the media bears a responsibility in genocide prevention and early warning through the monitoring of hate speech in local media (and all forms of public discourse), and should engage in so-called positive reporting, to promote peacebuilding. These recommendations were tempered by the observation that journalists are bound to objectivity in their reportage and are faced daily with requests for changes to agenda from a multitude of diverse organizations and governments. Moreover, there are editorial constraints, such as targeting audience interests, and the practical considerations of safety and economic costs. The panel also discussed the efficacy of the media in influencing governmental policy. Other recommendations include training international journalists to be aware of proto-genocidal symptoms, and that local journalists be trained in responsible journalism; an international apparatus for providing information, warnings and policy recommendations on hate speech; and the importance of setting uniform criteria and definitions for hate speech.

In *Dealing with the Aftermath: Breaking the Cycle of Hatred and Violence*, the panel considered that genocide can be prevented with the internationalization of identity, with a focus on human rights and cooperation, and with the political resocialization of future generations, through a number of media, especially education. When the international community has failed to prevent genocide, there is a moral obligation to participate in “tertiary prevention” (i.e. preventing relapse after the killing has ended). The requirements for this include the rehabilitation of society, justice and reconciliation. Educational programmes and dealing with memory should go hand in hand with the judicial process. Perceived or real insecurity following the genocide is a stumbling block to reconciliation. Other recommendations included the tangible recognition of genocide, such as constructive projects at memorial

sites; training diplomats and field professionals in victim trauma; and providing psychotherapy and practical resources, such as health care, for genocide survivors.

The panel members of the *Education for Prevention* session emphasized the importance of education, for children and adults alike, for preventing genocide, and suggested that people must learn how to live together – from within the family to global relations. Religious educators should also play a more active role in genocide prevention, and genocide education should take account of gender-specific issues. The panel members recommended the universalization of conflict resolution and human rights training, with the goal of teaching pro-social behaviour; and the establishment of a Genocide Prevention Centre, with educational functions, in Sweden or in the European Union structure, perhaps in cooperation with the United Nations, but not necessarily. Other recommendations included the training of leaders to recognize the warning signs of genocide, as well as mandatory training for governmental officials, thereby signalling their governments' prioritization of genocide prevention; and the development of an international network of genocide studies educational centres, and the cultivation of their relations with governments.