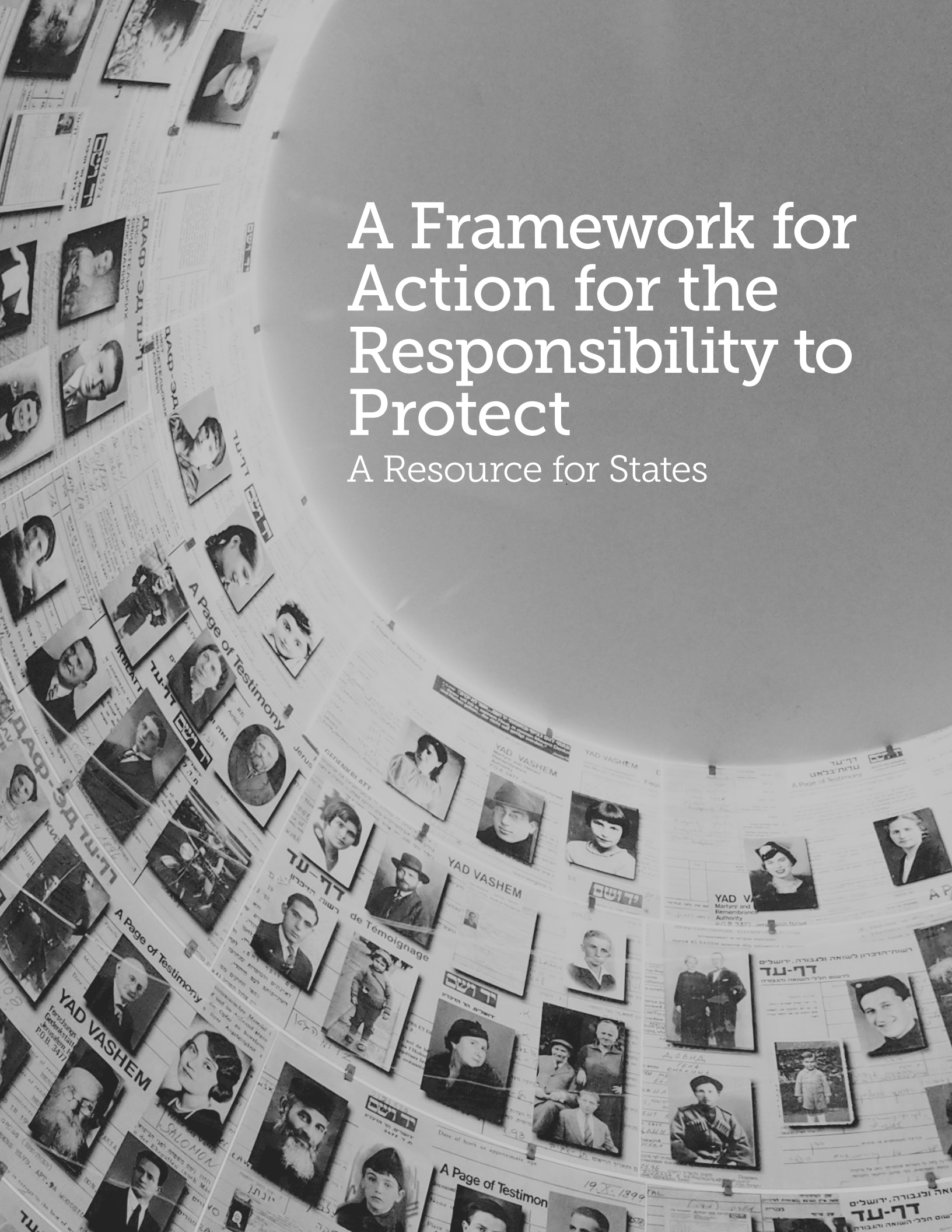


A Framework for Action for the Responsibility to Protect

A Resource for States





**GLOBAL CENTRE
FOR THE RESPONSIBILITY
TO PROTECT**

COVER PHOTO:

Memorial at Yad Vashem Holocaust Museum, Israel.
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The Responsibility to Protect (R2P) was unanimously adopted in 2005 at the UN World Summit, the largest gathering of Heads of State and Government in history. It is articulated in paragraphs 138-139 of the World Summit Outcome Document, as follows:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

Introduction

The Responsibility to Protect (R2P) was conceptualized as a political and operational response to the failures of the international community to prevent and respond to the genocides in Rwanda and Srebrenica. It was a call to action that sovereignty does not provide a state with *carte blanche* to commit crimes against its own population, but is rather a responsibility.

R2P has been instrumental in energizing the discussions around mass atrocity prevention and in consolidating a growing consensus that it is distinct from conflict prevention and requires its own set of tools. Over the last few years there has been innovative thinking around identifying risk factors, development of early warning models, articulations of inhibitors, and creation of new institutional mechanisms, like the appointment of the UN Special Adviser on R2P, the annual reports of the Secretary-General on R2P and the establishment of networks like the Global Network of R2P Focal Points, which was created to institutionalize R2P within the national and international policies of a government.

We now have virtually universal acceptance of the abstract concept that all states have a responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. No UN member state today would boldly proclaim that massacres perpetrated behind sovereign borders are simply a government prerogative. No government challenges the argument that the international community has an obligation to assist a state if it is struggling to protect its people.

Since 2005 the commitment to protect populations from atrocity crimes has been endorsed in scores of UN Security Council (UNSC), General Assembly (UNGA) and Human Rights Council (HRC) resolutions and through annual discussions at the General Assembly.¹ In 2009 the UN Secretary-General published his first report on R2P, *Implementing the Responsibility to Protect*, which articulated responsibilities across three pillars of action: the responsibility of the state to its own population (pillar one), the responsibility to assist other states in preventing atrocities and protecting their populations (pillar two), and the responsibility of the international community to respond with appropriate timely and decisive action to atrocities taking place in other states (pillar three). Since this seminal report, the Secretary-General has published annual reports on R2P exploring various dimensions of implementation. In 2021 the UNGA reinforced its commitment to continued consideration of R2P and its implementation through a resolution that resolved to include R2P on its annual agenda and formally requested the Secretary-General to provide annual reports on the matter.

Despite the established consensus regarding the imperative to protect populations from atrocity crimes, such crimes persist around the world. Moreover, many of the risk factors for atrocity crimes are trending in the wrong direction. Steadfast rules of international law are being flouted, civilians are being increasingly targeted in political violence, armed groups are proliferating and hate speech and identity-based violence have increased in many parts of the world.

Introducing the Framework

Since the conception of R2P, individual states and regional organizations, the UN, civil society, and experts around the world have worked to establish what implementation of R2P and the prevention of mass atrocity crimes means in practice. This framework serves as a guide to how States can do better to protect populations from atrocity crimes, at home and abroad.

The actions summarized in the framework draw from the Secretary-General's annual reports on R2P, expert research, and resources produced by states, the UN, regional organizations and civil society. The framework provides recommendations across four spheres of action: (1) domestic laws, policies and institutions; (2) bilateral cooperation and influencing; (3) regional cooperation; and (4) multilateral cooperation. While the four spheres are articulated based upon venues for action, rather than framed in terms of the three pillars, the contents of this document and the types of actions recommended are indebted to and informed by the three pillar framework. For the purposes of listing options available to states, we determined that this categorization better served the document as it does not label certain international actions as exclusively pillar two or exclusively pillar three when, in fact, many responses serve a dual purpose or would be labeled as a single pillar depending upon the context and timing of response.

This framework supplements existing frameworks on the prevention of and response to atrocity crimes. These include the UN Framework of Analysis for Atrocity Crimes, and frameworks, plans and toolkits developed by some states and regional organizations for their own contexts.² The UN Framework of Analysis is globally applicable and provides important guidance on how to assess the risk of atrocity crimes; however, it does not serve as a guide for states regarding how to reduce that risk, nor how to respond to atrocity crimes when they occur. The frameworks, plans and toolkits developed by states and regional organizations are important resources within their own contexts; however, none of these provide guidance to all states and all regional organizations regarding the prevention of and response to atrocity crimes both within their own borders and regions, and abroad. This framework seeks to fill that gap.

This framework is written for all states, not just those that have a history of conflict or atrocity crimes or that consider themselves to be at a high risk of atrocity crimes. Risk factors of atrocity crimes – such as inequality, discrimination, marginalization, xenophobia and identity-based violence – are present in all societies, albeit to

varying degrees. Similarly, all states have capacities, institutions and actors that serve as inhibitors to atrocity crimes. Regardless of precisely how a state measures up against an atrocity risk analysis, addressing these risk factors and strengthening the inhibitors to atrocity crimes will promote less violent and more stable, harmonious and productive societies. We encourage all states to utilize this framework to assess gaps and identify opportunities to address atrocity risks in your own country, as well as to understand options available for responding to risks in your region and around the world.

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Action 3.3	Contribute to and support regional and subregional peace operations and political missions

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Action 4.3	Utilize membership of UN bodies to respond to an imminent risk or actual commission of atrocity crimes
Action 4.4	Contribute to and support international peace operations and political missions
Action 4.5	Collaborate with other states, international institutions and treaty bodies to support the international pursuit of accountability for atrocity crimes

Acronyms used in this framework

AFPs	Agencies, Funds and Programs
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CRC	Convention on the Rights of the Child
CRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
HRC	UN Human Rights Council
ICC	International Criminal Court
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ	International Court of Justice
NHRI	National Human Rights Institution
OHCHR	Office of the UN High Commissioner for Human Rights
PBC	Peacebuilding Commission
UN	United Nations
UNGA	UN General Assembly
UNSC	UN Security Council
UNSG	UN Secretary General
UPR	Universal Periodic Review

Part 1

Preventing and Responding to Atrocity Crimes at the National Level

Action 1.1

Promote social and economic equality and combat exclusion and discrimination

Recommended actions

Reform existing national laws, policies and programs that discriminate against or persecute particular populations, directly or indirectly, on the grounds of identity.³

Establish and/or strengthen national laws and policies designed to protect against identity-based discrimination.

Ensure robust legislative and, if feasible, constitutional protection for human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights, the ICESCR and the ICCPR.

Adopt/strengthen laws, policies and programs aimed at ensuring equitable access to social goods and services, including public education, healthcare and housing, with attention to the barriers impeding comprehensive access for vulnerable and marginalized groups.⁴

Adopt/strengthen strategies, policies and programs to promote access to employment and other economic opportunities, particularly for marginalized groups, women and youth. This might include affirmative action policies and programs to promote employment of underrepresented groups in the public sector.

Ensure social safety net programs are administered equitably and do not advantage particular groups over others on the basis of their racial, ethnic, religious or gender identity.

Review and, if necessary, revise laws and policies regulating access to citizenship and nationality, ensuring such laws do not discriminate against or ostracize marginalized groups or reinforce perceptions of certain communities as foreigners or outsiders.

Allow all populations to freely use their own language and engage in religious, ethnic and cultural practices, except where specific practices violate international human rights law.

Review and, if necessary, revise laws, policies and programs regulating the ownership and use of land and property, the management and distribution of natural resources and the development of state-sponsored infrastructure, to ensure that these laws, policies and programs do not entrench inequality and marginalization or exacerbate inter-communal grievances. Laws, policies and programs should also recognize and protect the rights of women to own, manage and profit from land and property. Such laws and policies should also be forward looking and consider the impact of climate change on resource-based conflict.

Action 1.2

Strengthen the transparency, inclusivity and accountability of public institutions

Recommended actions

Review the ethnic, racial, religious, cultural, linguistic and gender diversity of public institutions, and initiate/support reforms aimed at promoting the full and equal participation and leadership of underrepresented groups in these institutions.

Ensure that all branches and levels of government subscribe and adhere to principles of transparency, inclusivity and accountability in the design and delivery of public services.

Establish and/or strengthen mechanisms to ensure that the exercise of political authority is subject to the rule of law. Enshrine legislative and judicial oversight of the executive branch of government, as well as the independence of the judiciary, in national constitutions or national law, and establish/strengthen an independent domestic mechanism or mechanisms to counter corruption in public institutions as required by the UN Convention Against Corruption.

Strengthen the capacity of traditional authority structures, where they exist, to exercise transparent, accountable and inclusive governance, and encourage and support efforts to ensure that the composition of these structures reflects the full diversity of the communities they govern.

Action 1.3

Establish and support independent national human rights institutions

Recommended actions

Establish independent NHRIs that satisfy the minimum standards established by the Paris Principles relating to the Status of National Human Rights Institutions,⁵ or strengthen/support existing human rights institutions, including ombudspersons, to comply with these standards, taking into account any recommendations provided by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions and the advice of OHCHR.

Ensure newly-established NHRIs are designed with reference to historical contexts and conditions that contributed to legacies of past atrocities and abuses.

Provide NHRIs with the broadest possible mandate to enable them to protect and promote all human rights – including economic, social and cultural rights, civil and political rights, and the rights of children – and adequately fund such institutions to enable them to fulfill their mandate effectively and independently.

Empower and support NHRIs to receive and seek redress in relation to individual complaints of serious human rights violations.

Empower and support NHRIs to integrate concerns about the risk factors of atrocity crimes into their regular or ad hoc public communications and annual reporting to parliaments, governments and the public.

Protect the members and staff of NHRIs against threats, harassment and intimidation, and ensure that any incidents of such behavior are thoroughly investigated, and perpetrators held to account.⁶

Action 1.4

Build the professionalism, legitimacy and effectiveness of the police and security forces

Recommended actions

Promote the recruitment, retention and full and equal participation and leadership opportunities for women and marginalized groups, representative of society in all its diversity, in the police and security forces.

Clearly distinguish the duties and functions of the security forces from those of civilian law enforcement personnel. Refrain from deploying the military for law enforcement purposes, except in public emergencies in accordance with national law and with appropriate safeguards.

Train police and security forces on: international human rights and humanitarian law; standards for the use of force; non-violent and non-lethal crowd control tactics; and national laws and professional standards relevant to their areas of responsibility, and the processes and mechanisms by which police and security forces will be held accountable for violations. In conflict settings, ensure security forces are trained on civilian harm mitigation.

Review and, if necessary, strengthen codes of conduct for the police and security forces. Codes of conduct should require police and security forces to comply with national and international human rights law and, where applicable, international humanitarian law and should specify disciplinary procedures for non-compliance. Codes of conduct should also protect and promote the rights of women in the police and security forces.

Review and, if necessary, amend policies for the treatment of individuals in detention, ensuring strict compliance with international human rights standards.

Train police and security forces on how to identify and respond to early warnings of identity-based violence, as well as strategies for confronting perpetrators, protecting victims, survivors and witnesses, and preserving evidence. Ensure police and security forces have the capacity to mobilize response to early warnings and protect communities vulnerable to attack.

Ensure that police and security forces are accountable to civilian leadership and subject to independent oversight, such as by a police ombudsperson and/or NHRI. This should include an adequately resourced mechanism for individual complaints to be made against the police and security forces.

Measure and publicly report on the impact of military operations on civilians and civilian infrastructure. Strengthen communication with and accountability to civilian populations, including by establishing local-level civil-military consultation mechanisms.

Ensure that incidents resulting in civilian harm by security forces are monitored and followed by credible, transparent investigations and, where appropriate, prosecutions.

Ensure that police and security forces who abuse their authority, violate codes of conduct or otherwise fail to fulfill their obligations under national or international law are transparently investigated and appropriately disciplined and/or prosecuted.

Ensure that individuals who have previously been implicated in atrocity crimes or gross human rights abuses, or who have been members of armed groups implicated in such crimes, are not integrated into state security forces.

Facilitate community engagement and dialogue with the police to build trust, particularly amongst marginalized populations and groups who may have previously been subject to abuse by the security sector.

Expressly forbid the recruitment of children into armed service. In the event that state security forces are listed in the Annex of the UNSG's annual report on Children and Armed Conflict as perpetrators of grave crimes against children, agree to a national action plan on the protection of children with the UN, and implement its provisions.

Action 1.5

Promote access to justice

Recommended actions

Provide courts and tribunals with the resources necessary to ensure that all populations, including members of vulnerable and marginalized groups, are able to access a fair trial. This includes empowering courts and tribunals to provide individuals with access to legal representation and interpreters, and to adopt strategies for meeting the cultural and communication needs of vulnerable and marginalized groups.

Establish or strengthen education and outreach programs aimed at raising awareness among vulnerable and marginalized groups regarding their rights, including rights to freedom from discrimination and identity-based violence, and avenues for reporting and redress. Such programs should aim to raise awareness regarding opportunities for accessing complaint handling mechanisms, as well as options for accessing the formal justice system.

Provide financial support for services providing legal assistance and psychosocial support, particularly for vulnerable and marginalized groups. Support such services to expand their geographical reach, including through outreach and referral services.

Provide training and educational resources for the legal profession, including the judiciary, on identity-based discrimination, violence and hate speech, and on the legal definitions of atrocity crimes. Training for the legal profession should cover the diverse cultural and communication needs of vulnerable and marginalized groups, as well as methods to avoid retraumatizing victims during investigations and legal proceedings.

Ensure that courts and tribunals are available for remote and rural communities.

Support informal/traditional justice mechanisms, where they exist, to administer justice and settle disputes in accordance with international law, including international human rights law, and remove barriers that prevent full and equal access to and representation in such mechanisms, including for women and vulnerable and marginalized groups.

Review and if necessary revise laws and policies regulating access to citizenship and nationality, ensuring such laws do not discriminate against or ostracise marginalized groups.

Review and if necessary revise laws, policies and programs regulating the ownership and use of land and property, the management and distribution of natural resources and the development of State-sponsored infrastructure, to ensure that these laws, policies and programs do not entrench inequality and marginalisation or exacerbate inter-communal grievances. Laws, policies and programs should also recognise and protect the rights of women to own, manage and profit from land and property.

Allow all populations to freely engage in religious, ethnic and cultural practices, and establish policies that protect the cultural heritage of populations.

Action 1.6

Cultivate, support and protect a strong, free and independent civil society

Recommended actions

Allow civil society organizations and human rights defenders to operate independently and engage in public advocacy.

Support civil society organizations that: promote and protect the rights of vulnerable and marginalized groups, as well as the rights of youth and gender equality; advocate for and implement programs aimed at promoting social and economic equality; counter hate speech, discrimination and incitement to violence; and hold political leaders and public institutions accountable to their obligations under national and international law.

Review and, if necessary, amend laws and policies to ensure the protection of human rights defenders from physical threats, harassment and intimidation. Thoroughly investigate allegations of such behavior, and where there is sufficient evidence, ensure that perpetrators are prosecuted and held to account.⁷

Review and, if necessary, amend laws, policies or regulations that restrict the right to peacefully protest, ensuring that any such laws, policies or regulations are consistent with the rights to freedom of expression, peaceful assembly and association.⁸

Action 1.7

Cultivate, support and protect a free and independent media

Recommended actions

Review and, if necessary, amend laws and policies relating to the freedom of the press to ensure that such laws and policies are consistent with the rights to freedom of expression, information and opinion enshrined in international human rights law.⁹

Adopt legislative and other safeguards protecting journalists and civil society from unlawful or arbitrary government surveillance, and defend journalists from harassment and violence. Where necessary, provide additional protection for women journalists and others particularly at risk. Ensure that attacks, harassment and threats targeting journalists are thoroughly and swiftly investigated by public authorities, and that perpetrators are held to account.

Guarantee the independence and editorial freedom of public broadcasting services.

Action 1.8

Utilize the education sector to promote tolerance, respect for diversity and an understanding of the history of mass atrocities

Recommended actions

Review and, if necessary and where applicable, revise national curricula and education resources and policies, from early childhood to tertiary, to ensure that they combat negative stereotyping, supremacist narratives and discrimination and promote tolerance of and respect for diversity in all its forms.¹⁰

Provide training to education sector personnel regarding methods, tools and resources for promoting tolerance and respect for diversity, and in combating negative stereotyping and identity-based discrimination.

Review and, if necessary and where applicable, revise national curricula and education resources, to ensure that the teaching of history includes narratives that have been historically suppressed or marginalized. In societies with a history of atrocity crimes, education resources and curricula should include an account of those crimes. National history curricula should also include age-appropriate units on genocide and atrocities that have taken place in other countries.

Review and, if necessary, revise national curricula and education resources to ensure students are taught about human rights, including their own rights and respect for the rights of others.

Review and, if necessary, revise education sector recruitment policies to ensure that education sector staff reflect the full diversity of society.

Support schools to serve as platforms for building social cohesion in their communities, for example, through facilitated community discussions or social, cultural or sporting events that create interaction and dialogue between ethnic, religious or cultural groups.

Support actors in the informal education sector to equip children and young people with skills to promote tolerance, combat discrimination and manage and resolve conflict in their communities. This could include support for life skills and peacebuilding training, vocational training, or cultural, sporting or income generation initiatives aimed at fostering collaboration between different groups.

Action 1.9

Organize, conduct and ensure free and fair elections

Recommended actions

Establish/strengthen independent, impartial bodies, at the national and sub-national level, to manage elections including electoral roll management, delivery of polling services and civic education. Work towards enshrining the independence of those bodies in national and sub-national legislation.

Provide for the formation and free functioning of political parties and establish conditions for competition in elections on an equitable basis, including by ensuring that parties and candidates are free to communicate their views to the electorate.

Review and, if necessary, revise laws and policies regarding voter registration to ensure all citizens have equal access to participate in elections, regardless of gender, race, religion, ethnicity or political affiliation.

Take all necessary and appropriate measures to ensure that the principle of the secret ballot is respected, and that voters are able to cast their ballots freely, without fear or intimidation.

Ensure the constitution or other relevant legislation establishes a legal mechanism for contesting election results through the judicial system or another independent body.¹¹

Action 1.10

Strengthen the national legal, political and institutional architecture for preventing and responding to atrocity crimes

Recommended actions
<p>Sign and ratify international and regional legal instruments relating to the prevention of and response to atrocity crimes¹² and comply with reporting obligations.¹³</p>
<p>Enact legislation recognizing genocide, war crimes and crimes against humanity as crimes in domestic law, and granting domestic courts jurisdiction over these crimes.</p>
<p>Periodically assess the risk of atrocity crimes domestically, including structural risk factors and triggers as described in the UN Framework of Analysis for Atrocity Crimes.¹⁴ Assessments should be informed by data gathered at the local level, including by community-based organizations, religious leaders and elders, youth, women's organizations and representatives of historically marginalized groups, and should include indicators specific to age, gender, race, religion and ethnicity.¹⁵</p>
<p>Train and resource government departments so as to promote awareness of the structural risk factors of atrocity crimes, relevant to areas of departmental responsibility. Such training should include the behaviors and other indicators that should be monitored in relation to those risks, as well as actions within their department's purview that may contribute to or inhibit the commission of atrocity crimes.</p>
<p>Establish/strengthen systems to ensure that information regarding early warnings of atrocity crimes, including information from local community leadership and civil society, is communicated to government decision-makers at various levels and in different departments to enable a timely response in line with community-identified needs.</p>
<p>Appoint a senior official to serve as a national R2P Focal Point. Empower that individual to share information regarding atrocity risks across government departments and to support cross-departmental collaboration for atrocity prevention. Provide the R2P Focal Point with the authority and resources necessary to drive policy change.</p>
<p>Empower NHRIs to identify, analyze and coordinate responses to atrocity risk; or consider establishing a dedicated national institutional mechanism or body for atrocity prevention.¹⁶</p>
<p>Consider establishing a process by which national authorities may be held accountable for acting on their commitment to R2P. This might include: government reports to legislative bodies on action to prevent and respond to atrocity crimes; parliamentary debates; the establishment of parliamentary or legislative groups; the establishment of mechanisms to review the resourcing of atrocity prevention in national budgets; and reports by NHRIs, ombudspersons or other mechanisms.</p>
<p>Consider developing a national, whole-of-government policy, strategy or plan for atrocity prevention, setting out a framework and process for assessing, analyzing and sharing information regarding atrocity risk domestically and internationally, and for coordinating appropriate responses across government departments to any assessed risk.</p>

Action 1.11

Provide acknowledgement, justice and redress in relation to past and current atrocity crimes

Recommended actions

Investigate, prosecute and punish individuals responsible for atrocity crimes, in accordance with international standards. If national courts lack the capacity to hold individuals accountable for atrocity crimes, engage the assistance of international experts or alternatively refer the situation to the ICC.

In consultation with survivors and the relatives of victims, establish processes for truth-seeking, truth-telling, reconciliation, remedies and reparations (hereafter transitional justice processes) in relation to the commission of past atrocity crimes. Such processes should be public, transparent and inclusive of all victim/survivor groups.¹⁷

Within transitional justice processes, include special measures to ensure redress that meets the needs of women survivors of atrocity crimes. Ensure that women can fully participate in these processes and that their rights and perspectives are addressed.

Ensure that transitional justice processes are child-sensitive. They should prioritize the pursuit of justice and accountability in relation to violations and crimes against children and should offer effective remedies to children. They should recognize the right of children to express their views in matters and proceedings affecting them, have policies and procedures in place to protect the rights of child survivors and witnesses, and be guided by the best interests of children.¹⁸

Ensure that transitional justice processes are survivor-centered and pay particular attention to the needs of vulnerable groups. This should include processes for survivor-informed consent, to promote survivor ownership over transitional justice processes and to ensure the protection of survivors and witnesses from reprisals.

Memorialize past atrocity crimes, including through social and cultural events, the establishment of museums and/or historical sites, and support for survivor networks. In some contexts it may be appropriate to issue a national, public apology for past atrocity crimes.

Action 1.12

Address inter-communal tension at the local level

Recommended actions

Support community leadership and governance structures to resolve local disputes, particularly inter-ethnic and inter-religious disputes, through mediation and dialogue. Support initiatives aimed at promoting the inclusiveness, transparency and impartiality of local dispute resolution processes, including those that ensure the inclusion of women and vulnerable and marginalized groups.

Support local peacebuilding initiatives, including those of community-based and civil society organizations, as well as women's mediator networks, aimed at building trust and promoting dialogue, healing and reconciliation between ethnic, religious and cultural groups.

In communities with a history of conflict or at risk of conflict, support initiatives aimed at strengthening conflict prevention and non-violent community self-protection strategies. This might include support for local peace committees, protection committees or neighborhood watches, support for communities to engage in negotiations or mediation with armed forces and support for the development of community-based early warning systems.

Where there is a risk of conflict, engage in dialogue with and mitigate the threat posed by militias, community self-defense groups, and other armed actors. In the event of active fighting, deploy forces to at-risk areas to ensure the protection of civilians and civilian infrastructure.

In post-conflict societies, in consultation with communities, support initiatives aimed at facilitating the reintegration of former combatants and at promoting reconciliation between former combatants and their communities. Pay particular attention to the reintegration of former child soldiers, including by providing psychosocial support.

Regulate and secure national borders so as to halt the illicit flow of arms, mercenaries and other resources that can fuel violence at the local level.

Action 1.13

Combat hate speech and incitement to violence

Recommended actions

Criminalize incitement to violence based on religion, nationality, political affiliation or belief, ethnicity, language, gender, sexual orientation or other identity-based characteristics.¹⁹

Monitor and respond to the use of hate speech or the spread of dangerous disinformation or misinformation by public officials, including political, religious and community leaders.

Support and encourage public officials and religious leaders to publicly promote values of tolerance and respect for diversity, and to speak out against derogatory stereotyping, stigmatization, intolerance and hate speech.

Monitor the spread of hate speech, xenophobia, racism, anti-semitism and other supremacist ideologies by the population, including in public and online settings, and respond to direct threats to particular groups.

Train public officials working in ministries that engage with vulnerable and marginalized groups, including security, justice, social services and education sector actors, on strategies for identifying and combating hate speech and the spread of dangerous misinformation and disinformation, including around particular political, social and cultural events.

Support civil society, human rights defenders and religious and community leaders to speak out against hate speech at the local level.

Ratify and implement the CERD, ICCPR, CEDAW, Budapest Convention on Cybercrime and its First Additional Protocol, and regional human rights instruments relevant to the regulation of hate speech.

Review and, if necessary, strengthen domestic legislative and regulatory frameworks applicable to the digital industry, particularly social media providers, to prevent technology companies from facilitating the dissemination of hate speech. Work with technology companies to identify and monitor hate speech and misinformation and disinformation online.

Utilize the education sector to strengthen the ability of students to identify and combat hate speech and incitement to violence, and the spread of dangerous misinformation and disinformation, including online.

Action 1.14

Utilize the international and regional human rights systems for assistance in addressing the risk of atrocity crimes

Recommended actions
Include atrocity risk assessments and reporting on measures taken to strengthen the inhibitors of atrocity crimes in national preparatory materials for the UPR.
Accept, implement and report on measures taken in response to recommendations made in the UPR process related to addressing risk factors and strengthening the inhibitors of atrocity crimes.
Invite all relevant HRC special procedures mandate holders and treaty bodies to conduct country visits. Provide these mandate holders and treaty bodies with access to the country, to all relevant sites and opportunities to meet with national civil society organizations. Where relevant, support the establishment of a country OHCHR office.
Accept, implement and report on measures taken in response to recommendations provided by special procedures mandate holders and treaty bodies and, where applicable, OHCHR, related to addressing risk factors and strengthening the inhibitors of atrocity crimes.
Where there is a regional process or procedures for member states to report and seek feedback on their human rights situations, utilize this process to report on the presence of risk factors or early warnings of atrocity crimes, and seek feedback on steps taken to address risk factors and respond to early warnings.

Part 2

Preventing and Responding to Atrocity Crimes through Bilateral Cooperation and Influencing

Action 2.1

Monitor and analyze early warnings of atrocity crimes around the globe, and share this information as appropriate across government

Recommended actions

Ensure that existing global and, where applicable, regional atrocity risk assessments and alerts are monitored and assessed by foreign ministries or intelligence communities.²⁰ Whenever possible, review information and data gathered by civil society organizations, including community-based organizations, religious leaders and elders, youth, women's organizations and representatives of historically marginalized groups, and assessments that include indicators specific to age, gender, race, religion and ethnicity.

Provide training and guidance for staff in intelligence communities and foreign ministries, at home and abroad, to enable them to effectively monitor and analyze early warnings of atrocity crimes within their area of responsibility.²¹

Within embassies or other representative offices abroad, ensure there is a human rights focal point or other individual responsible for monitoring early warning information with responsibility for reporting to capitals, as well as permanent missions to the UN.

Establish/strengthen systems to ensure that early warnings of atrocity crimes are shared across relevant government departments – including those responsible for international development and humanitarian assistance, trade, sanctions, defence, justice and refugees – and that early warnings trigger a review of policy and/or programs across all these departments, aimed at responding to the identified risk.

Establish/strengthen links between embassy staff abroad, national actors and local civil society, including women's organizations and those representing marginalized groups, to facilitate the collection of atrocity risk information. Ensure embassies have protocols in place to protect the identity of civil society and human rights defenders with whom they coordinate and, if necessary, protocols for their physical protection.

Action 2.2

Leverage humanitarian, development and peacebuilding assistance, as well as human rights and private sector engagement, to reduce atrocity risk

Recommended actions

Focus international development and peacebuilding assistance on addressing identified risk factors and on strengthening the inhibitors of atrocity crimes. This could include support for: national early warning systems; the development of inclusive and independent public institutions; measures to combat discrimination and hate speech; initiatives to promote social and economic equality and respect for human rights; transitional justice initiatives; local peacebuilding initiatives; free and independent media; and initiatives aimed at the development of a professional and accountable security sector.²²

<p>Ensure that the design, monitoring and evaluation of development, humanitarian assistance and peacebuilding programs are informed by gender-sensitive and intersectional atrocity risk analyses, so as to ensure that assistance does not inadvertently exacerbate the risk of atrocity crimes.²³ Within these programs, ensure that risks to the safety of beneficiary populations are assessed, analyzed and monitored, and support partners to ensure that action is taken to respond to identified risk.</p>
<p>Ensure that development and humanitarian funding is sufficiently flexible to enable development and humanitarian partners to adapt programs in order to respond to early warnings of atrocity crimes, and evolving risks.</p>
<p>Develop or strengthen national regulations, guidelines or standards regarding the extraterritorial activities of national or multinational corporations (within jurisdiction) to ensure they do not exacerbate the risk of atrocity crimes or fund their commission.²⁴ Support national and multinational corporations within jurisdiction to ensure that foreign direct investments do not exacerbate the risk of atrocities, for example by stripping an area of resources or engaging in discriminatory hiring practices or other harmful workplace practices that violate workers' rights and undermine livelihoods.</p>
<p>Adhere to the 1951 Refugee Convention and its 1967 Protocol with regards to those fleeing and seeking refuge or asylum from atrocities, conflict, human rights violations and persecution, and provide humanitarian assistance to states faced with large-scale refugee situations.²⁵</p>

Action 2.3

Utilize diplomatic, economic, trade and military relations and influence to avert or halt the commission of atrocity crimes

Recommended actions
<p>Utilize bilateral military cooperation programs, where applicable, to train security forces on international human rights and humanitarian law, and on the risk factors of atrocity crimes, and to support cultures of accountability within security forces. Halt any program with security forces currently perpetrating atrocity crimes.</p>
<p>In accordance with the Arms Trade Treaty, prohibit the transfer of conventional arms and ammunition where there is an overriding risk that those arms/ammunition will be used to commit or facilitate the commission of atrocity crimes. Exercise due diligence in assessing the risk of arms transfers being used to commit or facilitate the commission of atrocity crimes.²⁶</p>
<p>Prohibit organizations, institutions and individuals from doing business with, investing in or entering into partnerships with entities and individuals suspected of committing or planning to commit atrocity crimes, and with entities and individuals known to be associated with or profiting from atrocity crimes. Enact similar prohibitions against doing business with or entering into partnerships with entities and individuals subject to UNSC sanctions or listed in the annex of the UNSG's annual report on Children and Armed Conflict as potential perpetrators of grave violations against children.</p>
<p>When providing military assistance to other states or when militarily engaging in other states, ensure such programs and operations consider civilian harm mitigation and take precautions to avert the risk of forces perpetrating or enabling the commission of atrocity crimes. Encourage military planning and risk assessments to include risk factors for atrocity crimes, regardless of the intended goal of the assistance or operation.</p>

Additional actions to consider in the event of an imminent risk or actual occurrence of atrocity crimes

In accordance with capacity, engage in preventive diplomacy with a view to averting or halting the commission of atrocity crimes, for example through: public statements; high-level meetings; condemning grave human rights violations and acts that may amount to atrocities; mediation; or the appointment of a special envoy. Additionally, or alternatively, work with other governments to identify which other actors – including other governments, intergovernmental organizations, non-state actors or multinational corporations – have the capacity to influence those suspected of committing or planning to commit atrocity crimes, and encourage/support those actors to engage in preventive diplomacy.

Restrict the international travel and freeze or confiscate the assets of individuals and entities associated with the commission of atrocity crimes.

Where a state is credibly suspected of committing or planning to commit atrocity crimes, consider diplomatic sanctions including: severing formal diplomatic ties; withdrawing staff from or closing an embassy in the state in question; or expelling diplomatic representatives of the state in question.

Where a state or state-owned enterprises are credibly suspected of committing or planning to commit atrocity crimes:

- discontinue military or security sector cooperation programs including training;
- halt the transfer of financial or development assistance;
- discontinue or prohibit engagement with the state/regime in question in cultural, sporting, scientific or other forums and events, or boycott such events;
- ban imports from and exports to state-owned enterprises, with a focus on sectors of the economy relied on to fund the commission of atrocity crimes and products associated with the commission of those crimes.

Responsibly consider requests from states for military assistance to avert or halt the commission of atrocity crimes within their borders and/or to prevent the flow of potential perpetrators or arms and other resources across borders. Decisions regarding the provision of military assistance should be based on an assessment of the likelihood of such assistance helping to avert or halt the commission of atrocity crimes, weighed against any negative consequences that may flow from the provision of such assistance.

Part 3

Preventing and Responding to Atrocity Crimes through Regional Cooperation

Action 3.1

Strengthen regional frameworks and structures for atrocity prevention and response

Recommended actions
<p>Work with other states and regional actors to establish or strengthen a regional early warning system for atrocity crimes, together with procedures for ensuring a flow of early warning information to decision-makers and mobilizing early action.²⁷ Early warning information should be informed by data gathered at the local level, including by community-based organizations, religious leaders, and elders, youth, women's organizations and representatives of historically marginalized groups, and should include indicators specific to age, gender, race, religion and ethnicity.</p>
<p>Encourage regional human rights mechanisms to engage in horizon scanning and to utilize the UN Framework of Analysis for Atrocity Crimes in their monitoring and reporting.</p>
<p>Work with other states and regional actors to develop and/or strengthen regional political and/or legal instruments for preventing and responding to atrocity crimes. This might include: political declarations enshrining a commitment to prevent and respond to atrocity crimes; the strengthening of regional human rights charters so as to mandate regional human rights bodies to protect human rights; regional action plans outlining measures to address the risk factors of atrocity crimes; and/or regional legal instruments mandating a regional response to atrocity crimes.</p>
<p>Work with other states and regional actors to establish and/or strengthen the capacity of regional institutions to prevent and respond to atrocity crimes, including through: mediation, negotiation, preventive diplomacy, diplomatic, political and/or economic sanctions aimed at deterring or halting the commission of atrocity crimes, and, where regional frameworks allow, the deployment of rapid reaction forces or regional standby forces.</p>
<p>Work with other states and regional actors to strengthen regional training, tools and resources on atrocity prevention, and to strengthen the capacity of regional organizations and networks to serve as a hub for the provision of such training and the development of resources.</p>
<p>Work with other states and regional actors to strengthen regional capacity to pursue accountability for atrocity crimes, including through commissions of inquiry, fact-finding missions or investigative mechanisms, regional courts and tribunals and regional agreements for cooperation with the ICC.</p>
<p>Encourage the appointment of a regional R2P Focal Point and/or the establishment of a regional office to monitor and analyze the risk of atrocity crimes within the region and globally.</p>

Action 3.2

Initiate or support regional action to halt or avert the commission of atrocity crimes

Actions to consider in relation to an imminent risk or actual occurrence of atrocities

Propose/support a special or emergency session of the relevant regional organization (or body/committee thereof) to discuss the situation in question, or otherwise initiate or support the holding of a discussion about the situation in question in the relevant regional forum, and deliberation regarding an appropriate response.

Request that the relevant regional organization (or body/committee thereof) be briefed by or hold a dialogue with relevant civil society experts, or international experts such as HRC special procedures mandate holders, monitoring or investigatory mechanisms, Special Representatives or Envoys of the UNSG, the UN High Commissioner for Human Rights or the Special Advisers to the UNSG on the Prevention of Genocide and R2P.

Utilize debates and/or meetings of the relevant regional organization (or body/committee thereof) to make statements condemning the commission of atrocity crimes, and calling for an end to those crimes and for perpetrators to be held to account.

Propose or support a regional statement or resolution condemning the conduct in question and explicitly describing that conduct as amounting to crimes against humanity, ethnic cleansing, war crimes or genocide.

Propose or support the establishment of a regional commission of inquiry, fact-finding mission or monitoring or investigative mechanism, in accordance with regional procedures, or utilize existing regional human rights mechanisms, to collect, consolidate and preserve information, and analyze and report on evidence and information to support future efforts to hold perpetrators of atrocity crimes to account. Encourage the inclusion of atrocity risk analysis within the mandates of such mechanisms.

In the event of widespread violence, human rights violations or atrocities, establish a regional plan for the reception and aiding of refugees and asylum seekers.

Engage in collective diplomacy, for example, through sending groups of national leaders, special envoys or other eminent persons to meet with officials in the country at risk of atrocities and/or facilitate mediation among parties to a dispute.

Where regional legal instruments and procedures allow, consider proposing or supporting the imposition of regional diplomatic, economic or trade sanctions targeting the individuals or entities responsible for the commission of atrocity crimes.

Where a state is suspected of committing or planning to commit atrocity crimes, and where regional legal instruments and procedures allow, consider proposing or supporting the suspension of that state from the regional organization in question or restrictions on the right of that state to participate in regional forums.

Work with other member states to craft a unified regional position in support of UN action aimed at halting or averting the commission of atrocity crimes. This might include: galvanizing regional support for a UNSC, UNGA or HRC resolution aimed at averting or halting the commission of atrocity crimes; organizing statements to be made on behalf of a regional organization in the UNSC, UNGA or HRC condemning atrocity crimes; or organizing for a regional organization to request or convene a special session or meeting of the UNSC, UNGA or HRC regarding the situation in question.

Action 3.3

Contribute to and support regional and subregional peace operations

Recommended actions for members of regional and sub-regional organizations with arrangements for peace operations

In the event of a risk or actual commission of atrocity crimes, urge consideration of a regional or sub-regional peace operation, utilizing the applicable processes.

Advocate for mission planning and decision-making in regional/sub-regional peace operations to be informed by atrocity risk assessments, and for the mandates of such operations to encompass the identification of and response to early warnings of atrocity crimes, and the protection of populations from those crimes. Advocate for the mandates of regional peace operations to include measures to mitigate the risk of, and respond to, civilian harm that could result from the presence or activities of the operation.

Provide regional/sub-regional peace operations with the military, police and civilian capabilities necessary to respond to an imminent risk or actual occurrence of atrocity crimes. This should include contributing personnel and equipment, in accordance with capacity.

Train the personnel of peace operations in international human rights and humanitarian law, the protection of civilians, the prevention of sexual exploitation and abuse and the prevention of and response to atrocity crimes. This should include training on the risk factors and early warnings of atrocity crimes.

Hold the personnel of peace operations to the highest standards of conduct. Thoroughly investigate any allegations of criminal conduct, and where there is sufficient evidence, prosecute the perpetrators.

Support enhanced participation of civilian and uniformed women in peace operations at all levels and in key positions, and advocate for all components of such operations to be informed by gender analyses.

Encourage the appointment of a regional R2P Focal Point and/or the establishment of a regional office to monitor and analyze the risk of atrocity crimes within the region and globally.

Part 4

Preventing and Responding to Atrocity Crimes through Multilateral Cooperation

Action 4.1

Support UN funds, programs and other entities, and leverage membership of UN bodies, to address the structural risk factors of atrocity crimes

Recommended actions

In accordance with capacity, support UN agencies, funds and programs (AFPs) that within their mandates can address the structural risk factors of atrocity crimes. This includes AFPs mandated to protect and promote human rights, children's rights and women's rights, and those mandated to support sustainable development, peacebuilding, conflict resolution, humanitarian assistance and the protection of refugees.

Leverage support for UN AFPs to advocate for atrocity prevention to be more intentionally prioritized across the UN system. Leverage this support to ensure that programs reflect an understanding of atrocity risk, and the strategies required to reduce that risk; and that funding is sufficiently flexible to allow programs to adapt and respond to risks as they evolve.

Support the provision of training and guidance to relevant UN AFPs on implementation of the UN Framework of Analysis for Atrocity Crimes and Plan of Action on Hate Speech.

Leverage support for AFPs, and membership of UN bodies, to ensure that all these entities are provided with timely information regarding atrocity risk, and recommendations for addressing that risk. Advocate for regular and institutionalized engagement with local and national actors, including civil society, in order to facilitate access to such information and recommendations.

Support the UN Office on Genocide Prevention and R2P. Advocate for the Office to work with relevant AFPs to develop joint atrocity prevention strategies, relevant to their areas of work, and to brief member states, including the Group of Friends of R2P, on country situations.

In accordance with capacity, support the work of OHCHR, including by resourcing its Rapid Response Unit, Investigation Support Unit and contingency fund, and its technical assistance and capacity building programming.

Within the Fifth Committee of the UNGA and the Advisory Committee on Administrative and Budgetary Questions, support the funding of HRC-mandated mechanisms and special procedures.

Support the work of UN special procedures mandate holders and investigative mechanisms, including through sharing evidence and information on atrocity risks and providing logistical support and visas to enable their operations and access to victims and survivors.

Recommended actions for members of the Peacebuilding Commission

Work with other states to ensure that atrocity risk assessments – including global risk assessments and alerts, and relevant information from local, national and regional actors – are shared with the PBC, and that those assessments assist to shape the PBC's work program.

Work with other states to strengthen the PBC's support for atrocity prevention. This could include assistance in marshalling resources to support national efforts to address the risk factors of atrocity crimes, or the convening of country-specific meetings – engaging national, regional and international actors – aimed at collaboratively exploring strategies for addressing risk factors for atrocities.

Request the UNSC President to invite advice from the PBC regarding atrocity risk situations, including recommendations for actions that the UNSC and/or UNGA could take to address that risk. Work with other states to strengthen the provision of advice and recommendations by the PBC to the UNSC and UNGA regarding country situations, including recommendations for actions that may address structural risk factors of atrocity crimes.

Work with other states to strengthen the PBC's engagement with civil society, national authorities, regional organizations and other stakeholders, with a view to exploring how the PBC can support atrocity prevention at all levels.

Recommended actions for members of the UNSC

Encourage the UNSC President to hold monthly horizon scanning meetings to highlight evolving atrocity risks in countries and assess options for preventive action.

During a presidency, organize an Open Debate on thematic issues related to atrocity prevention and encourage the adoption of a resolution condemning acts that may amount to atrocity crimes.

In relation to countries at risk of atrocity crimes, consider the establishment of a special political mission to support structural reforms, strengthen the independence of institutions, support the implementation of peace agreements, conduct human rights monitoring and/or provide electoral support.

Recommended actions for members of the HRC

Request OHCHR to bring information regarding human rights violations that point to a heightened risk of a human rights emergency to the attention of members and observers of the HRC, including through intersessional briefings, and to provide recommendations for addressing that risk.

Support the inclusion of atrocity risk assessments within the mandate of UN special procedures with a thematic focus, and consider the establishment of new special procedures mandates for thematic issues relevant to the prevention of mass atrocities.

Action 4.2

Utilize the international human rights system to address the risk of atrocity crimes

Recommended actions

When participating in the review of other states as part of the UPR process, utilize the Framework of Analysis for Atrocity Crimes to shape questions for all states regarding their efforts to prevent and respond to atrocity crimes.²⁸ Also use the Framework of Analysis, as well as input from credible civil society organizations, to help shape recommendations for states aimed at addressing atrocity risk factors and strengthening the structural inhibitors of atrocity crimes. During UPR sessions, issue statements of concern to give visibility to state conduct that elevates the risk of atrocity crimes.

In the event of reliable information regarding serious, grave or systematic violations by another state of its obligations under the CAT, CEDAW, CERD, ICPPED, ICESCR, ICCPR or CRC, where those violations indicate the commission of atrocity crimes or risk thereof, and where the provisions of the relevant human rights treaty or convention allow, consider conveying that information in a communication to the relevant treaty body.²⁹

Action 4.3

Utilize membership of UN bodies to respond to an imminent risk or actual commission of atrocity crimes

Actions for members of the UNSC to consider in the event of an imminent risk or actual occurrence of atrocity crimes

Request the UNSC President to convene a meeting of the UNSC to consider the situation and the appropriate response or initiate an informal interactive dialogue for that purpose.

Request the UNSC President to circulate relevant reports of the HRC, HRC special procedures or mechanisms, or special representatives or envoys of the UNSG to members of the UNSC as official documents of the UNSC. Request the UNSC President to invite these experts and other officials, including OHCHR and the UN Special Advisers on the Prevention of Genocide and R2P, to brief the Council on their findings regarding atrocity risks.

Request the UNSC President to invite briefers from civil society and affected communities to formal and informal meetings on atrocity situations. Assist in facilitating participation of briefers, including through support for virtual participation or for visas, travel, and, where necessary, security.

Request special representatives or envoys of the UNSG and heads of peace operations and political missions to provide an assessment of atrocity risks during their regular briefings to the UNSC.

Utilize formal and/or informal meetings of the UNSC on the situation in question to condemn the commission of atrocity crimes, and call for an end to those crimes and for perpetrators to be held to account.

Propose/support a UNSC resolution:

- mandating the deployment of a monitoring or observer mission, or an investigative or mediation team;
- calling for unrestricted access for humanitarian relief operations;
- imposing sanctions or arms embargoes targeting the perpetrators of atrocity crimes;
- referring perpetrators to the ICC;
- mandating a peace operation or special political mission, aimed at halting or averting the commission of atrocity crimes, with a mandate to monitor and protect human rights and protect civilians.

Failing a UNSC resolution, propose/support a UNSC press statement or presidential statement aimed at condemning the commission of atrocity crimes.

Propose/engage in a UNSC visit to the country experiencing or at risk of atrocity crimes.

In the event that the UNSC is unable to exercise its responsibilities in relation to atrocity crimes, propose/support a procedural resolution calling for an emergency special session of the UNGA to consider the situation, pursuant to the procedure established by UNGA Resolution 377(V) (1950) (Uniting for Peace).

For permanent members of the UNSC: in line with the Political Declaration on Suspension of Veto Powers in Cases of Mass Atrocities and the Accountability, Coherence and Transparency Group's Code of Conduct, refrain from exercising the right of veto to block UNSC action aimed at averting or halting the commission of mass atrocities.

Actions for members of the UNGA to consider in the event of an imminent risk or actual occurrence of atrocity crimes

Request the UNSG to convene a special session of the UNGA plenary to consider the situation in question, or propose that the situation be added as an additional item of an important and urgent character to the agenda of the UNGA's regular session.

Request the UNSG to utilize the power granted to by Article 99 of the UN Charter to bring the situation in question to the attention of the UNSC.

Request the UNGA President to circulate relevant reports of the HRC, HRC special procedures or mechanisms, or special representatives or envoys of the UNSG to members of the UNGA as official documents of the UNGA.

Request that informal interactive dialogues be held with HRC special procedures or mechanisms, special representatives or envoys of the UNSG, the Special Advisers on the Prevention of Genocide and R2P or civil society experts. During such dialogues, including within the Third Committee, make statements and ask questions regarding the atrocity risk situation.

In the event that the UNSC fails to exercise its responsibility in relation to the situation in question due to the veto of one or more of its permanent members, and the UNGA holds a debate on that situation pursuant to UNGA Resolution 76/262 (2022), work with other states to ensure that the debate is used to constructively consider what the UNGA can do to avert or halt the commission of atrocity crimes. Alternatively, consider requesting the UNSG to convene an emergency special session, pursuant to UNGA Resolution 377A(V) (Uniting for Peace).

Propose/support a resolution:

- condemning the conduct in question and describing that conduct as amounting to crimes against humanity, war crimes or genocide;
- requesting the UNSG to appoint a special representative or envoy, or otherwise exercise his good offices, with a view to averting or halting the commission of atrocity crimes;
- establishing a commission of inquiry, monitoring mechanism, fact-finding mission or investigative mechanism aimed at holding perpetrators of atrocity crimes to account;
- recommending that states adopt sanctions targeting the individual perpetrators of atrocity crimes;
- calling on states to halt the flow of arms and military equipment to armed forces or groups suspected of committing or planning to commit atrocity crimes;
- requesting a special report from the UNSC regarding its handling of the situation in question;
- establishing a UN peace operation or special political mission aimed at halting or averting the commission of atrocity crimes, with a mandate to monitor and promote human rights and protect civilians;
- making recommendations to the UNSC, for example, for mandatory sanctions or seeking a referral of the perpetrators of atrocity crimes to the ICC.

Actions for members of the HRC to consider in the event of an imminent risk or actual occurrence of atrocity crimes

Request the President of the HRC to convene an urgent debate or special session to discuss the situation in question, or request that the situation be added to the agenda of the HRC's regular session.

Request the President of the HRC to invite briefings from civil society and UN human rights experts, and/or to convene interactive dialogues and/or panel discussions with civil society or UN human rights experts.

Utilize debates and/or meetings of the HRC on the situation to condemn the commission of atrocity crimes, and call for an end to those crimes and for perpetrators to be held to account.

Propose/support a resolution:

- condemning the conduct in question and describing that conduct as amounting to crimes against humanity, war crimes or genocide;
- calling on existing special procedures mandate holders to conduct a country visit to assess the situation and report to the HRC, UNGA, and, where applicable, UNSC;
- establishing a special procedures mandate in relation to the situation in question, and requesting that individual to report to the HRC, UNGA, and, where applicable, UNSC;
- requesting OHCHR to conduct an investigation into the situation in question and report to the HRC, or to dispatch an emergency team;
- establishing a commission of inquiry, monitoring mechanism, fact-finding mission or investigative mechanism, with a clear focus on the gathering and preservation of evidence of atrocity crimes, including for use in possible future legal proceedings, and requesting that mechanism to report to the HRC;
- requesting special procedures mandate holders or investigative mechanisms to utilize the UN Framework of Analysis for Atrocity Crimes in their assessments and reporting;
- recommending that states adopt sanctions targeting the individual perpetrators of atrocity crimes;
- calling on states to halt the flow of arms and military equipment to armed forces or groups suspected of committing or planning to commit atrocity crimes;
- making recommendations to the UNSC, for example, for mandatory sanctions or seeking a referral of the perpetrators of atrocity crimes to the ICC.

In addition to or in lieu of an HRC resolution, initiate and/or support a statement by the HRC President condemning the conduct in question and calling for action to be taken to halt or avert the commission of atrocity crimes.

Action 4.4

Contribute to and support UN peace operations and political missions

Recommended actions

In line with their authorized mandate, provide UN-mandated peace operations and political missions with the military, police and civilian capabilities necessary to identify a risk of atrocity crimes, and to respond to that risk and to the actual occurrence of such crimes. This should include, in accordance with capacity: contributing personnel and equipment; providing support for human rights units in peace operations or political missions; and training Joint Mission Analysis Components/Joint Operations Centers and other field-level analysis units on risk factors for atrocities. Refrain from stipulating caveats or other restrictions that impede the ability of peace operations to protect civilians.³⁰

<p>Train the personnel of peace operations and political missions in international human rights and humanitarian law, the protection of civilians, the prevention of sexual and gender-based violence and associated reporting procedures, and the prevention of and response to atrocity crimes. This should include training on the risk factors and early warnings of atrocity crimes.</p>
<p>Hold the personnel of peace operations and political missions to the highest standards of conduct. Thoroughly investigate any allegations of criminal conduct, and where there is sufficient evidence, prosecute the perpetrators.³¹</p>
<p>Support enhanced participation of civilian and uniformed women in peace operations and political missions at all levels and in key positions.</p>
<p>Encourage the Department of Peace Operations to incorporate military guidance on mass atrocity response into policies, plans, manuals and trainings on the protection of civilians.</p>
<p>Where relevant, support the establishment of quick/rapid reaction forces within peace operations with a protection of civilians mandate.</p>

Action 4.5

Collaborate with other states, international institutions and treaty bodies to support the international pursuit of accountability for atrocity crimes

Recommended actions
<p>Provide political, financial and technical support and human resources, in accordance with capacity, to international courts, tribunals and accountability mechanisms mandated to investigate, collect and preserve evidence and/or hold perpetrators of atrocity crimes to account. Cooperate with international courts, tribunals and accountability mechanisms, including by sharing information, providing access to territory and arresting and extraditing perpetrators.</p>
<p>Where there is credible evidence of a violation of a human rights treaty that allows for state complaints to the relevant treaty body, or that provides a procedure for the resolution of disputes between states parties over a state's fulfilment of its treaty obligations, and the state whose conduct is in question has accepted the competence of the relevant committee in that regard, consider making a complaint to the relevant treaty body or initiating the dispute resolution procedure.³²</p>
<p>Where there is credible evidence of a violation of a human rights treaty that allows for disputes to be referred to the ICJ, and in respect of all relevant treaties if attempts at negotiation and arbitration have failed, consider instituting proceedings in the ICJ.³³ Where applicable, request the ICJ to issue provisional measures to stop ongoing violations and abuses. If a third state has initiated a case in the ICJ against a state allegedly responsible for atrocity crimes, consider intervening in that case in support of international justice efforts.</p>
<p>Where there is credible evidence that atrocity crimes have been or are being committed, within the jurisdiction of the ICC, states parties to the Rome Statute should consider referring the situation to the ICC Prosecutor for investigation.</p>

ENDNOTES

- ¹ For full lists of resolutions on R2P, see Global Centre for R2P, [UN Security Council Resolutions and Presidential Statements Referencing R2P](#) (2023), [UN Human Rights Council Resolutions Referencing R2P](#) (2023) and [UN General Assembly Resolutions Referencing R2P](#) (2022).
- ² See, for eg: European Union External Action, [EU Responsibility to Protect – Atrocity Prevention Toolkit](#) (2018); US Bureau of Conflict and Stabilization Operations, [2022 US Strategy to Anticipate, Prevent and Respond to Atrocities](#) (2022); UK Foreign and Commonwealth Office, [UK Approach to Preventing Mass Atrocities](#) (2019).
- ³ In this framework, identity-based discrimination and violence, is used to refer to discrimination/violence on the basis of someone's personal characteristics, including their religion, ethnicity, nationality, race, color, descent, age, gender or sexual orientation. Laws and policies discriminate if they result in people being treated differently, excluded from essential services or subject to undue restrictions on how they live their lives, because of who they are. In some contexts, it may be appropriate for laws/policies to positively discriminate – meaning, to seek to accord advantage or benefit to disadvantaged groups.
- ⁴ For discussion of strategies to promote socio-economic equality, with a focus on healthcare and education, see UN Development Program, [Human Development Report 2019: Beyond Income, Beyond Averages, Beyond Today – Inequalities in Human Development in the 21st Century](#) (2019).
- ⁵ See [Principles relating to the Status of National Institutions](#) (The Paris Principles), UNGA Res 48/134 (1993).
- ⁶ For further detail on these recommendations see [Reports of the Secretary-General on National Institutions for the Promotion and Protection of Human Rights](#), A/HRC/39/20 (2018), A/74/226 (2019) and A/75/224 (2020).
- ⁷ See [Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms](#), UNGA Res 53/144 (1999).
- ⁸ For comment on the right to peaceful assembly see, UN Human Rights Committee, [General Comment No 37 on the Right of Peaceful Assembly](#) (2020); [Joint Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association and the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions on the Proper Management of Assemblies](#) (2016).
- ⁹ For comment on the right to freedom of expression see UN Human Rights Committee, [General Comment No 34 on Freedoms of Opinion and Expression](#) (2011).
- ¹⁰ For further detail on the actions recommended in this section see the Auschwitz Institute for the Prevention of Genocide and Mass Atrocities and Protection Approaches, [Democratic Education Needs Imagination: Preventing Identity-Based Violence through Education](#) (2022).
- ¹¹ For further guidance on the conduct of free and fair elections see Inter-Parliamentary Union, [Declaration on Criteria for Free and Fair Elections](#) (1994).
- ¹² Including: the Genocide Convention; the Geneva Conventions and the Additional Protocols thereto; the ICCPR and the Second Optional Protocol thereto; the ICESCR; the CAT; CEDAW; the CERD; the ICPPED; the 1951 Refugee Convention and the 1967 Protocol thereto; the CRC and its Optional Protocol on the involvement of children in armed conflict; the Rome Statute of the International Criminal Court; and the Arms Trade Treaty.
- ¹³ See OHCHR, [Guidelines and Tools for Treaty Body Reporting](#) (online resource).
- ¹⁴ UN, [A Framework of Analysis for Atrocity Crimes: A Tool for Prevention](#) (2009).
- ¹⁵ For guidance on the development of gender-transformative early warning indicators see Global Centre for R2P, [Manual for R2P Focal Points](#) (2022), Annex III.
- ¹⁶ On national mechanisms for atrocity prevention see: Global Action Against Mass Atrocity Crimes, [Training Toolkit: Establishing and Managing National Mechanisms for Mass Atrocity Prevention](#) (2021); Auschwitz Institute for Peace and Reconciliation, [National Mechanisms for the Prevention of Genocide and other Mass Atrocity Crimes: Effective and Sustainable Prevention Begins at Home](#) (2015).
- ¹⁷ For guidance on reparations processes see: [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#), UNGA Res 60/147 (2005). See also: Clara Ramírez-Barat, [Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice](#) (International Centre for Transitional Justice, 2011); UN OHCHR, [Transitional Justice and Economic, Social and Cultural Rights](#) (2014).
- ¹⁸ For detailed guidelines on child-sensitive transitional justice see Office of the Special Representative of the Secretary-General for Children and Armed Conflict, [Children and Justice During and in the Aftermath of Conflict](#) (2011) and Clara Ramírez-Barat, [Engaging Children and Youth in Transitional Justice Processes: Guidance for Outreach Programs](#) (International Centre for Transitional Justice, 2012); and for further guidance regarding the investigation of atrocity crimes and protection of victims, survivors and witnesses see: [Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-Related Sexual Violence](#) (the 'Murad Code.')
- ¹⁹ For further guidance regarding the recommendations in this section see: [Combating Intolerance, Negative Stereotyping, Stigmatization, Discrimination, Incitement to Violence and Violence against Persons, based on Religion or Belief](#), UNGA Res 75/187 (2020); [Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence](#) (2013); [Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities](#) (2013); Committee on the Elimination of Racial Discrimination, [General Recommendation 15, Measures to Eradicate Incitement to or Acts of Discrimination](#) (1993).
- ²⁰ Eg, US Holocaust Memorial Museum, [Early Warning Project](#); Global Centre for R2P, [R2P Monitor and Atrocity Alert](#); Asia Pacific Centre for the R2P, [Risk Assessments and Regional Outlooks](#).

- ²¹ The UN [Framework of Analysis for Atrocity Crimes](#) is available to assist with such analysis.
- ²² For discussion regarding the channeling of international development and humanitarian assistance funding for atrocity prevention see UNSG, [Fulfilling our Collective Responsibility: International Assistance and the Responsibility to Protect](#) (2014).
- ²³ For guidance regarding tailoring humanitarian and development assistance for atrocity prevention see USAID, [Field Guide: Helping Prevent Mass Atrocities](#) (2015).
- ²⁴ See OHCHR, [Guiding Principles on Business and Human Rights](#) (2011).
- ²⁵ For further guidance see: [Convention Relating to the Status of Refugees](#) (1951); [Protocol Relating to the Status of Refugees](#) (1967); [Global Compact on Refugees](#) (2018).
- ²⁶ For further guidance see: UN Working Group on Business and Human Rights, [Responsible Business Conduct in the Arms Sector: Ensuring Business Practice in line with the UN Guiding Principles on Business and Human Rights](#).
- ²⁷ See, for example, the [Enhance EU and Local Capacities for Early Warning and Conflict Analysis](#) (2021-2027) and the AU's [Continental Early Warning System](#).
- ²⁸ See UPR Info, [A Guide for Recommending States at the UPR](#) (2015). The Framework of Analysis for Atrocity Crimes is available at: https://www.un.org/en/genocideprevention/documents/publications-and-resources/Genocide_Framework%20of%20Analysis-English.pdf.
- ²⁹ The CAT, ICPPED and the Optional Protocols to CEDAW, the Convention on the Rights of Persons with Disabilities, ICESCR and the CRC provide for communications to be made to the relevant treaty body regarding serious, grave or systematic violations by a State party: see UN OHCHR, [Complaints about Human Rights Violations](#) (online resource).
- ³⁰ As called for by the [Kigali Principles on the Protection of Civilians](#) (2015) and the [Action for Peacekeeping Declaration of Shared Commitments on UN Peacekeeping Operations](#) (2018).
- ³¹ UN Department of Peacekeeping Operations, [Operational Readiness Preparation for Troop Contributing Countries in Peacekeeping Missions](#) (2018).
- ³² The CAT, CRMW, ICPPED, Optional Protocol to the ICESCR and Optional Protocol to the CRC allow the relevant treaty body to consider complaints from a State Party, in respect of the conduct of other State Parties that have accepted the competence of the treaty body in such regard. The CERD, ICCPR and CRC set out procedures for the resolution of disputes between States Parties relating to a state's fulfilment of its obligations under the Convention/Covenant. See OHCHR, [Complaints about Human Rights Violations](#) (online resource).
- ³³ The CERD, CEDAW, CAT, CRMW, ICPPED and the Genocide Convention allow for disputes to be referred to the ICJ.



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