

Summary of the Report of the Secretary General Early Warning, Assessment and the Responsibility to Protect

On 17 July 2010, Secretary General Ban Ki-moon released his report “Early warning, assessment, and the responsibility to protect” in an effort to further the General Assembly’s consideration of the Responsibility to Protect (RtoP), consistent with the 2005 World Summit Outcome Document.

Mandate of the Report

The Secretary General’s report is mandated as a follow-up to paragraphs 138, 139, and 140 of the 2005 World Summit Outcome Document. The Report explores early warning and assessment in the context of these three paragraphs.

Paragraph 138 of the Outcome Document states explicitly states that Heads of State and Government pledged to “support the United Nations in establishing an early warning capability.”

Paragraph 139 notes that peaceful and preventive measures under these Chapter VI, VII, VIII, are effective if implemented early and are tailored to specific circumstances. Early warning and assessment are critical in this pursuit.

Furthermore, Paragraph 139 provides that Member States seeking to help other Member States build capacity to protect their populations from the four crimes and to “assist those which are under stress before crises and conflicts break out” will requires effective early warning and impartial assessment mechanisms.

Finally, Paragraph 139 also provides that States will take action in a “timely and decisive manner...should peaceful means be inadequate and national authorities are manifestly failing to protect their populations”. Decisions regarding collective action must be accurately informed and impartially assessed early on in a case-by-case basis.

Paragraph 140 reiterates the support for the Office of the Special Advisor on the Prevention of Genocide (OSAPG), which plays an integral role in early warning and assessment.

Gaps and Capacities

The Secretary General’s report highlights the gaps and capacities facing the mechanisms of early warning and assessment within the UN system. The Report references the “hard lessons of the 1990s”, more specifically the failure of the analytical capacity of the UN in the cases of Rwanda and Srebrenica. The “endemic weakness” of insufficient information sharing by Member States and UN agencies, among other factors, proved tragic in both situations.

Discussing the capabilities of the UN system, the Report finds that there is no shortage of information, as the Department of Political Affairs (DPA), the Office for the Coordination of Humanitarian Affairs (OCHA), the Inter-Agency Standing Committee, the “Framework” Team, the Department of Peacekeeping Operations (DPKO), the United Nations International Children’s Emergency Fund (UNICEF), the Office of the High Commissioner for Human Rights (OHCHR), and the United nations High Commission for Refugees (UNHCR) all posses information analysis and early warning mechanisms.

There are, however, three major gaps that remain:

- 1) There is an insufficient sharing of information and analysis among the actors listed above and throughout the UN – including its Member States – as a whole.
- 2) The existing mechanisms for gathering and assessing information for the purpose of early warning do not analyze that information through an RtoP lens, but rather view conflicts in broader terms.
- 3) The UN requires “assessment tools and capacity to ensure both efficiency and system-wide coherence” in developing responses to RtoP situations under Chapter VI, VII, and VII of the UN Charter.

The Report outlines the importance of the “two-way flow of information” between the UN and regional and sub-regional organizations that can help close the gaps mentioned above. Individual sources, including indigenous and transnational civil society groups, country and regional experts, and human rights and humanitarian monitoring groups, as well as local knowledge and perspectives, are critical to UN decision-making concerning the Responsibility to Protect.

The OSAPG is also a central mechanism of early warning to the UN system, “providing timely advice to the Secretary-General and, as appropriate, to the Security Council, on situations of concern”. The OSAPG also acts as a focal point for information and warning on situations of concern, and undertakes a range of training, education, conceptual, advocacy, and public outreach activities to raise public and official awareness of the signs of potential genocide and how to effectively prevent it.

Next Steps

The Report clearly emphasizes the need for further development of RtoP, calling for an informal interactive dialogue to be held in the General Assembly in 2011 on the role of regional and sub-regional organizations in implementing the norm.

As a concrete next step, the Report discusses the joining of the offices of the Special Adviser on the Prevention of Genocide, Francis Deng, and of the Special Adviser responsible for the conceptual, political and institutional development of the responsibility to protect, Edward Luck. Quoting the Secretary General’s *Implementing the Responsibility to Protect (A/63/677)*, the Report states that a joint office “could preserve and enhance existing arrangements...while adding value on its own in terms of new arrangements for advocacy, cross-sectoral assessment, common policy, and cumulative learning on how to anticipate, prevent, and respond to crises relating to the responsibility to protect.” Proposals for the joint-office will be submitted later in 2010.

Furthermore, the Report makes notes of “new internal procedures to expedite and regularize the process by which the UN considers its response” to situations of genocide, war crimes, crimes against humanity, and ethnic cleansing. In such cases where states are manifestly failing to protect their civilians, the Secretary General will ask Special Adviser’s Deng and Luck to convene “a meeting of key Under-Secretaries-General to identify a range of multilateral policy options, whether by the UN or by Chapter VII regional arrangements, for preventing such mass crimes and preventing populations.”

The Report concludes stressing that, while “early warning does not always produce early action...early action is highly unlikely without early warning.” Early action must be well-informed action, emphasizing the need for sophisticated early warning and assessment capabilities.