

Report - Stop Mass Atrocities: Advancing EU Cooperation with Other International Organizations Luis Peral, Nicoletta Pirozzi, Editors Edizioni Nuova Cultera, EU Institute for Security Studies, Istituto Affari Internazionali

April 2013

(...) Gross and large scale violations of human rights which may be attributed to a State have been recognized as the most serious breaches of fundamental obligations affecting the international community as a whole; and the Rome Statute, adopted in 1998 and which entered into force in 2002, has established that the International Criminal Court has jurisdiction over atrocity crimes such as genocide, war crimes and crimes against humanity. Both States and individuals may thus be held accountable for these ominous acts, but the international responsibility of States and International Criminal Law are ex post facto mechanisms which do not satisfy the rights of victims. As an indispensable component of the underlying norm, the responsibility to protect R2P, a principle allowing for the effective protection of potential victims from such crimes, was endorsed by all members of the international community in the 2005 United Nations World Summit Outcome Document. While the R2P concept was presented in a report of the Canadian sponsored International Commission on Intervention and State Sovereignty ICISS in 2001 as a possibility for coercive intervention to protect populations at risk in the case that no decision is adopted by the UN Security Council, the World Summit Outcome Document broadened its scope to include preventive measures, and made explicit reference to the need for Security Council authorization as regards any eventual recourse to force in order to put an end to such massacres.

This new development of the norm has not been confined to the framework of the United Nations (UN), but has also led to a series of reforms in the main regional organizations. At the same time, both the interpretation and the implementation of the R2P norm and humanitarian intervention remain differentiated within the international community, with disagreement made explicit by some of the BRICS States (namely Brazil, Russia, India, China and South Africa) as regards the way in which a group of Western States under the North Atlantic Treaty Organization (NATO) umbrella implemented R2P in Libya.

In its 2008 Report on the Implementation of the European Security Strategy, the European Union (EU) specified that "sovereign governments must take responsibility for the consequences of their actions and hold a shared responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity".³ Indeed, the EU consolidated a relationship with the UN covering most aspects of preventive measures and potential responses to situations of mass atrocities long before the R2P concept was incorporated into official UN documents.

The EU has also offered support in different ways to the African Union Peace and Security Architecture, which is significantly oriented to the prevention and halting of mass atrocities; and

it has traditionally cooperated with NATO, although on an ad hoc basis, as well as with the Organization for Security and Co

-
operation in Europe (OSCE) – but not so much with the Council of Europe – on, respectively, the military and civilian dimensions of the response. Such acquis has, however, not always been consistent, and is currently at risk due to the financial and political crisis that the EU has experienced over the last few years, but it still constitutes the most notable performance by a regional organization in this field.

There have been, however, fewer attempts on the part of the EU to work together with other international actors as regards the prevention of mass atrocities and R2P, particularly when it comes to the third pillar.

There is thus scope for horizontal cooperation in this sense, especially considering that certain countries are becoming indispensable actors in a new global context and that some regional organizations are proving increasingly active in different aspects of R2P. Although a few non

-
EU countries have taken part in different EU operations in the framework of the European/Common Security and Defence Policy (E/CSDP), such contributions have been scarce and restricted to crisis management. Recent important developments at Association of South East Asian Nations (ASEAN) and the reform process initiated by the Arab League as a result of the Arab democratic wave offer new opportunities of cooperation which have not been sufficiently explored. As to EU cooperation with non

-
EU countries, it is sufficient to say that the ten Strategic Partnerships have not yet represented any advance in this field.

The present report has been conceived as a kind of mapping exercise of the EU's ongoing and potential cooperation with other international organizations to prevent and halt mass atrocities. It is a collective exercise not only because it has been undertaken by a group of experts, but also due to the fact that a common framework of analysis has been devised so that the report is as consistent and comprehensive as possible.

For the purpose of our analysis, we referred to an inclusive framework of activities implemented by the EU and other relevant actors for the prevention of mass atrocities and R2P: these include not only early warning, diplomatic initiatives, targeted sanctions, civilian and/or military missions, peacebuilding, but also transitional justice and the fight against organized crime, even though they does not fall under the traditional notion of the R2P. The mapping results from the identification of all relevant international organizations (IOs) with which the EU has or should have cooperated, namely the UN, NATO, OSCE, the Council of Europe (CoE), the African Union (AU), the League of Arab States (LAS), ASEAN and the Organization of American States (OAS). The aim of the report is to assess both best practices and gaps, including areas that

have not been explored or in which there is scope for improvement, in order to make policy recommendations which are relevant not only to the EU but also to each of the IOs already or potentially working with the EU to prevent and/or halt mass atrocities. The general assumption of the report is that the EU will advance cooperation with other IOs whenever possible in order to fulfill its own commitment to R2P, which entails forging or strengthening consensus with other member states of the international community, starting with the Strategic Partners. (...)

Read

[full research paper](#)

.