

Oxfam Australia outcome document of November 2009 RtoP Workshop on NGOs and the Prevention of Mass Atrocity Crimes 16 March 2010 Oxfam Australia held a practical workshop entitled “NGOs and the Prevention of Mass Atrocities” on November 23-24, 2009 in Melbourne on current NGO engagement on RtoP in order to develop and share strategies in implementing the Responsibility to Protect throughout the Asia-Pacific Region. Participants were mainly emergency, development or advocacy practitioners of international NGOs in Australia but also included research institutions and a government department.

Executive summary

A participatory workshop NGOs and the Prevention of Mass Atrocities was held at Oxfam Australia’s head office in November 2009. The Workshop’s purpose was to build consensus around R2P, and how NGOs could apply R2P to their work with the aim of preventing genocide and crimes against humanity.

Five key themes emerged from the workshop.

1. R2P was seen to be both a benefit and a threat to NGOs’ advocacy efforts. It can be a benefit as it provides a framework of legal and moral internationally agreed obligations for States to act in the face of atrocity crimes. This is helpful when advocating with States and other stakeholders to act for the benefit of vulnerable populations. On the other hand, the highly political nature of R2P, and its perceived alignment with an ultimate use of force, means that applying the language of R2P can be offensive to States whose populations are at risk of atrocity crimes. This in turn politicizes any advocacy efforts to the point where NGO staff and operations may be threatened.
2. There is the need for significantly improved early warning mechanisms, and the establishment of response strategies and protocols for when early warning is given. Improved means for sharing information and using NGO complementarity and confidentiality should be developed. A part of this process is establishing risk management systems in order to protect information, sources of information, and access to information. Closely aligned to early warning is the work that needs to be done to prepare vulnerable communities for violence. There is much that NGOs can learn and provide in terms of community preparedness so that if violence does occur populations have the strongest possible chance of survival.
3. NGOs need to engage much more actively with those in the concert of R2P crimes. This includes international, regional, national and local stakeholders all of whom can be better engaged by NGOs, familiar with circumstances in the field, to protect vulnerable populations.

4. NGOs should familiarise themselves with international legal issues more proficiently. This includes the relationship between R2P and the UN Security Council thematic issue of Protection of Civilians in Armed Conflict, and R2P and other international human rights, refugee, and international humanitarian law. NGOs need to clarify their position on R2P and the use of force (for those times when prevention has failed) and should also take into consideration their role as witness to international crimes. NGOs need to resolve their relationship with the International Criminal Court (ICC) and the risks associated with bearing witness.

5. Communication and education are key to the success of R2P and improved guidelines and materials on R2P, on what activities may constitute Pillar I and Pillar II elements of the principle and how R2P relates to other humanitarian practice. Communication involves the collection and dissemination of early warning data – not only to the international community but also to populations at risk. How NGOs communicate about the potential for a situation to deteriorate into R2P crimes without being seen to be overtly political and partial is an issue that also needs to be resolved. Education involves ensuring that States understand the different elements of R2P and are not threatened by the idea of R2P only as the use of force.

These key themes kept re-emerging throughout the two day workshop and highlighted the fact that there are theoretical vs practical difficulties in the implementation of R2P.

The workshop considered practical activities that could be undertaken as measures to prevent R2P crimes. Out of that workshop session, four areas were identified as requiring more work to effectively contribute to prevention efforts these are listed as recommendations 1-4 below. In addition there were three further areas which continually presented as ideas for further investigation. These are recommendations 5-7 below.

There is a need for R2P Pillar I and Pillar II guide and materials for education and training purposes.

1. NGOs should investigate how they can better engage with regional organisations to promote the prevention of R2P crimes.

2. Improved early warning systems should be developed to warn both communities and the international community, and protocols ensuring effective and efficient response.

3. Disaster preparedness for communities in areas prone to violence and at risk of R2Pcrimes was an important element of protection and strategies and methodologies should be further developed.

4. There was a proposal for a Humanitarian Ombudsman – a neutral, impartial, and universal office that could speak out on R2P and other controversial issues without risking NGO staff or presence could be useful and should be explored. This may serve to address the highly charged and political nature of R2P, which makes R2P high-risk for NGOs and was a recurring concern throughout the workshop.

5. How NGOs engage with the ICC should be addressed. Questions of witness, presence and impunity need to be resolved.

6. Further education regarding the preventive aspects of R2P should serve to address the political nature of R2P and the corresponding risks to involved NGOs.

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