

GAAMAC2 Opens in Manila, Philippines

The Second International Meeting of the ‘Global Action Against Mass Atrocity Crimes’ (GAAMAC II) on ‘Preventing atrocities by strengthening national atrocity prevention architectures’ opened in Manila, Philippines on 2nd February 2016.

Mr. Rafael Seguis, Undersecretary of the Philippine Department of Foreign Affairs, formally welcomed the gathering and spoke to the pride of the Philippines in being able to host the GAAMAC2. He thought of it as a place to forge norms for prevention of mass atrocities and guide states to develop their national architecture. The Philippines hosting GAAMAC is centered on sanctity of human rights, and is evidenced by their ratification of Human Rights Conventions and international law.

He explained that in 2009, the Philippines passed a legislation that would govern crimes against International Humanitarian Law and has also institutionalized its application of its IHL law by annually convening an Ad Hoc Committee co-chaired by the Department of Foreign Affairs and Department of National Defense. He hoped that the Philippine IHL advocates would be able to share their rich experiences.

The Philippines has also embarked on a number of partnerships with like-minded governments and institutions to introduce forward-looking initiatives such as the Geneva Declaration on Armed Violence & Development (GDAVD), Nansen Initiative (NI), Disaster Response Dialogue (DRD), seminar on the Montreaux document and Migrants in Countries in Crisis (MICIC).

The Philippines has also worked towards the successful election of its candidate Dr. Raul Pangalangan to the International Criminal Court and has successfully won a third term to the Human Rights Council (2016-2018).

Mr. Seguis also stressed that the fact that the Philippines and other nations in the region have vulnerabilities both natural and human-induced. The Philippines has also been exposed to armed conflicts and had to pursue peace effort. In this situation, our association with GAAMAC would be beneficial. He clarified how committed the Philippines is fostering dialogue and information exchange among governments and civil society organizations to create enhanced capacities to defer mass atrocity crimes.

He went to wish the participant the best and encouraged them to share their valuable experiences and explore new methodologies so that the mistakes of the past are not repeated in the future.

Next, **Ms. Andrea Reichlin**, the Swiss Ambassador to the Philippines introduced **Mr. Didier Burkhalter**, Minister, Swiss Federal Department of Foreign Affairs, who was unable to attend in person but addressed the gather via video message.

In his message, Mr. Burkhalter reminded the gathering of the immense the suffering caused by mass atrocities. These are occurring in several parts of the world, at the hands of armed and violent non-state actors which often emerge as a result of longstanding inequalities, discrimination and subsequently armed conflict; but also at the hands of governments unable or unwilling to ensure protection for their own populations.

He went on to iterate that the lessons of history that have taught us that no continent, no region, no country is immune against the horrors of mass atrocities. Therefore every governmental actor and every other actor in society bears a responsibility in preventing

atrocities.

In his view, in concrete terms, this means setting up domestic early warning systems, legislative measures, policies, decision making procedures and actions plans to avoid that situations escalate to the point of mass atrocities. GAAMAC, the Global Action Against Mass Atrocity Crimes, was created to pursue this objective in contributing to the establishment and the strengthening of the national prevention mechanisms and architectures.

He reminded everyone of the main purpose of this meeting in Manila was to contribute to further elaborate a concrete content to these domestic mechanisms of prevention, to have a frank and open exchange on how prevention can be achieved, to inspire and motivate to take action. In addition, the meeting is also about making the best use of regional cooperation and synergies.

He thanked the Government of the Philippines for their generous offer to host GAAMAC. He expressed his hope that the meeting would help strengthen the engagement of various local actors in the region, including the ASEAN, in prevention. This would reflect the broader agenda of the international community and the United Nations. Mr. Burkhalter also reminded everyone of the simple and undeniable truth that investment in prevention is far more efficient and, in the long run, much cheaper than any possible attempt to remedy to the horrors of mass atrocities once they have occurred. This philosophy, combined with promotion of human rights, abiding to humanitarian international law and peaceful resolution of conflicts, are precisely the main values of the foreign policy of Switzerland. He concluded his message by wishing everyone a successful conference and all the best.

Ms. Mo Bleeker, the GAAMAC chair and the special envoy for Dealing with the Past and for Prevention of Atrocities of the Federal Department of Foreign Affairs, addressed the gathering next. She explained the beginning of the story of GAMAAC in 2013 in Tanzania, when a group of personalities from Argentina, Australia, Costa Rica, Denmark, Switzerland and from civil society, Auschwitz Institute for Peace and Reconciliation, the Global Centre for Responsibility to Protect, International Coalition for the Responsibility to Protect, FXB Center for Health and Human Rights- Harvard University, the School of Diplomacy and International Relations at Seton Hall University, and the Stanley Foundation, decided that it was time to join efforts, to cooperate; acknowledging our differences and complementarities.

She pointed out that each person was involved in different initiatives: prevention of Genocide, Responsibility to Protect, Protection of Civilians, Humanitarian Aid, Human rights, Peace Promotion, interreligious dialogues, mediation, transitional Justice, International Law, etc. Some people work at a multilateral level, some at regional level, or even at grass root level, and each person brings a network, an experience and other references.

She emphasized that although there were many different commitments, there was a joint conviction: atrocities continue to be committed; prevention shall become a reality, shall become more effective and concrete, atrocities can and shall be prevented.

Speaking for the GAAMAC steering group, she pointed out how an important gap at national/regional level was identified and that together we can and shall contribute to overcome this gap. For the first meeting GAAMAC1, 52 states sent representatives, among them a majority from the capital. Many NGO's were there from all over the world. Today, more than 250 participants and more than 50 states are present.

GAAMAC is a community, a work in progress, a "big tent" as Thomas Konigsfeld from

Denmark says. She welcomed all the participants to the big tent, a safe working and meeting space. Ms. Bleeker went on to say that when we talk about atrocities: we refer to crimes against humanity, war crimes, ethnic cleansing and genocide. She emphatically stated that no country is immune – we are all equally concerned, each of us with our differences. She has invited Tanzania to visit Switzerland to share their knowledge of their national architecture, as Switzerland needs one!

Within the GAAMAC tent, there is a south-south, north-south, east-west exchange and is a trusted place for states to exchange, to talk about real issues, and to exchange with civil society actors and receive their support. She posed an important question - how do we prevent atrocities at national level? In answering this she pointed out that before atrocities are committed, a series of indicators, warning signals exist. There is also an acknowledgement that States have clear legal obligations to prevent atrocities, but frequently and sadly enough, this does not translate into action. Additionally, in crisis situation with an imminent atrocity risk, politics heavily affect prevention.

The thinking when creating GAAMAC was the multiplication of national commitments and the belief that it is possible and necessary to detect early, to understand decide and act early. She indicated that the best resources are societies themselves who can better understand what is perceived as legitimate and what are the pertinent measures when the violence has not yet polarized the fronts? In turn, this will contribute indeed to strengthen the resilience of our societies, their democratic quality, and their capacity to manage diversity constructively and to protect the most vulnerable. Furthermore, as more states engage at national level, they will also be more engaged in the international struggle against atrocity with more weight; and this is part of the solution.

Ms. Bleeker also pointed out that successful prevention is by essence nearly invisible. This made it critical to hear success stories, to tell the world that prevention is efficient, that it saves life. She shared recent examples of domestic and regional successful efforts; the investigation commission in Pando realized by the Union of South American Nations, in 2011, in the immediate aftermath of a massacre of indigenous and the immediate condemnation of the perpetrators contributed to prevent terrible consequences. The Documentation Centre in Cambodia, and the efforts by the Liberation war museum in Bangladesh and its incredible efforts to collect and protect testimonies, educate new generation and in Cambodia, their contribution to the judgment of responsible. Mediation and peace processes, such as in the Philippines between the government and the Moro Islamic Liberation Front, that we strongly congratulate; these are among some real contributions to prevent atrocities.

For a national architecture to be effective it is necessary to ensure early detection, early understanding, early decision and early action. How do we do this? What is it exactly that we need to detect? Who shall be involved in the analysis and decision-making? Where shall the resources come from? What are the limitations, the risks? These are some of the questions that Ms. Bleeker suggested that the plenary reflect upon.

The GAAMAC2 meeting allows for several experts, states representatives, NGO's and other resources persons to share questions and knowledge. On behalf of the steering group, we wish to come out of this meeting with some answers to the following questions: what would successful national atrocity prevention architecture look like, what would be the deliverables? How can and shall GAAMAC as a multi stakeholder hub, support states and societies who wish to engage in this effort? The reflections and recommendations that come up over the next two and a half days will shape the next steps of GAAMAC, please feel invited to suggest, recommend, agree to disagree: we are a community of diversity.

Ms. Bleeker ended her address by thanking the Philippine Government that hosted this event.

Following this, **Mr. Jesus R.S Domingo**, the Assistant Secretary for the Philippine Department of Foreign Affairs spoke to the plenary, welcoming participants to the Philippines and expressing their pride at being able to host this event. He pointed out that an opportunity to discuss and understand atrocity prevention architecture comes as a culmination of a long partnership with the Swiss government.

He also suggested that a parallel could be drawn between this discussion and the efforts on disaster prevention programs. The Philippines deals with natural disasters in a holistic way. Here too there are ideas of preparedness and immediate needs of dealing with a disaster and long term reconstruction. The SDG's have created a great agenda for disaster risk mitigation and reduction along with the need to adapt to climate change. Such great global structures that guide national agendas should also be applied when it comes to human security.

Mr. Domingo indicated that there were wonderful threads available to us, but they needed to be put together. Furthermore, he highlighted that the Philippines would be the chair of ASEAN in 2017 presentation a great opportunity to brainstorm for ideas. He concluded by wishing the participants a fun and productive three days.

Subsequently, **Mr. Ban Ki-moon**, the UN Secretary General addressed the plenary via a video message, expressing his pleasure at being able to send his greetings to all those attending GAAMAC2. He suggested that the attendance at GAAMAC2 showed how increasing numbers of member states and civil society partners are committed to the prevention of mass atrocity crimes. Prevention requires investing in national architecture that is resilient in the face of strains and risks and founded on international human rights standards and the rule of law. He went on to elaborate that national capacities must include representative institutions, a strong civil society and an independent media promoting peace with no discrimination. The initiatives at the national level will also support regional and multilateral efforts anchoring them in tested approaches. The UN actively supports this progress. He called on all participants to put their commitment into action, to make the prevention of atrocity crimes their top priority and to support each other in the quest for peace at this time of turbulence. He wished the participants all the best and looked forward to the outcomes of GAAMAC2.

Mr. Adama Dieng, UN Special Advisor on the Prevention of Genocide, made the keynote address. He expressed his pleasure at being back in the Philippines after 25 years and found many changes from his last visit. The Philippines hosting GAAMAC2 is surely bears witness to these changes and a lot can be learned – the Philippines is genuinely committed to human rights and peace. He clarified that the UN views GAAMAC as a platform for building and strengthening work on mass atrocity crimes. He also called attention to the horrors of the world that are caused by human rights violations.

He continued to characterize these as turbulent times with intolerance on the rise, violent extremism and a fundamental disregard for human rights and laws. Religious conflicts on the rise and divisions are created among people and clouds human reason. He reiterated that nowhere is immune from the problem.

Mr. Dieng suggested that states must promote diversity and manage the diversity effectively. They must protect all their people. Unfortunately, too often governments are failing. Historical grievances, resentments and distortions of ideas and differences are encouraging

extreme responses. Everyone has the responsibility to do what we can. This does not stop, he clarifies, at just condemning acts of violence but also extends to action, including engaging more with those who have direct influence in communities. The rights of religious minorities must be respected and every effort must be made to place responsibility on perpetrators of mass atrocity crimes.

According to Mr. Dieng, it is important to understand what we have learned and what aspects we still need answers for. Legally, this work is supported by legal aids and international courts of law. However, far too many states are yet to ratify these instruments and there is no excuse not to domesticate them.

He went to express that the experts present at GAAMAC2, should certainly place emphasis on the importance of prevention, which would refocus the agenda of peacekeeping and violence prevention. A framework analysis must be done to assess the risk of atrocity crimes; we must be alerts to signs of concern, sound the alarm earlier and be prepared to act when the alarm is sounded. There should be both state and international action; this is well rooted in legal obligations. Here he commended the leadership of the Philippines on their efforts and wished for them peace and unity. There is scope for much more to be done, and legal instruments support the work on mass atrocity crimes. Mr. Dieng went on to quote Burundi as an example, where inclusive sincere dialogue could be beneficial.

The framework developed in this field should be used to reinforce national architecture according to Mr. Dieng. The United Nations, multilateral, regional, state and media actors to sound the alarm using this framework. In Africa there are two new NGO's who have taken up this cause. There is an increased focus on atrocity prevention as a distinct policy area both at UN level and by regional actors such as the EU. With the Philippines chairing ASEAN in 2017, he hoped that R2P would emerge in region with greater speed.

There are also a growing number of initiatives to build national capacities. However, much remains to be done and there is hesitance on the part of some states that do not recognize that we are all at risk. Sometimes, he explained, people like to pretend that the risk exists for others alone. Facing the reality is just the first step; even in the 1990's, there was genocide in the heart of Europe. The impact of these crimes is not limited to one country or region. There is a massive influx of refugees from conflict-affected areas. We must admit that the world is more than a global village, added Mr. Dieng. Major steps are being achieved and firewalls should be built everywhere as the cost of not doing so is simply too high.

He continued by stating the importance of an honest assessment of strengths and weaknesses for each state and using all legal measures to institutionalize respect for diversity. In practical terms this means addressing discrimination in all parts of the world, promoting rights of all people and respect for all people, urged Mr. Dieng.

Atrocity crimes take time to prepare and there is enough time to prevent. When such crimes are imminent, we have already failed. Syria is an example of this, where a political protest turned into a deadly civil war and the consequences are felt for generations around the world. Mr. Dieng also emphasized that prevention works – the Kenyan 2013 elections were a great examples where actors stepped up to help and fulfilled its function and violence was prevented through coordinated action. In Burkina Faso, tension was quickly diffused after a coup, and within seven days a civil government was in place. This should be the norm.

Prevention should be a long terms investment and highly rewarding. Although we are speaking about prevention, there is little investment in it. We would spend far less on peacekeeping if we chose to invest in prevention of mass atrocities.

Mr. Dieng advised that coordinated efforts are at the center of GAAMAC that can act in support of states, make connections and create concrete technical support and legal expertise. GAAMAC should be an active, sustained network and the period between meetings should be just as robust and active as the meetings themselves. He closed his keynote address by wishing the plenary productive working days ahead.

At this point, some reactions were invited to the keynote address. Ms. Cecilia Jimenez Damary, a delegate from the Transitional Justice and Reconciliation Commission, Philippines responded first. As a humanitarian lawyer, she expressed concern regarding the rule of law, which she believed should be the basis of action. She also proposed engaging multi-stakeholder approach to take up the challenges, and ensure that these ideas translate into action. Regarding changing mindsets, she described the process as continuous; non-discrimination, diversity should be encouraged, hate speech must be prevented and victims supported through justice and reconciliation.

The next response was from Mr. Hafid Abba, Commissioner, The National Commission of Human Rights, Indonesia. He believes that this is a new beginning for global action against mass atrocity crimes, a historical moment particularly in ASEAN that needs to go hand in hand with sharing of good lessons learned. He emphasized from his country's experience that the period of changing from a closed system is a noisy and chaotic one, particularly as they stood at the crossroads of democracy. The need of the hour in his opinion was insightful knowledge on how to manage in these times of flux.

Concluding the opening session was a keynote video message from **Mr. Jose Ramos-Horta**, Former President of Timor-Leste and Nobel Prize Laureate. He expressed his apologies for not being able to attend in person. He went on to describe that the road to peace is a long one; it is arduous, and never easy. Peace must be built step-by-step, block-by-block. The road to long-lasting peace is not easy and only those who are persistent, who are humble, pragmatic and flexible may succeed. He went on to say that we would not succeed in peace if we were dogmatic in our philosophy, beliefs or approach. We must be very open minded, flexible, innovative, wise and humble. We must have the humility to accept that we might not have answers to all the problems of our societies and to admit that we might be wrong. It is important to listen to the other side – we must descend from the top of the mountain to the valley where poor people are fetching firewood, water, are struggling everyday to survive and embrace them.

Mr. Ramos-Horta went on to describe that in victory whether electoral or in war, those who were wise and humble are those who do not mistreat their adversaries, who extend a hand of friendship to those have lost, for those who have lost a battle may not have lost the war. He proposed that we should invite them to rise up if they are on their knees, embrace them and invite them to join you in a new enterprise of peace. Too often, he continued, those in power do not have the wisdom and the humility of the truly great in embracing the other half who disagree with them. We know this from many situations, and the most tragic one is Syria.

He went to elaborate that where Syria is today is a consequence of misjudgment, miscalculation by so many, Syrians and their supporters form many different shades, trenches and sides. President Assad of Syria for too long operated as a one-man show and repressed his people. Then when opportunity arose in the context of the so-called Arab spring, Syrians inspired by Tunisia and encouraged by NATO intervention in Libya, decided to go to the streets and to bring down the Assad regime. Both the Assad regime and the Syrian opposition refused to negotiate. Two great diplomats of our century, first former Secretary General Kofi Annan followed by Lakdhar Brahimi they did their very best and presented to all sides a reasonable peace plan that could have brought about an early end to

the war in Syria. However, Mr., Ramos-Horta believes that the opposition was not experienced in fighting the regime. There were a multitude of groups in Syria, encouraged by the west the Europeans and Americans, falsely encouraged by what happened in Libya and believed that they could overthrow Assad within a matter of a month. They miscalculated the staying power of Assad and vice versa.

This, he explained, is only an example of how in conflict we may misjudge the other side and they might misjudge us, we overestimate our own capacity and underestimate the other side and we reach a situation like today in Syria and South Sudan. During his work as Chair of the High Level Independent Panel of the United Nations Peace Operation from 2014-15 which was mandated to review all United Nations Peace Operations, Mr. Ramos Horta found there was one common that all panel members agreed – that we must all put more effort in preventive diplomacy in preventing conflicts. The important issue were how the UN system as a whole can improve its own preventive mechanisms, how regional organization in this case in ASEAN, or EU or African Union, how can we all partner up in order to improve early warning systems, prevention, mediation, negotiation and capacities of international mechanisms, international institutions, regional organizations or individuals.

He reminded the plenary that often prevention negotiations are not done only by state actors. We know how some NGO's that are specialized in the area have played critical role for e.g. Aceh conflict in the past individuals and NGO's were behind the early efforts of bringing about a negotiated solution to the conflict. We know how in other parts of the world individuals and NGO's are in fact better placed than the UN or governments. So he encouraged everyone to be very creative and look at how we can prevent conflict because once conflict has erupted it is extremely difficult to put an end to it – no amount of force assembled by the UN or any regional organization, no amount of resources can undo the damage, the tragedy that has already occurred.

To conclude, he wished the participants great success and hoped to receive the conclusions of GAAMAC2 which he was sure will help us in the cause of prevention and building durable peace in our region and the world.