



Reducing Risk, Strengthening Resilience: Toward the Structural Prevention of Atrocity Crimes

As part of their commitment to the Responsibility to Protect (R2P) principle at the 2005 World Summit, heads of state and government committed themselves to the prevention of genocide, war crimes, ethnic cleansing, and crimes against humanity (collectively called atrocity crimes) and their incitement. Since then, governments, United Nations officials, and analysts have repeatedly maintained that prevention is the single most important element of R2P because it is morally, politically, financially, and prudentially better to prevent atrocity crimes than to react to stop them once under way.¹ But despite this consensus about the merits of prevention, it has proven difficult to make the prevention of atrocity crimes a lived reality. Policymakers and analysts have tended to focus instead on timely and decisive responses to atrocity crimes. But if the past is an indicator of the future, such external responses will often be too little, too late.² As UN Secretary-General Ban Ki-moon noted in his 2015 report on R2P, which took stock of progress made since 2005, “additional investment in atrocity crime prevention at the national, regional and global levels is urgently needed.”³

Since the Carnegie Commission’s landmark report on the prevention of deadly conflict in 1997, it has been common to separate prevention into two components: operational prevention, aimed at preventing violence that is imminently apprehended, and structural prevention, aimed at reducing or mitigating the underlying risks of violent conflict.⁴ In practice, however, the lines between the two are quite blurred. For example, multidimensional UN peace operations typically consist of elements of both. This reflects the fact that effective prevention entails activities aimed at both the underlying sources of risk and the more imminent triggers of violence. Just as preventing household fires requires a mixture of structural measures (regarding the design and fundamental fabric of a building) and more-operational measures (such as the installation of sprinklers), so, too, must atrocity prevention tackle both the deep structures and crises that give rise to atrocities. After all, even if fitted with a sprinkler system, a house that is built of highly flammable materials and has an open fireplace is likely to burn down eventually. So it is in the field of atrocity prevention that sometimes even determined external action undertaken at the point of a crisis proves insufficient to prevent atrocities.⁵ The international response to the postelection crisis in Kenya in 2007–8, for example, has been widely hailed as a totemic example of effective prevention. Yet some 1,500 civilians were killed by atrocity crimes before a resolution was found.⁶



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Over the past decade, steady progress has been made on developing the operational prevention of atrocity crimes. The United Nations has established an early warning and assessment capacity in the form of the Joint Office for Genocide Prevention and R2P, prioritized the protection of civilians in its field operations, and established the Human Rights Up Front action plan designed to make the whole UN system better able to anticipate, and respond to, human rights emergencies, including those that might involve atrocity crimes.

Somewhat less progress has been made on the operationalization of structural prevention, largely because these activities are upstream of, and detached from, the attention-grabbing emergencies associated with atrocity crimes and are closely related to—and sometimes indistinguishable from—a range of other programmatic areas in fields such as governance and the rule of law, peacebuilding, and human rights. What is more, structural prevention is typically driven not by international actors focused on R2P but by national governments and other local actors animated by more local concerns. As Scott Straus has argued, international actors can play a “supporting role,” but “it is very difficult, if not impossible, for international actors to impose new political narratives or to impose peace on ruling elites who do not want to compromise.”⁷ As a result, it is more challenging to identify precisely the added value of structural prevention or a causal relationship between specific preventive actions and the nonoccurrence of atrocities. Yet wherever we see states and societies pull back from the brink or manage major political crises peacefully, we see the effects of structural prevention at work. It is imperative, therefore, that upstream prevention is included as a core element of implementing R2P.⁸

Over a number of years, the Stanley Foundation has supported fresh thinking and policy dialogue on structural prevention. This policy analysis brief attempts to synthesize the key conclusions from this work and articulate ways to translate theories of structural prevention into practice. It does so in six sections. First, it briefly reviews thinking about the factors that increase the underlying risk of atrocity crimes and their relationship to preventive action. Second, it identifies the central components of structural prevention, highlighting five key dimensions: the constructive management of diversity, legitimate and capable authorities, secure livelihoods, vibrant civil societies, and guarantees of nonrecurrence. The third section provides an overview of the types of actors engaged in and how they approach structural prevention, and the fourth identifies tangible steps that could be taken to make the structural prevention of atrocity crimes a lived reality. The fifth section highlights some of the key practical challenges facing the sector and is followed by a final section with specific recommendations for strengthening structural prevention moving forward.

The paper aims to help organizations, whether governmental or nongovernmental, better support states and societies to achieve two core goals: reduce the salience of specific risk factors and build the resilience needed to withstand crises when they do arise. The first helps lower the probability that a particular state/society will confront a crisis that could give rise to atrocity crimes; the second increases the probability that it could withstand any such crisis without experiencing atrocity crimes. The key is that external support for structural prevention be carefully tailored to suit each individual case. There is no single template for prevention that would work equally well in all cases. What is needed, therefore, is a new and practical approach to structural prevention. Among the key measures are:

- Adoption and utilization of an atrocity prevention lens to identify sources of risk and resilience that may be engaged with.
- Determined action to connect atrocity prevention with other, mutually supporting, functional agendas.
- Efforts to relate assessments of risk/resilience to resource allocation, program design, and execution.
- Renewed focus on the forging of partnerships for prevention.
- Enhanced monitoring and evaluation.

This brief is not the first to point toward the need for a strategy to prevent atrocity crimes.⁹ Indeed, the secretary-general himself has nodded in this direction by, for example, calling for the “mainstreaming” of R2P throughout the UN system and requesting a “comprehensive review” of the United Nations’ capacities for atrocity prevention—both important elements of a comprehensive strategy for prevention.¹⁰ Moreover, several states have repeatedly called for the United Nations to do more to advance the prevention aspects of R2P. In 2012, for example, South Africa called for the development of an “effective and integrated strategy” for prevention.¹¹

The contemporary political context contains mixed portents for atrocity prevention. On the one hand, a significant political mandate for structural prevention has been established by the recently adopted Sustainable Development Goals. Under Goal 16, that mandate for structural prevention includes commitments to “significantly reduce all forms of violence and related deaths everywhere” and “end all forms of violence . . . against children.” Given that the Sustainable Development Goals set the world’s development goals and that atrocity crimes represent the most unconscionable forms of mass violence, the inclusion of Goal 16 creates a powerful incentive for the incorporation of atrocity prevention considerations across the full range of development assistance. On the other hand, the global political context is somewhat less propitious now than at any time since the end of the Cold

War. Important international regimes, such as the refugee protection regime, are under immense pressure, and global assessments suggest that there is diminishing international will and capacity to prevent atrocity crimes.¹² It should not be assumed, therefore, that determined action on prevention will prove any less difficult or controversial than coercive responses to atrocity crimes have been.¹³

Sources of Underlying Risk

If atrocity crimes are perpetrated by “bad apples,” structural prevention is concerned with the apple barrels that turn them bad. This is not to diminish the importance of individual choice and responsibility but to recognize, as social psychologists and historians have done, that individual decision making is shaped by the social context in which it occurs.¹⁴ Structural prevention rests on the premise that by changing the social and political contexts to make them less permissive of atrocities (building better barrels) we can change individual decisions about whether to perpetrate these crimes (reduce the number of bad apples).

Because atrocity crimes are products of their historical, political, and social contexts, analytical models can never perfectly identify their general causes or predict their coming with complete accuracy.¹⁵ However, as the secretary-general maintained, atrocities are processes and not singular events.¹⁶ Therefore, though each case is different in crucial respects, we can identify some of the main contributory factors that push states and societies toward atrocities. It is important, though, to understand that structural risk factors do not make atrocities inevitable. There is no simple causal pathway between risk and actualization. As Secretary-General Ban Ki-moon pointed out in 2013:

The presence of risk factors does not directly or inevitably cause atrocity crimes. Societies can exhibit multiple sources of risk but not experience atrocity crimes. The absence of atrocity crimes can stem from sources of resilience within a given country or simply from the absence of a triggering or driving factor. Although it is impossible to draw a direct causal connection between the presence of specific risk factors and the occurrence of atrocity crimes, they are rarely committed in the absence of those risk factors.¹⁷

These conditions, which may or may not be the result of conscious policies and decisions, create the structural possibility that atrocity crimes may be committed and elevate the risk that they will be. Although the existence of these conditions does not always result in atrocities (in fact, they generally do not), these crimes have rarely occurred in their absence. Structural prevention is the business of reducing the influence of these factors and of building the resilience of states and societies to withstand them.

A number of studies on the factors associated with heightened risk of atrocity crimes have emerged in the past few years, sharpening our understanding. These risk factors were recognized and put to good use by the UN Office on Genocide Prevention and R2P in its *Framework of Analysis for Atrocity Crimes*, which identified several of the most significant underlying sources of risk, including longstanding patterns of human rights abuse, the weakness of state institutions, and entrenched discrimination against defined groups.¹⁸ The rest of this section divides the main sources of atrocities into five broad categories: (1) recent history or current conditions of armed conflict, (2) discrimination, (3) divisive economies, (4) inadequate rule of law and accountability mechanisms, and (5) access to means for the commission of atrocity crimes. It is followed by an analysis of the crisis conditions that fill the space between inaction and action for the leaders and individuals who become perpetrators of mass atrocities.

Recent History or Current Conditions of Armed Conflict

Further clues as to the principal sources of underlying risk can be collected from past cases. The contexts in which atrocity crimes have tended to occur since the early twentieth century fall into five broad types:

- **State repression.** The use of atrocities to maintain state power, usually in the context of relatively weak states (e.g., North Korea).
- **Counterinsurgency.** The use of atrocities to defeat an insurgent organization by denying it access to a civilian population (e.g., Syria, 2011–12; Darfur; Yemen).
- **Radical social transformation.** The use of atrocities by state or nonstate actors to impose radical social transformation on a society, usually by eliminating a particular ethnic, religious, political, or socioeconomic group (e.g., Khmer Rouge, Rwandan genocide, Islamic State). This is commonly associated with violent extremism.
- **Insurgency and rebellion.** The use of atrocities as a strategy by nonstate actors against the state, sometimes through insurgency or terrorism (e.g., Boko Haram, al-Shabaab).
- **Major war.** The use of atrocities as a strategy for winning a major war at the lowest cost (e.g., Syria, 2012–present)

Although atrocities are not synonymous with armed conflict, because they can occur in its absence, a majority of atrocities are perpetrated during armed conflict.¹⁹ Indeed, around two-thirds of the atrocities committed since 1945 occurred in the context of armed conflict, a figure rising to more than three-quarters if we consider only the post-Cold War era.²⁰

As a result, it is fair to posit armed conflict as one of the principal sources of risk of atrocity crimes.

Discrimination

A prerequisite for atrocities is the existence of established divisions between identifiable groups, be they ethnic, political, socioeconomic, or religious.²¹ As the secretary-general observed in 2013, it is not the differences themselves that matter but rather discrimination “based on such differences that creates unequal access to resources and exclusion from decision-making processes and leads to a denial of economic, social, cultural, civil and political rights.”²² Discrimination can take several different forms, and the secretary-general pointed specifically to:

- **Political discrimination.** The denial of basic political rights (such as right to a fair trial, right to vote, freedom of speech, freedom of association).
- **Social discrimination.** Such as denial of citizenship, freedom of religion, and self-identification, and limitations on basic social or civil rights (such as freedom from discrimination on grounds of race, ethnicity, religion, etc.).
- **Economic discrimination.** Unequal access to economic opportunities, land and other resources, employment, food, shelter, or health care.
- **Gender discrimination.** Denial or inadequate protection of basic rights relating to physical security and the status of women, compulsory birth control, and unequal access to services and property.²³

According to the secretary-general, discrimination is a particularly important risk factor because it sows the seed of discord between groups. From the perspective of atrocity prevention, however, he observed that discrimination is “especially disturbing when it stems from patterns of deliberate exclusion. Persistent discrimination establishes divisions within society that serve both as a material cause and as a perceived justification of group violence. . . . Discrimination is often accompanied by violence and additional human rights violations, such as arbitrary detention, enforced disappearances, torture and killing, against specific members of a community or a community as a whole.”²⁴ Indeed, so significant are patterns of discrimination that the secretary-general observed that without them, even deep-seated grievances were “unlikely to transform into patterns of abuse that give rise to atrocity crimes.”²⁵

This view is well-supported by evidence.²⁶ Where identities are politicized and discrimination is entrenched, ordinary political battles over the allocation of resources or justice concerns become conflicts between groups, setting out parameters for future conflict. These practices of discrimination are, as the secretary-general recognized,

associated with deeply ingrained, often widespread, and systematic violations of fundamental human rights.

In his 2013 report on R2P, the secretary-general pointed out that entrenched discrimination is often evidenced through the use of “exclusionary ideology” that constructs identities in terms of “us” and “them” rather than in inclusive terms. He also observed that such ideologies give rise to hate speech and propaganda that not only reinforce divisions by seeking to justify discrimination but also lay the groundwork for incitement to violence and atrocity crimes.²⁷

Divisive Economies

Often related to aspects of discrimination, economic factors are associated with the underlying risk of atrocity crimes.²⁸ Although overall levels of wealth (measured in terms of gross domestic product [GDP] per capita) matter, it is the relative economic position of groups within a country that is especially important for atrocity crimes.²⁹ These are horizontal inequalities (across groups) instead of the more commonly measured vertical inequalities (referring to relative wealth of rich and poor measured by Gini coefficients).³⁰ These economic inequalities increase risk indirectly by raising the stakes of intergroup competition. Moreover, disaffected groups may have a lower commitment to peace.³¹ Sometimes, however, the causal path can be unusually direct, for instance, when atrocities are perpetrated as a result of competition between groups for scarce resources. The mismanagement of income secured from natural resources, for example, can become a key point of dispute between groups. The role that the increasing scarcity of water and grazing land, both necessary for survival in Darfur, played in sharpening the conflict there is an example.³² These more specific causal paths raise questions about the role of economic elites and private sector actors. These groups can be sources of either risk or resilience depending on the extent to which their interests are served by the status quo.³³

These underlying sources of tension can be either mitigated or exacerbated by the state. However, the weakness and partiality of state structures and institutions can themselves exacerbate risk because they fail to mitigate other sources of risk, they become a source of conflict in themselves, or they are utilized as a tool to support atrocity crimes.

Inadequate Rule of Law and Accountability Mechanisms

Perhaps the most fundamental institution of the state is the rule of law. Political stability, human rights, and economic prosperity are premised on the rule of law. As the secretary-general argued in 2013, “when the rule of law is weak or under stress, these institutions are unable to function properly and populations are left vulnerable. In such situations, there is more likely to be impunity for discrimination and the violence that may be used to enforce

it. Impunity not only diminishes human rights protection, it also creates conditions that enable the incitement of further violence."³⁴

When the rule of law breaks down, civilian populations become subject to the arbitrary exercise of power in which the absence of an impartial judiciary allows for impunity in acts of discrimination and violence against vulnerable groups. Adherence to the rule of law provides accountability even in the face of discriminatory policies from governments, ensuring a safety net for targeted groups. Thus, while most major crises do not result in atrocities, one decisive factor that heightens the risk of them doing so is the existence of an unaccountable political elite.³⁵ Those that espouse exclusionary ideologies are especially dangerous.³⁶ What is more, weakness in the rule of law reinforces cultures of impunity that are especially important for persuading would-be perpetrators to commit atrocity crimes. Ensuring legal accountability for past crimes through transitional justice and guarding against impunity in the present are deterrents to the perpetration of future atrocity crimes. However, their absence can significantly reduce the perceived costs associated with committing atrocity crimes. When impunity is permitted, atrocity crimes can even be normalized to some extent.

An accountable system of government contains institutional and ideational deterrents that impede political elites from attacking their own populations. Even semidemocracies—regimes in the process of developing a democratic political system—are less likely to commit atrocity crimes than autocratic regimes. Although transitions to, and away from, democracy can often result in political instability—such that transitions themselves are a significant source of risk³⁷—major crises in autocratic states are much more likely to give rise to atrocities than similar crises in democratic or semidemocratic states.³⁸ However, rollback in new democracies is not uncommon, and several episodes of atrocities have occurred when former or fledgling democracies have experienced a reversion.³⁹ Among the most obvious examples are Croatia, Bosnia, and Burundi in the 1990s, where atrocities immediately preceded experiments in democratization.⁴⁰

Unaccountable government is related in two main ways to heightened risk of atrocities. First, various types of autocratic regimes might advocate atrocities as a matter of stated policy, either by denying a particular group's right to exist or arguing that groups that oppose particular policy programs act illegitimately and make themselves targets. The types of regimes that have harbored violent extremist ideologies that provide the justificatory logic of mass killing include Marxist-Leninist, extreme anti-communist, Islamist, racist, and extreme nationalist. Many nonstate armed groups operate in similar ways, combining unaccountable decision making with violent extremist ideology. Second, it is often the case that in autocratic governments and nonstate armed groups, the executive leadership exercises arbitrary power, increasing the likelihood that it will use extreme violence to protect itself or achieve its goals and that it will attract domestic armed opposition.

Access to Means for the Commission of Atrocity Crimes

Perpetrators require the means to commit atrocity crimes. At the very least, they require a sufficient number of people who are prepared to commit atrocities and the weapons and other means they require to do so. Thus, the presence and proliferation of armed groups or militia is often taken as a key sign of elevated risk.⁴¹ According to the UN secretary-general, associated risks consist of the proliferation of arms (including small arms) and the ability of armed groups to support their operations financially through the exploitation of natural resources or other transnational crimes. He noted that, "in a situation of increasing instability or conflict that is compounded by the absence of any deterrent, access to prohibited weapons can further increase the risk of atrocity crimes."⁴²

Ensuring legal accountability for past crimes through transitional justice and guarding against impunity in the present are deterrents to the perpetration of future atrocity crimes.

Background context	<ul style="list-style-type: none"> • Conditions of armed conflict/recent history of atrocities and armed conflict
Discrimination	<ul style="list-style-type: none"> • Exclusionary ideologies • Practices of discrimination against a defined group/patterns of human rights abuse
Divisive economies	<ul style="list-style-type: none"> • Average/low wealth • Horizontal economic inequalities • Economic elites that stand to benefit from atrocity crimes
Governance and the rule of law	<ul style="list-style-type: none"> • Unaccountable government • Weak rule of law • Impunity for the perpetrators of past/present atrocity crimes (government and nongovernment) • Weak protections for human rights • Restricted civil society
Security sector	<ul style="list-style-type: none"> • Unaccountable security sector • Physical capacity to commit atrocity crimes

From this brief review, it is possible to piece together a broad set of factors associated with heightened risk of atrocity crimes (Table 1). Each of these may be measured in a variety of ways.⁴³ Moreover, the precise character and impact of any of these factors will differ from case to case, as will the relationship between them. As the UN Office on Genocide Prevention and R2P recognizes, the “relative importance” of the different factors “will differ according to the particular context.”⁴⁴

From Risk to Atrocities

Collectively, these preconditions increase the risk of atrocity crimes. Indeed, such crimes may be impossible in their absence. But they do not make atrocities inevitable. Far from it. Most countries and societies exhibit some risk factors, but very few experience atrocity crimes. That is because atrocities require individuals and groups willing to perpetrate them. There needs to be a reason to commit mass atrocities.

A reason to employ atrocity violence is usually provided by an acute crisis, but it can also be generated by an elite’s (exclusionary) ideology.⁴⁵ Thus, most episodes of genocide or mass atrocity are directly preceded by a crisis of one form or other. Usually it is a political crisis, which is certainly the most direct and potent precursor, but other kinds of crises, such as economic or environmental, can also play important roles. Sometimes it is the latter two that might trigger a political crisis. Perpetrators require the opportunity to commit mass atrocities, which may result from the weakness of institutional restraints and/or the support/acquiescence of external actors. Without a crisis, even actors predisposed toward atrocity crimes would have little reason to commit them.

This partly explains why some highly authoritarian states are able to endure high levels of underlying risk without succumbing to mass atrocities. In his landmark book, *Final Solutions: Mass Killing and Genocide in the 20th Century*, Benjamin Valentino argues that mass killing is best understood as a rational response to perceived threats. Thus, he argues that “mass killing usually is driven by instrumental, strategic calculations. Perpetrators see mass killing as a means to an end, not an end in itself.”⁴⁶ Valentino maintains, however, that political leaders are only likely to see mass killing as an attractive option in response to particular kinds of circumstances. While mass killing has not always been a strategy of last resort, he argues, it is rarely a policy of first resort.⁴⁷ Actors are most likely to commit atrocities when the pursuit of a political objective requires the “near-complete material disenfranchisement of large groups of people” or where atrocities are used as a means of coercion when combatants lack the capability to defeat their opponents with conventional armed force.⁴⁸ Whether committed as part of an armed struggle, to suppress a challenger, or to realize a program of radical social transformation, atrocities are a means to an end, not an end in themselves. Unless there is

reason to think their use might serve some purpose, even actors strongly predisposed toward committing atrocities will be unlikely to do so.

It is important to note that although these scenarios create powerful incentives for mass atrocities, Valentino argues that they do not invariably cause them, and he points out that a number of intervening variables act to increase or decrease leaders' incentives and capabilities for mass killing, thereby affecting the likelihood that mass killing will occur. These variables include the value placed on the objective at hand, the regime's physical capabilities for mass killing, the extent of the perceived threat, the availability of other plausible strategies, the extent of the victims' capacity for flight or safety, the victims' capacity for retaliation, and the likelihood of provoking external intervention.⁴⁹

As noted earlier, the escalation of tensions toward the commission of atrocity crimes is usually preceded by a political, economic, or environmental crisis or some combination of the three. Four principal forms of major political crises have helped propel societies toward atrocity crimes:

1. Armed contests
 - Civil war
 - External intervention
 - Defection on peace agreements
2. Unconstitutional regime changes
 - Coups and attempted coups
 - Disputed elections
 - Contested succession
3. State incapacity
 - New state, low legitimacy
 - Failed/failing state
4. Revolutionary government
 - Communist
 - Islamist
 - Nationalist

The first, and most obvious, principal form of major political crisis involves an armed contest. The use of force to settle political disputes creates an obvious incentive for the commission of genocide and mass atrocities. Weaker parties may be tempted to counter their enemy's superiority by targeting civilians who are unable to defend themselves. Alternatively, rebel groups might victimize a civilian population for economic gain or to secure its acquiescence and loyalty by instilling fear.⁵⁰ Meanwhile, stronger parties might be tempted to employ violence against civilians in order to suppress insurgencies among them, weaken or eliminate opposition groups, or assert their authority. Armed contests typically comprise internal rebellion and

civil war, external invasion and domestic resistance, or the collapse of a peace process.⁵¹

The second principal form of major political crisis is an unconstitutional regime change or attempted change. As with armed contests, these can erupt quickly. But whereas armed conflicts can usually be predicted, some forms of unconstitutional regime change are virtually impossible to predict. This is especially the case in relation to military coups or attempted coups, because secrecy is the essence of a coup attempt, making it all but impossible to predict. Thus it is not surprising that many of the episodes of mass atrocity that caught the world genuinely by surprise—such as the 1965–6 massacre of communists in Indonesia, state-led violence in President Augusto Pinochet's Chile, and the 1997–9 civil war in Congo-Brazzaville—were precipitated by coups or attempted coups. Coups tend to reduce the quality of governance and fragment national elites.⁵² Other types of unconstitutional regime change are more predictable. In particular, it can be expected that elections held in countries with high underlying risk could serve as triggers for mass violence, as elites coerce support, fix the results, and then squabble over them.⁵³ Moreover, nondemocratic governments typically grant elections only under duress and tend to do so only if they are confident of their ability to win or steal the result, through coercion if necessary. Such regimes have little interest in ensuring free and fair democratic processes or relinquishing power, are keenly aware of the costs associated with losing power, and are generally prepared to employ violence against their own populations if they believe themselves to be threatened. In such conditions, the threat of escalation is high, and where opposition groups can realistically threaten the government, it may be very difficult to prevent the employment of atrocities without robust international engagement.

The third principal form of major political crisis stems from state incapacity. The inability of a state to govern heightens the risk of atrocity crimes, especially in environments where competing groups seek to grab power. Incapacity helps produce a type of state formation that creates grievances and presents opportunities for those prepared to employ violence. The problems caused here are exacerbated by the presence of lootable natural resources and by international financial policies that encourage states to withdraw from the provision of public services.⁵⁴ Historically, this problem has manifested in two principal ways. First, new states with low legitimacy may struggle to assert their authority over the whole of their territory. Several new states have found that upon gaining independence, they lack the legitimacy needed to govern throughout their territory. In such cases, there may be armed or other forms of opposition to the state, and the government may be able to exert its will only through the use of force. This will sometimes result in the instrumental use of atrocities by weak states for purposes of regime establishment or consolidation. Good examples of this type of crisis are Africa's two largest states—the

Democratic Republic of the Congo (formerly Zaire) and Sudan—which have faced a perpetual crisis of legitimacy since independence, giving rise to multiple episodes of atrocities. On the other side of the coin, the state’s inability to exert its authority in some areas creates space for nonstate actors to secure political and economic wealth, sometimes by using violence against the civilian population. Strategic violence by rebel groups against civilians in Sierra Leone and Liberia was intended, among other things, to secure their acquiescence through fear and, through that, their labor and resources. Other forms of incapacity are state collapse, failure or fragility. In these cases, the state fails to exert authority outside a very small area (e.g., one city, town, or region), and political and economic control is exercised by other armed groups. In the case of Somalia in the early 1990s (and perhaps Libya today as the clearest example of state collapse), the overthrow of the government of President Siad Barre in 1991 was followed by a protracted civil war and atrocity crimes.⁵⁵ The subsequent failure to establish a functioning government in Somalia was also a primary contributor to the instability that prompted Ethiopia to invade in 2006 and explains the violence thereafter.

The fourth principal form of major political crisis is one provoked by revolutionary government. Sometimes a political crisis is generated not by competition for power but by the exercise of power by an ideologically driven regime. The violent rise of a revolutionary government committed to a radical transformation of society can also provide a catalyst for genocide and mass atrocities. Revolution and civil war preceded the genocide in Cambodia, with the Khmer Rouge establishing a new communist state in 1975 that imposed a return to a village economy. The urban population was sent to the countryside, and anyone who was part of the old urban elite was murdered. Between 1975 and 1979, approximately two million people were killed by the Khmer Rouge or by the ensuing starvation that this upheaval brought.⁵⁶ The Russian Revolution was the catalyst for a large number of atrocities committed in the 1930s and 1940s under Joseph Stalin, some genocidal in nature. At least twenty million people died in Stalin’s purges. In an attempt to radically transform the social order and weaken the national identity of different Soviet republics, entire nations were deported from their homelands.⁵⁷

Another type of crisis is economic in nature. Although economic crises alone do not cause atrocity crimes, pronounced economic decline, whether rapid or gradual, is linked with political upheavals that may result in their commission. Broadly speaking, there are four principal ways economic crises sow the seeds of genocide and mass atrocities, in combination with other factors:

1. **Scarcity increases competition for resources.** A decline in per capita income stimulates heightened intergroup competition for increasingly scarce resources. In a context of declining overall wealth, the relative position

of groups matters more, the acquisition of resources is more important for survival, and groups need to secure a higher proportion of overall resources to maintain their standard of living.⁵⁸ The role that the increasing scarcity of water and grazing land, both necessary for survival in Darfur, played in sharpening the conflict there is a case in point.⁵⁹ Conversely, where absolute wealth is growing, relative wealth across groups seems less important, it is easier to secure resources, and groups need a smaller portion of overall resources to maintain their standard of living.⁶⁰ Sometimes, however, the picture is made more complex by economic windfalls caused by natural resource booms. In these cases, stark wealth differentials can cause significant grievances. For example, although the Nigerian economy has grown relatively well in the past decade (averaging annual growth of around 4–8 percent), this growth was caused exclusively by the export of oil. Other sectors of the economy, such as agriculture and industrial production, stagnated or declined (e.g., industrial production declined by 1.8 percent in 2009). Coupled with the government’s failure to redistribute oil wealth, this resulted in large income inequality in the Niger delta region. This is a clear source of grievance.

2. **Authoritarians grab power by promising economic renewal and often scapegoating minorities.** The weakening of the German economy in the 1920s provided the political space for the Nazi Party to assume power, based on a platform of reestablishing German superiority and blaming the Jewish community.
3. **Old orders are delegitimized and conflict erupts over what should replace them.** A key precursor to the Yugoslav conflicts of the 1990s was the collapse of the economy in the 1980s. A decade of falling standards of living amid a series of tax increases and budget cuts, instigated by Belgrade in an attempt to reduce foreign debt and the growing trade deficit, contributed to astronomical rates of inflation. This seriously damaged the state’s legitimacy and opened up disagreement among the members of the federation as to how to manage the escalating economic crisis. The crisis helped precipitate the wealthier republics’ move toward secession, leading to war and the perpetration of mass atrocity crimes.⁶¹
4. **Economic crisis sparks spontaneous scapegoating and attacks on minorities.** Minority groups are particularly vulnerable in countries where they are part of the merchant class. Because they are wealthier and separate from other groups, any economic decline can leave them open as possible targets of blame.

Finally, environmental crises (including drought, floods, and famine that may be associated with climate change) can exacerbate internal divisions, potentially giving rise to violent conflict and atrocities. Sometimes, though, “natural”

disasters are the direct result of human actions—sometimes intentionally directed against a victim group.⁶² Thus, famine can be just as powerful a weapon as guns and bombs when it comes to atrocity crimes. In fact, in the twentieth century, many disasters regarded as natural crises unfolded due to deliberate policies that sought advantage for some at the expense of others. It has been argued that most famines of recent times have been the result of attempts to wipe out a victim group and that starvation has been used as a tool for genocide.⁶³ Severe climate change-caused drought was a contributing factor to the conflict in Darfur, which resulted in the perpetration of many mass atrocity crimes, including mass killing, mass rape, and ethnic cleansing. Years of drought and desertification heightened competition for scarce water and productive land.⁶⁴ This weakened traditional structures of governance and caused heightened instability. When the Khartoum government responded by trying to centralize control over the region, an armed rebellion erupted. The government of Sudan then used promises of land, water, and wealth to recruit Arab militia into a campaign of mass killing and displacement.⁶⁵

The likelihood that these catalysts—armed conflict, unconstitutional changes of government, economic crises, and environmental crises—will result in atrocity crimes is shaped by the extent to which a society exhibits the underlying risks of such crimes occurring. That explains why competition for water and grazing land may result in violence and atrocities in Darfur but the same circumstances will likely not produce the same effects in Australia. Societies without underlying risks can often ride through these crises without much violence, let alone atrocity crimes. Structural atrocity prevention aims to help states and societies reduce the sources of risk and build resilience so that the degree of underlying risk diminishes and the society's capacity to manage crises and avoid atrocity crimes is strengthened. How it does this is described in the following section.

Key Elements of Structural Prevention

This section identifies the key elements of structural prevention of atrocity crimes, focusing on local resilience. This is important because there are significant limits to what outsiders can do to prevent atrocity crimes, and excessive attention to the “rescue fantasies” of outsiders has drawn attention away from the work of local civil societies, populations, and individuals to protect themselves.⁶⁶ The focus of the international community needs to be placed squarely on those domestic capacities that help societies reduce underlying risk and navigate peacefully through difficult times—much as the Nobel Prize-winning National Dialogue Quartet did in Tunisia in 2013. Resilience puts the focus squarely on the capacity of states and societies to prevent atrocities themselves, without the need for outside help. That, after all, is the principal aim of R2P: a world of responsible sovereigns that protect their own as a matter of routine.⁶⁷ Within this context, the forging of

trusting relations between groups and between individuals, groups, and the state's formal institutions is crucial for the establishment of sustainable peaceful relations.⁶⁸

It is useful to think of structural prevention entailing support for the resilience of states and societies in five key areas:

- Constructive management of diversity.
- Legitimate and capable authority.
- Security of livelihoods.
- Vibrant civil society and active private sectors.
- Guarantees of nonrecurrence.

The remainder of this section briefly describes each of these areas in more detail.

Constructive Management of Diversity

Because atrocity crimes are, in effect, extreme forms of identity-related conflict, the cornerstone of structural atrocity prevention is the building of an inclusive, nondiscriminatory form of politics capable of managing diversity constructively.⁶⁹ There is much evidence to recommend the constructive management of diversity as a key part of structural prevention. States and societies imbued with multiple risk factors (e.g., diversity, histories of violence, weak institutions, poor economies) that have adopted a constructive approach to managing diversity have tended to avoid atrocity crimes.

For example, postindependence Tanzania was founded on an inclusive ideology supported by strict policies to ensure equality between the country's main religious and ethnic groups, especially in the military and the public sector. Although far from democratic, Zambia under President Kenneth Kaunda followed a similar path. Botswana adopted a consultative model of governance that blended the traditional with the modern and shared power through a Council of Chiefs. Following decades of military rule, Uruguay established a national human rights institution to address issues of accountability and impunity.⁷⁰ All of these countries have thus far escaped atrocities despite having many of the preconditions for them. Similarly positioned countries that embraced exclusionary ideologies have proven less capable of preventing atrocities. For example, successive Sudanese governments promoted an exclusionary Islamist ideology, both Tutsi and Hutu-led governments in postindependence Rwanda enacted policies that clearly favored one group over the other, and Cote d'Ivoire's path to civil war and atrocity crimes began with the spread of Ivoirité, an ethnic ideology that intentionally marginalized immigrant groups and their descendants.

At the most abstract, the constructive management of diversity requires state ideologies and constitutions that pay respect to difference and incorporate different

Risk	Resilience
<ul style="list-style-type: none"> • Discrimination against groups • Exclusionary ideologies • Horizontal inequalities 	<ul style="list-style-type: none"> • Inclusive ideologies • Equality across groups in wealth, employment, health • Consensual modes of governance • Legislative (including constitutional) protections for human and group rights • Independent judiciaries • Strong and independent national human rights institutions/ombudsmen's office • Capacities for peaceful resolution and management of conflicts • Vibrant and free civil society

identities into the project of the state/society itself. As Scott Straus argues, “the long-term best asset against the risk of genocide and mass categorical violence is to craft a political vision that incorporates a role for multiple identities as fundamental to the project of the state.” The key to this, Straus argues, is for national leaders to “articulat[e] a nationalist narrative of pluralism and inclusion [which] provides the greatest source of restraint.”⁷¹

In practice, the constructive management of diversity requires laws and institutions designed to promote equality between individuals and groups and protect them against discrimination especially. In particular, it requires constitutional and legislative protections for human rights and the rights of groups as the principle bulwarks against discrimination. These protections should be overseen effectively by independent judiciaries and national human rights institutions or ombudsmen's offices, with vibrant civil societies capable of holding authorities to account. The establishment of formal institutions and an ombudsman's office demonstrates a state's commitment to protecting diversity and creates spaces through which populations can hold authorities accountable.⁷² It also involves the prioritization of equality across groups in fields such as education, employment (especially public sector), and health.⁷³ In addition, comprehensive strategies to tackle exclusionary ideologies, combining coercive and persuasive approaches, may be needed.⁷⁴

Finally, there is a need to ensure that potential disputes between groups have a means of peaceful resolution. Recognizing that where there are different identities there are likely to be conflicts connected to group loyalties and contending visions of justice, states and societies require means for managing (and ideally resolving) conflicts in a peaceful and constructive fashion. Most obviously, there is a need to prioritize the termination of any armed conflicts; beyond that is a need for institutions to facilitate the peaceful management of disputes.⁷⁵ A good example is Ghana's National Peace Council, which promotes and facilitates the nonviolent resolution of conflict, conflict prevention, and sustainable peace.⁷⁶

This preventive work should ideally be led by national stakeholders. The international community's principal role lies in supporting initiatives designed to enhance the constructive management of difference, especially through offering diplomatic support for inclusive policies and criticism of exclusionary practices, supporting institution building and the forging of the capacities needed to manage diversity, and ensuring that aid programs and other forms of assistance do not inadvertently exacerbate inequalities and discrimination.⁷⁷

Legitimate and Capable Authority

Preventing violent conflict between groups is what stable, legitimate, and effective states do, usually unconsciously, every day. A range of factors associated with heightened risk of atrocity crimes is related to the legitimacy and capacity of

state institutions, including unaccountable governance and security sectors and weak rule of law. When these conditions exist, the apparatus of state authority can be captured by sectional interests and utilized to further the goals of one group, often at the expense of the others, eroding the legitimacy of the state and sowing the seeds of future conflict. The capturing of state institutions by sectional interests lay at the heart of the conflicts that gripped Sierra Leone and Liberia in the 1990s, for example.

Because the character of the state is so important as a risk factor for atrocity crimes, the promotion of legitimate and capable authorities should be a core function of structural prevention. As Kwesi Aning and Frank Okyere pointed out, “a principal consideration in addressing the structural causes of atrocity crimes extends to building functioning, legitimate, independent state institutions capable of ensuring good governance and equitable delivery of social services, the rule of law, and administrative justice.”⁷⁸ In particular, government authorities need to be accountable and transparent, subject to the rule of law, and capable of discharging the basic functions of states by providing populations with core services. Precisely what this entails will differ from country to country as the context, needs, and prevailing conceptions of legitimacy are variable. However, we can identify some basic building blocks.

Arguably the most basic is the rule of law.⁷⁹ The United Nations’ *Framework of Analysis* recognized this when it described atrocity prevention as an ongoing process “that requires sustained efforts to build the resilience of societies to atrocity crimes by ensuring that the rule of law is respected.”⁸⁰ According to former UN Secretary-General Kofi Annan, the rule of law:

refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.⁸¹

The rule of law helps states and societies achieve a number of goods related to atrocity prevention, including inclusive, transparent, and accountable governance and protections for basic human rights. In practice, strengthening rule-of-law capacity for atrocity prevention calls for action in three main areas.

First, access to justice. The principle of equality before the law finds its meaning in the equal capacity of individuals and

groups to access justice. This means that states must have sufficient judicial capacity, spread throughout their territory, to ensure that complaints can be brought before them and that people have equitable opportunities to bring matters to courts, knowledge about their basic rights, and sufficient information about the relevant justice institutions.⁸² It also requires that the justice dispensed be fair, impartial, and governed by transparent rules. Access to justice is improved by, among other things, expanding the capacity of judicial institutions, ensuring judicial independence, the provision of education and training on rights and institutions, the lowering of financial obstacles to accessing the law, and the provision of legal support.

Second, effective and legitimate security forces are crucial for the rule of law. On the one hand, discriminatory and abusive security forces can either be the instruments of atrocity crimes or the catalysts for violent conflict. On the other hand, ineffective and corrupted security forces are less capable of protecting populations from atrocities perpetrated by nonstate armed groups than professional forces. Broadly speaking, security sector reform (SSR) initiatives focus on three dimensions: (1) ensuring transparent and accountable civilian control of security forces (which may entail processes of disarmament, demobilization, and reintegration [DDR] in situations where there are multiple paramilitary and nonstate armed groups), (2) ensuring the effective, transparent, and accountable management of security forces, and (3) ensuring the professionalization of the security forces so they are capable of discharging their duties effectively and legitimately.⁸³

Third, the rule of law requires transparent and accountable governance. Simply put, this means ensuring that the political authorities are subject to the same laws and level of scrutiny as everyone else. This might start with constitutional guarantees that government will be subject to law but needs to be reinforced with judicial institutions and security forces that are sufficiently independent to enforce the law equally, and other practices that promote transparency and accountability, such as a free press. It also involves systems of governance that are representative, inclusive, and accountable.

One of the most effective ways to make governments more accountable to their populations is to ensure that governments raise revenue from their citizens through taxation. Governments in resource-based economies, or those that are heavily dependent on foreign aid, tend to be less responsive to their citizens because they do not depend on them for their income. Likewise, citizens have less invested in the state. Establishing taxation as a principal source of income gives the state an economic interest in protecting the population (it needs it to be productive) and gives the population an economic incentive to demand services and accountability from the state. As strange as it may seem, therefore, establishing a financial

relationship between states and their populations through taxation contributes to atrocity prevention by promoting accountability, inclusiveness, protection, and more-effective service delivery.

A country's rule of law is typically correlated with the state's capacity to provide basic services, equitably, to its population. Independent and rule-governed institutions tend to be more professional and effective in delivering basic services such as health, education, and physical security. Moreover, effective institutions support societal resilience and adaptive capacity, address inequalities, reduce corruption, and mitigate tensions between groups.

Table 3: Legitimate and Capable Authority	
Risk	Resilience
<ul style="list-style-type: none"> • Unaccountable government • Weak rule of law • Impunity for the perpetrators of past/present atrocity crimes (government and nongovernment) • Weak protections for human rights • Unaccountable security sector • Physical capacity to commit atrocity crimes 	<ul style="list-style-type: none"> • Legal equality • Independent judiciaries • Legislative protection of human rights and their enforcement • Institutional accountability to law • Separation of powers • Accountable, transparent, and inclusive government decision making • Government income through taxation • Professional security forces • Civilian control and management of the security forces • Equal access to justice • Monopoly of means of organized violence in the hands of the state • Effective and equitable service delivery • Absence of/limited corruption

Security of Livelihoods

Poorer countries are significantly more likely to experience violent conflict than wealthier countries, and countries with pronounced horizontal inequalities between groups are more likely to experience atrocities than those without them. Economic shocks and their impact on livelihoods are among the triggers that drive societies toward violent conflict and atrocities. That there is a connection between a lack of economic well-being and a lack of equality and proneness to atrocity crimes is widely accepted. Precisely what that connection is and how it operates is less clear. But it is no coincidence that, for example, the massive decline of atrocity crimes in East Asia since 1978 has accompanied an equally massive increase in that region's economic well-being responsible for lifting hundreds of millions of people out of poverty. Nor is the connection coincidental between the presence of lootable natural resources, weak or captured state institutions, and increased likelihood of civil war and atrocity crimes. All this suggests there are direct and indirect pathways between structural economic factors and the risk of atrocity crimes. It also suggests that policies and measures that enhance secure livelihoods indirectly contribute to a society's resilience to atrocity crimes.

Indirect connections between economic factors and atrocity crimes can be found in the correlations between wealth and violence and in the role of horizontal inequalities. Socioeconomic inequalities are not only a source of tension and conflict themselves, they can also limit a society's capacity to withstand and forestall atrocity crimes. Participants at the Stanley Foundation's October 2013 Strategy for Peace Conference, for example, pointed to the role of horizontal inequalities and poverty cycles in fueling violence and atrocity crimes in Nigeria's Middle Belt and the Niger delta.⁸⁴ Arguably the most important set of economic policies for the prevention of atrocity crimes are those aimed at reducing socioeconomic horizontal inequalities. These include passing antidiscrimination laws, ensuring balanced regional investments, and monitoring government contracts and public sector employment to ensure equality across groups, as well as adopting positive discrimination policies to address inequalities.⁸⁵

Besides reducing the inequalities that can give rise to atrocities, preventive action could also focus on building the resilience of local communities by helping them develop secure asset bases. In particular, Raymond Gilpin suggests that states should prioritize the determination of land ownership and utilize the issuing of land rights to support community resilience. Other steps include reforming regulations on credit markets to reduce barriers to participation and supporting community-level wealth (not just income) creation, which, Gilpin argues, would help stabilize families and communities and make them less vulnerable.⁸⁶ Governments could do this by enabling entrepreneurship and trade by, for example, reducing tariffs and other barriers to trade. Connected to these steps governments can take are a variety of ways the private sector can support the structural prevention of atrocity crimes. Most obviously, it can play a key role in wealth creation, but the private sector could also enter partnerships with the state for service delivery and infrastructure investment, adopt employment policies that reduce horizontal inequalities, and promote norms of inclusiveness and the peaceful resolution of conflicts.⁸⁷

Economic measures more directly related to preventing conflicts that give rise to atrocities include those designed to reduce corruption and those aimed at improving the management of natural resources. As noted earlier, the presence of lootable natural resources is related to heightened risk of civil war and atrocity crimes. There are a number of reasons why this might be, but two stand out: (1) they help cause violent conflict between groups locked in zero-sum competition for the wealth generated by natural resources, and (2) they help sustain violent conflict by giving nonstate armed groups access to tradable resources they can transfer for weapons and ammunition. Preventing this entails the adoption of policies and strategies to ensure the legitimate and transparent management of natural resources and to tackle corruption and practices of neopatrimonialism that help reinforce social divisions.⁸⁸

Vibrant Civil Society and Active Private Sectors

Although governments, nonstate armed groups, and international actors are often the key players whose decisions determine whether a situation escalates into atrocity crimes or not, it is important to recognize—and harness the work of—the wide range of actors that perform important preventive functions, particularly nongovernmental actors. In the past few years, nonstate actors have occasionally played crucial roles in the prevention of imminent conflict and atrocity crimes. For example, Tunisia’s National Dialogue Quartet—which comprises civil society organizations representing organized labor, the private sector, the legal profession, and human rights advocates—navigated the country peacefully through a political transition that contained all the portents of violence and atrocities. Similarly, in 2013, the Kenya Private Sector Alliance (KEPSA)

Table 4: Security of Livelihoods

Risk	Resilience
<ul style="list-style-type: none"> • Low/average wealth • Horizontal inequalities • Elites that stand to benefit economically from atrocity crimes 	<ul style="list-style-type: none"> • Economic growth and wealth accumulation • Antidiscrimination laws and their enforcement • Balanced regional investment • Equality in public sector employment and contracts • Secure asset bases at the community level • Legitimate, transparent, and well-managed land laws • Vibrant and politically engaged private sector • Public-private partnerships • Legitimate and accountable management of natural resources • Limited corruption

played a pivotal role in supporting atrocity prevention activities that helped the country avoid a repeat of the violence resulting from elections in 2007–8.

Vibrant civil societies that hold authority to account and create spaces for the resolution of disputes, and active private sectors that reinforce the connections between peace, stability, and economic well-being are therefore crucial—yet often overlooked—sources of resilience. Building societies resilient to atrocity crimes involves paying attention to the roles of actors beyond the state and to the importance of what Michele Auga described as “people-to-people R2P.”⁸⁹ Of course, civil society groups and private actors are not innately positive and can also play pernicious roles. That is all the more reason why cultivating positive action within the nongovernment sector should be an important component of structural prevention.

As the secretary-general recognized in his 2009 report on R2P, vibrant civil societies can be a powerful source of resilience to the underlying risks of atrocity crimes. His special adviser on R2P, Jennifer Welsh, explained in 2013 that civil society “is often present in places where government authorities are not,” and its representatives are sometimes “the only witnesses when atrocities are committed.”⁹⁰ In particular, the secretary-general noted the capacity of civil society to:

- Correct abuses in the justice system.
- Reduce the chances of would-be perpetrators avoiding international criticism.
- Help survivors cope with the trauma of their experiences.
- Facilitate the learning of lessons from survivors’ networks.
- Provide early warning of atrocity crimes.
- Resolve, mediate, and manage conflicts.
- Support the rule of law.
- Advocate for preventive action.
- Support the normative consolidation of R2P.
- Support research, training, and education on atrocity prevention.⁹¹

In their reflections on atrocity prevention in Africa, Aning and Okyere singled out three of these roles as being especially crucial. First, civil society is a crucial partner in the establishment of the sorts of “inclusive processes” for atrocity prevention judged necessary by the secretary-general in his 2014 report on R2P.⁹² They pointed to Ghana’s National Peace Council as a particularly good model for bringing different sectors of society—traditional leaders, women’s groups, youth groups, and faith-based groups—together to resolve tensions and prevent violence. Second, they noted that civil society groups, sometimes working in partnership with government, can play important roles in defusing local tensions. Such groups tend to have broader reach than the government and can be seen as being impartial in ways that governments cannot. Third, they noted that because civil society groups are rooted in their local communities, they are particularly well placed to monitor risk factors and provide early warning.⁹³

Until recently, the private sector’s role in preventing atrocities had been largely overlooked, despite the secretary-general’s recognition of this role in his 2009 report on R2P. As indirect supporters of prevention, private sector actors, through their everyday actions and policies, represent a challenge to the forces of escalation and a source of resilience. For example, they can facilitate positive and mutually beneficial interactions between groups through commerce. Or, companies might resist ethnic, religious, or gender discrimination by pursuing an inclusive and nondiscriminatory approach to recruitment and promotion,

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which serves the interest of the company—along with strengthening prevention—since hiring and promoting based on merit produces the most efficient business outcomes. For similar reasons, businesses might foster the constructive management of difference within their own organizations. In these ways, acting out of a sense of self-interest and in the name of economic efficiency, companies help challenge exclusionary ideologies and practices that can lead to atrocities, and they reinforce a sense of shared humanity. By doing so, they help reduce general and horizontal inequalities through their investment and employment decisions, making it more difficult for political agitators to stimulate conflict by aggravating economic grievances. When they behave this way, private sector actors help reinforce the norms and cultures that challenge atavistic ideologies and practices of hate speech and incitement.

It is also important to recognize the important role that the private sector plays in helping societies rebuild after conflict and the strong connection this has to the prevention of future crimes. Economic reconstruction plays a pivotal role in helping states and societies recover from war, and the forging of a vibrant private sector is central to that, though it is important to ensure that the “marketization” of economies does not lead to their capture by the very elites that led the country into war.⁹⁴

Beyond that, private sector actors can be active supporters of prevention. They can provide logistical support to help prevention efforts and can offer pro bono services to support the various needs of those charged with atrocities prevention. Through public-private partnerships or global trust funds, the private sector can also play a critical role in funding structural prevention activities.⁹⁵ For example, the information technology sector can employ its expertise in a variety of ways to support atrocity prevention, from enabling early warning through crowdsourcing and data analysis to monitoring and blocking hate speech and incitement.

As noted earlier, one recent example of a comprehensive and joint approach to active atrocity prevention is that of KEPSA, an industry association comprising some 200 organizations that took active steps to prevent violence during Kenya’s 2013 elections.⁹⁶ In 2012, KEPSA implemented a campaign aimed at promoting peaceful elections and a peaceful transition of power, which included private meetings with key political actors, the promotion of peace in the wider community through initiatives such as a theme song for peace and a network of peace ambassadors, and a series of public events designed to reinforce the message. Individual members utilized their own capabilities to support the endeavor. For example, a mobile phone provider, Safaricom, issued guidelines on how to block hate messages and took steps to prevent the spreading of messages inciting violence through the mobile phone network.

Table 5: Vibrant Civil Society and Active Private Sectors

Risk	Resilience
<ul style="list-style-type: none"> • Conditions of armed conflict/ recent history of atrocities and armed conflict • Practices of discrimination against a defined group/ patterns of human rights abuse • Exclusionary ideologies • Unaccountable government • Weak rule of law • Unaccountable security sector • Restricted civil society • Average/low wealth • Horizontal economic inequalities • Economic elites that stand to benefit from atrocity crimes • Physical capacity to commit atrocity crimes 	<ul style="list-style-type: none"> • Civil society organizations that hold the justice system and security forces to account through monitoring and advocacy • Nonstate groups/private sector actors that challenge discrimination in policies and actions • Promotion of inclusive ideologies and practices • Civil society and free press that reports crimes and abuses to the international community • Organizations that help survivors cope with trauma • Capacity for early warning of atrocity crimes • Nonstate capacities for the resolution, mediation, and management of conflict • Nonstate assistance/pro bono legal aid to ensure improved access to justice • Advocacy for preventive action • Advocacy of R2P and related norms • Capacity to provide education for peace and conflict resolution • Capacity to understand and learn the lessons of history • Equitable investment practices that reduce horizontal inequalities • Fostering of innovation that leads to economic growth/ wealth creation • Logistical support for atrocity prevention

Table 6: Guaranteeing of Nonrecurrence	
Risk	Resilience
<ul style="list-style-type: none"> • Conditions of armed conflict/ recent history of atrocities and armed conflict 	<ul style="list-style-type: none"> • Legal accountability for past perpetrators • Truth and recognition of past crimes • Physical security and stability • Recognition and implementation of human rights • Legal disincentives for perpetration of atrocity crimes • Judicial competence and independence • Constitutional guarantees of nondiscrimination • Regulation of security sector (SSR and DDR) • Vibrant civil society • Legal empowerment of marginalized groups, including women • Education for peace, tolerance, critical thinking, and conflict resolution • Truthful and sensitive teaching of history • Memorialization of past crimes through culture to build understanding and empathy • Psychological support for victims and survivors

The KEPSA experience carries with it some important lessons, not least relating to the capacity for private sector groups to foster positive norms and encourage other actors to adopt more positive behaviors. Not only did KEPSA actively promote peace within the wider Kenyan society, it also created powerful norms that proscribed discriminatory and exclusionary behavior within the business sector and established good practices. In particular, it promoted a politics of nonconfrontation and created a powerful social incentive for companies to move from bystander positions to active supporters of prevention. These effects were amplified by the group's cooperation with other nongovernment actors, including faith-based and community groups.

Guarantees of Nonrecurrence

The fifth key dimension of structural prevention relates only to those states and societies that have experienced atrocity crimes in the recent past. One of the principal sources of risk of future atrocities is a recent past of atrocity crimes. It is therefore important to pay close attention to those countries that have recently experienced atrocity crimes and to make additional efforts to prevent the recurrence of these crimes. Two interrelated issues are especially important in this regard: (1) the need to ensure effective peacebuilding, which includes measures aimed at addressing the sources of past atrocity crimes, and (2) the need to address issues of truth, justice, and reparation relating to crimes from the past. The first points to the need for a closer relationship between atrocity prevention and peacebuilding. The second points to the need for more attention to be paid to the UN Human Rights Council's thematic agenda on the promotion of truth, justice, reparation, and guarantees of nonrecurrence.⁹⁷

Within these issues are a number of discrete areas relevant to the structural prevention of atrocity crimes. First, in postconflict settings, requirements for DDR and SSR are especially pressing. Second, in order to break past cycles of impunity that could encourage past perpetrators to reoffend or past victims to commit reprisal atrocity crimes, it is imperative that perpetrators of past atrocities be held legally accountable for their crimes. There are a number of ways this might be achieved, including referrals to the International Criminal Court, special international tribunals, hybrid courts comprising national and international elements, national processes, and processes that combine formal prosecutions for senior leaders with more traditional forms of restitution for lesser offences. Third, attention needs to be paid to the promotion and protection of human rights, and especially to combatting forms of discrimination that may have given rise to atrocities in the first place.

According to the UN Human Rights Council's special rapporteur on the topic, guaranteeing nonrecurrence requires a comprehensive strategy, which should be adopted

by states in partnership with the international community, in the aftermath of atrocity crimes. Core elements of such a strategy would include:

- Ensuring security for all and ending of violations, especially against the most vulnerable.
- Recognizing the legal right to identity for all, so that members of all groups can be legal persons before the law and access their rights through relevant institutions.
- Ratifying relevant instruments of international human rights and humanitarian law and passing enabling legislation.
- Reforming the legal system to de incentivize the perpetration of atrocity crimes.
- Reforming the judicial system to ensure judicial competence and independence.
- Reforming the constitution to remove discriminatory provisions, incorporate international human rights standards, regulate the security sector, ensure separation of powers, and facilitate judicial oversight of constitutional law.
- Enabling civil society to contribute to prevention by limiting legal restrictions and refraining from harassing civil society organizations.
- Enabling civil society by removing barriers to its constructive participation.
- Establishing programs designed to promote the legal empowerment of marginalized groups, including women.
- Ensuring that education promotes critical thought and peacefulness by emphasizing different perspectives, international standards of human rights, and the resolution of disputes. The proper teaching of history is also an important dimension.
- Utilizing cultural initiatives—museums, exhibitions, monuments, and theater—to memorialize past crimes, recognize victims, and build empathy and understanding.
- Ensuring that survivors are provided psychosocial support and trauma counseling.⁹⁸

These considerations address some of the risk factors associated with atrocity crimes and ought to inform comprehensive strategies for peacebuilding in societies shattered by past atrocity crimes. In such settings, the structural prevention of atrocity crimes is an important aspect of peacebuilding.

Summary

The structural prevention of atrocity crimes involves activities aimed at reducing the salience of risk factors and building a society's resilience to them. It includes interventions in a wide range of functional areas, including the economy, government institutions, and the security forces, undertaken across whole countries—with careful attention paid to geographical regions that have tended to be marginalized—and by a wide range of actors, including governmental and nongovernmental. It is to those actors that we now turn.

The structural prevention of atrocity crimes involves activities aimed at reducing the salience of risk factors and building a society's resilience to them.

Who Does Structural Prevention and How?

The paradox of structural prevention is that although it enjoys broad rhetorical support among UN member states, relatively few resources or activities are explicitly dedicated to it. Nor is existing work in cognate areas such as peacebuilding, rule of law promotion, and conflict resolution commonly linked explicitly to atrocity prevention. By and large, therefore, resilience to atrocity crimes is built indirectly through activities aimed at achieving other goods such as economic development or good governance.

The actors primarily responsible for structural atrocity prevention are those within the country itself.⁹⁹ The principal role for external actors—such as the United Nations, regional organizations, development agencies, or international nongovernmental organizations (NGOs)—is to identify and support local sources of resilience. The focus on local resilience implies a different ethos than that of more traditional conceptions of structural prevention. The latter has tended to assume that outsiders know which deep structures give rise to atrocity crimes and which do not in any given society. By contrast, a focus on resilience starts with an understanding of the local institutions, dynamics, groups, individuals, and other factors that provide bulwarks against atrocity crimes and asks what can be done to support these already existing sources of strength in a way that does not impose particular prevention templates on individual situations. Clearly, as the preceding discussion has demonstrated, a range of different national actors—including governments, state bureaucracies, national judiciaries, security forces, civil society groups, the private sector, and individuals—can be important sources of resilience, helping societies avoid atrocity crimes. Alternatively, of course, these same actors might pull their societies in the opposite direction—toward violence. Understanding who is doing what and where societal resilience lies is a crucial first step in structural prevention.

To understand how different types of domestic actors contribute to structural prevention, it is worth categorizing structural preventive action into three broad types, which might be undertaken by public or private actors. These are:

- Norm diffusion.
- Noncooperation.
- Active prevention.

Norm diffusion refers to activities aimed at enforcing or promoting acceptance of norms relating to inclusiveness, nondiscrimination, anticorruption, human rights, the rule of law, and rejection of violence. This is achieved most effectively by actors—be they public or private—that are deeply integrated into the surrounding community. For governments, this might entail the passing and enforcing of relevant legislation and for nonstate actors perhaps

the adoption of programs designed to support these outcomes. In these ways, actors help instantiate global norms and reinforce a sense that incitement, hate speech, discrimination, human rights abuse, and violence are socially unacceptable. What is more, by practicing these values and enforcing policies of nondiscrimination within their own organizations, actors can mount direct challenges to exclusionary ideologies, discrimination, hate speech, and incitement and promote more inclusive models of behavior as viable alternatives. Evidence from social psychology tells us that social pressures such as these that define the limits of appropriate behavior exert a powerful influence on human behavior.¹⁰⁰

The idea of noncooperation draws on theories of nonviolent change and is a development of the concept of the bystander. Actors that do not play a self-consciously active role in prevention can nevertheless be a positive influence by simply refusing to cooperate with those engaged in activities that increase the risk of conflict and atrocity crimes, such as discrimination, hate speech, human rights abuses, and illicit weapons procurement. Experience shows that atrocity crimes are made possible by the acquiescence of a significant portion of the community. If significant sections of the community, such as state institutions or private sector actors, simply refuse to cooperate with those pushing society toward atrocities, it can become very difficult for would-be perpetrators to persist.

Finally, active prevention relates to the variety of positive roles that can be played by domestic actors, many of which have been described earlier. This might include the distribution of goods and resources such as education and training, health care, employment, infrastructure, support to promote access to justice, and support for social mobility, all of which can be offered by governments, state institutions, and nonstate actors and which help tackle entrenched forms of discrimination and inequality that give rise to atrocity crimes. It also entails those activities designed to remedy specific inequalities thought likely to give rise to atrocity crimes (such as horizontal inequalities) or address particular problems (such as conflict between groups) before they escalate into atrocities.

How can we ensure that the work undertaken by these domestic actors is better integrated into global efforts to prevent atrocities? The first step is to ensure that domestic actors are engaged in prevention from the outset and that it is understood that they bear the primary responsibility to prevent, with international actors playing a mainly supporting role. International actors charged with supporting atrocity prevention ought to identify the domestic actors that contribute to atrocity prevention, consult them, and incorporate them into assessments of risk and resilience. This would help open opportunities for engagement and relationship building and, through the very

process of inviting participation, would create positive social inducements for actors to become involved in atrocity prevention.

The first stage of any serious attempt to prevent atrocities is the development of a detailed understanding of country situations. Country assessments are necessary to identify local sources of risk, and, as the UN secretary-general noted in his 2010 report on early warning and assessment, they need to provide a “moving picture,” not a one-off snapshot.¹⁰¹ Being a moving picture, assessments need not always emphasize the prediction of future atrocities. Their principal purpose is to build situational awareness and identify specific sources of risk and potential sites of escalation. In some conditions, however, such as prior to an election or at the onset of civil strife, assessments might examine the likely trajectory of events as a guide to policy and contingency planning. As noted earlier, domestic actors are embedded within their communities and are often well placed to provide information about the situations they confront. Allowing this information to flow into the assessments of outside states and international organizations such as the United Nations would not only improve the quality of the overall analysis but would also begin to engage private sector actors in thinking about relevant risks, creating space for new policy and practice innovation.

An important corollary to risk assessment is the need for external actors to identify local sources of resilience and think about how their policies and programs might impact them. To date, early warning assessments have tended to focus only on the sources of risk.¹⁰² They have not identified the local actors, institutions, and processes that might help mitigate these risks. As a result, analysts have been hard pressed to explain why some countries that exhibit underlying risk succumb to mass violence while others that exhibit an equal, or sometimes greater, level of risk appear to avoid mass killing, leading the secretary-general to call for further research on this topic.¹⁰³ Situational assessments provide only part of the picture if they focus only on risk and not on the local sources of resilience. International efforts in support of prevention are likely to be both more efficient (delivering more added value for equal or less investment) and effective (better able to prevent genocide and mass atrocities) if they are directed to supporting local sources of resilience.

Finally, however, we need to be mindful that domestic actors might face significant barriers to participation in atrocity prevention. Although atrocities are high cost events, they are also low probability, making it potentially difficult for governments and actors to justify allocating political and financial capital to preventing them. What is more, many governments would especially oppose moves to advance atrocity prevention on their territory since this would implicitly signal recognition of some risk of domestic atrocities—something few governments are willing to concede.

Beyond domestic actors, there is a range of external organizations that contribute to the structural prevention of atrocity crimes. These include the full panoply of the UN system’s institutions, agencies, funds, and programs; regional and subregional organizations; individual states, some of which have bilateral development programs that relate closely to the functional concerns of atrocity prevention; and a large number and wide range of international NGOs working on areas spanning from human rights monitoring and reporting to poverty alleviation. In any given country experiencing atrocity risks, it is not uncommon to find dozens of international actors working to deliver their own programs in cognate fields, though without consciously thinking of this work in terms of atrocity prevention.

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As noted earlier, there are important limits on the capacity of external actors to prevent atrocities. Indeed, the further upstream of atrocities we go, the less direct influence external actors have. International efforts can facilitate prevention where there is local will and capacity, but the structural or root causes of atrocities described earlier are often not easily influenced by external actors.¹⁰⁴ While outsiders can play important enabling and facilitative roles, foreign assistance cannot by itself achieve structural change except through massive intervention, and even then there are inherent limits and high risks.¹⁰⁵ As Scott Straus observed, “In the long-run . . . domestic actors are likely to be more effective than international ones at prevention.”¹⁰⁶ Well-targeted programs can, however, support local sources of resilience to genocide and mass atrocities and change the cost-benefit calculations of would-be perpetrators. But although concerted international action can sometimes prevent mass atrocities (e.g., as in Cote d’Ivoire and Kenya), the primary explanation as to why some countries with relatively high risk avoid such crimes while others do not typically rests within the countries themselves.¹⁰⁷

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Does it matter that structural prevention is a largely indirect product of activities directed at achieving other goals? Many analysts think not and question the extent to which there is added value in extending consideration of atrocity prevention into the structural domain. However, there are at least four reasons for thinking that external actors engaged in work related to the themes of structural prevention ought to pay attention to it:

1. Because there is overlap between a range of different sectors and the risk of atrocity crimes, there is an inherent danger that activities in one of these sectors (e.g., economic development, governance, human rights) might inadvertently create or exacerbate atrocity crime risks if atrocity prevention concerns are not taken into account.
2. Because structural atrocity prevention is often a secondary byproduct of activities directed toward other goals, practice tends to be patchy and not focused on areas of greatest need or opportunity. This represents an inefficient use of resources that could be better directed elsewhere if guided by a more systematic approach.
3. Not including atrocity prevention considerations in cognate work limits the exchange of relevant information and analysis, with a number of detrimental effects: (a) making early warning and assessment more difficult, (b) constraining the potential preventive impact of existing work, (c) precluding the strengthening of prevention through incremental change and fine tuning, (d) placing unnecessary limits on the support that might be given to states, (e) restricting opportunities for assisting states under stress, and (f) limiting the policy toolbox for preventing imminent mass atrocities.
4. The extent of the functional overlap between atrocity prevention and other sectors means that prevention can be strengthened without major new bureaucracies and programs of work. Instead, existing practices can be usefully augmented to strengthen atrocity prevention.

What is needed is a practical approach to the structural prevention of atrocity crimes that utilizes and builds on, rather than duplicates, existing programs and activities and that focuses on marshaling support for domestic sources of resilience. The following section shows how this might be achieved through the mainstreaming of atrocity prevention and the incorporation of an atrocity prevention lens into the existing work of relevant domestic and international organizations.

Mainstreaming Structural Atrocity Prevention: A Plan for Action

This section makes the case for mainstreaming atrocity prevention into the existing work of states and domestic organizations, as well as foreign organizations such as the United Nations, regional and subregional organizations, bilateral aid programs, and NGOs. It suggests that the adoption and utilization of an atrocity prevention lens is one effective way to better marshal existing resources to the needs of structural prevention.

To mainstream atrocity prevention, relevant organizations ought to ensure that it is integrated systematically into their planning processes, programs of work, and decision making.¹⁰⁸ This could be achieved by utilizing an atrocity prevention lens—essentially, a policy perspective that gives rise to advice about how to better support atrocity prevention. This approach aims to maximize the positive contribution made by existing work to strengthen atrocity prevention, identify and monitor potential risks, and plan for future contingencies. Because the atrocity prevention lens focuses on working through existing programs and activities rather than developing wholly new ones, the approach emphasizes the importance of tailoring prevention strategies to individual situations. In other words, the atrocity prevention lens finds ways to utilize and tailor ongoing forms of engagement and assistance to strengthen the structural prevention of atrocities.

The additional resources needed to achieve these effects would be quite modest. What is imperative is that atrocity prevention concerns are considered as part of the policy-planning and program-design stage and that a clear and unadulterated atrocity prevention perspective is brought to the decision-making table of governments, international organizations, foreign states, and NGOs working in relevant areas. For the approach to work most effectively, those given responsibility for it must feel a strong sense of ownership and a professional obligation to tell others within their organization what they need to hear about the relevant risks, not what they want to hear.¹⁰⁹ As the secretary-general's internal review panel on UN actions in Sri Lanka showed, anything else can dilute understandings of responsibility and confuse lines of authority.¹¹⁰

The atrocity prevention lens has three key dimensions, which can be utilized either by domestic actors looking at their own situation or by foreign actors. The first is to establish situational awareness about atrocity risks and how they might be addressed or mitigated. This requires ensuring that relevant organizations have a detailed and current understanding of risk factors in the countries in which they operate and that where appropriate, they include policies and activities designed to support the reduction or mitigation of these risks in their programs of work. This is achieved first through establishing situational

awareness that is sensitive to atrocity risks and then through the inclusion of these considerations in program design and implementation. Organizations could, for example, utilize the United Nations' *Framework of Analysis*.

The second dimension is to identify and, where possible, craft strategies that support local inhibitors to atrocity crimes. As noted earlier, to date, early warning assessments have tended to focus only on the sources of risk.¹¹¹ They have not identified local sources of resilience that inhibit atrocity violence, and as a result, analysts have been hard pressed to explain why some countries that exhibit underlying risk succumb to mass violence while others that exhibit an equal, or sometimes greater, level of risk appear to avoid atrocities.¹¹² The focus on inhibitors implies a different ethos to that of more traditional conceptions of structural prevention. The latter has tended to assume that outsiders know which deep structures give rise to violent conflict and which do not in any given society and to foster interventions that support the former. By contrast, a focus on inhibitors starts with an understanding of the local institutions, dynamics, groups, individuals, and other factors that establish obstacles to atrocities and asks what can be done to support these already existing sources of strength in ways that avoid the imposition of prevention templates.¹¹³ This information should be used to adjust existing programs in order to improve their contribution to prevention and develop new programs designed to support local inhibitors where relevant.

The third dimension is the identification and mitigation of negative unintended consequences. The atrocity prevention lens should be double-faced—looking outward to risk and resilience, and inward at an entity's own policies and actions. Organizations engaged in preventive work need to ensure that they do not inadvertently increase the underlying risks of atrocity or contribute to the generation of specific risks. Preventive action might also inadvertently weaken local sources of resilience. This, too, should be factored into any analysis. Potential examples include internationally sponsored economic strategies that prioritize growth but increase horizontal inequalities, conflict resolution strategies that give armed groups a seat at the table but exclude and marginalize peaceful groups, coercive inducement strategies that target states but politically weaken local moderates, and bureaucratic or legal reform strategies that inadvertently concentrate political authority. Harm mitigation is an important part of structural atrocity prevention, and it is imperative that actors not exacerbate already existing risks or weaken local sources of resilience through the unintended consequences of their actions. This requires a form of due diligence of the type already employed by some organizations operating in conflict situations.

These three dimensions of atrocity prevention mainstreaming could be built into periodic national reviews of risk and resilience and/or the program design of foreign aid and UN

Table 7: Functional/Programmatic Areas Related to Structural Atrocity Prevention

- Conflict prevention
- Conflict management/resolution
- Countering violent extremism
- Good governance
- Human rights
- Peacebuilding
- Protection of children in armed conflict
- Protection of civilians in armed conflict
- Protection of refugees and displaced persons
- Rule of law
- Security sector reform
- Small arms and light weapons control
- Sustainable development
- Women, peace, and security

and NGO programs of work and reviewed regularly. Where possible, responsibility for producing relevant advice about the risks and measures that could be adopted in response to them could be given to individuals or teams specifically charged with this task.

In summary, mainstreaming atrocity prevention is concerned with making atrocity prevention a normal part of the daily work of relevant states, international organizations, and NGOs. It aims to (1) sensitize decision makers to atrocity risks, sources of resilience, and potential future triggers, (2) relate assessments of atrocity risk/resilience to political action as well as resource allocation, program design, and execution and thereby strengthen the capacity of existing programs and missions in areas such as development, peacekeeping, peacebuilding, human rights, rule of law, governance, policing, and humanitarian affairs to make a positive contribution to atrocity prevention (see Table 7), and (3) reduce the likelihood of unintended negative effects as a result of preventive actions. Through these relatively modest actions, structural prevention can be transformed from something that is much discussed but seldom practiced into a daily part of normal business. This will not only ensure more targeted assistance to the structural prevention of atrocity crimes, it will also ensure that organizations are more sensitive to the impact their work has on atrocity risks and better placed to work in partnership with other organizations to mitigate risk and support resilience, influence the behavior of local actors, and implement specific decisions when needed.

Precisely how the atrocity prevention lens would be configured depends on the organization and situation at hand. The host state, as is well known, has the primary responsibility to protect its populations from atrocity crimes and so should be reasonably expected to play a leading role in identifying risk and resilience within its own territory and fostering national policies that reduce the former and support the latter. To achieve this goal, in 2013, the UN secretary-general called on member states to “conduct a national assessment of risk and resilience, using the analysis framework on the prevention of genocide developed by my Special Adviser.” This national review, he suggested, should be “system-wide” and should include the identification of vulnerable populations and an assessment of sources of domestic resilience.¹¹⁴ This call was repeated in his 2015 report, which urged states to “undertake a national risk assessment and articulate an actionable whole-of-government strategy for both domestic and international policy.”¹¹⁵ But despite repeated calls, only a handful of states have conducted, or signaled the intention to conduct, a national review of risk and resilience. Nevertheless, persuading states to shoulder their domestic responsibility by conducting, and acting on, a national review should remain a key element of atrocity prevention advocacy in the years to come. One possible way to achieve a similar effect would be for states to pose structural atrocity

prevention questions of each other as part of the Universal Periodic Review of the Human Rights Council. Another way to catalyze the work and encourage states to engage would be for nonstate institutions to take on the task of reviewing national conditions independently.

For organizations beyond the host state, such as the United Nations, regional and subregional organizations, foreign aid agencies, or NGOs, mainstreaming atrocity prevention entails assigning individual officials or small teams with the task of reviewing atrocity risks and resilience and providing advice to the rest of the organization on how best to strengthen structural prevention, support resilience, and avoid counterproductive policies. In practice, this would be configured differently from organization to organization. Within the UN context, for instance, the different components of structural atrocity prevention mainstreaming described earlier could be built into the design of the United Nations' field presence and reviewed regularly. Where possible, responsibility for producing relevant advice about risks, sources of resilience, and measures that could be adopted to mitigate the former and strengthen the latter could be given to the United Nations' peace and development advisers. This atrocity sensitive analysis and advice should be factored into the formulation of the UN's Development Assistance Frameworks for its country teams, and the Integrated Strategic Frameworks developed in the context of peacekeeping operations. The process could also be used to identify additional ways UN headquarters could support atrocity prevention in the field through instruments such as the Department of Political Affairs' Mediation Support Unit, the peacebuilding architecture, and the various special mandates of the secretary-general's special representatives and advisers, as well as the Human Rights Council's special rapporteurs. Within the UN context, there should also be determined action to connect structural atrocity prevention with the United Nations' many other, mutually supporting, functional agendas, aligned with those listed in Table 7. This also applies to other large state bureaucracies or organizations that operate multiple thematic programs related to atrocity prevention.

Along with improved internal processes within organizations, structural atrocity prevention also requires renewed focus on the forging of partnerships for prevention, including with newcomers to the field such as the private sector. Until quite recently, international and scholarly debate on atrocity prevention focused almost exclusively on the role of states and the international institutions they make up. This is in some respects unsurprising given that states remain the principal actors in world politics. But it should be clear that states and international organizations alone are insufficient to prevent atrocities. Nonstate armed groups, civil society organizations, and the private sector all have roles to play. The UN secretary-general recognized this point in his 2009 report on R2P. But while research has burgeoned on nonstate armed groups as perpetrators of atrocity crimes,

and a global movement of civil society organizations has emerged to support atrocity prevention, the precise role of these organizations and of the private sector in atrocity prevention remains relatively obscure.¹¹⁶ There are good grounds for thinking that these "new" partners are indispensable. Two decades of scholarship on the protracted civil wars that emerged after the Cold War demonstrated how the violent competition for resources, often-valuable natural resources, had literally hollowed out states and replaced (to the extent that they had ever existed) state structures with hybrid forms of authority based on networks of patrimony, economic exchange, and violence.¹¹⁷ As the struggles to build peace in places such as the Democratic Republic of the Congo, the Central African Republic, and South Sudan attest, the reestablishment and reimposition of state authority is not sustainable in the long term without deeper transformations within the private sector and civil society. What is more, although there have been some notable successes in the use of state-based diplomacy for atrocity prevention, there is growing recognition that the most effective sources for strengthening prevention and resilience to triggers come from within vulnerable societies themselves and that nonstate actors play a crucial role.¹¹⁸

It is increasingly the case that the options before governments and their capacity to act and shape outcomes autonomously are conditioned and limited by the forces of globalization. All states, including powerful ones, are constrained by the movement of capital, resources, people, and ideas across borders to the extent that few have a full range of policy options from which to select or the capacity for entirely autonomous action.¹¹⁹ Size matters too. The private sector generates and marshals financial resources that exceed those of most states. For example, were it a state, Walmart's GDP would put it in the world's top 25 richest nations, greater than South Africa's and significantly greater than the GDP of countries such as Pakistan and Thailand.

For all these reasons and more, atrocity prevention is an ambition that cannot be achieved by states and international organizations alone. Not only do the threats and challenges extend well beyond the world of states, states are themselves enmeshed in networks and structures that are beyond the control of any one of them. The structural prevention of atrocity crimes therefore requires partnerships—between local, national, regional, and global actors and between the governmental and the full panoply of nongovernmental sectors.

Finally, because structural atrocity prevention has not yet been consciously adopted as a policy goal by states, international organizations, and NGOs, we do not have a good understanding of what types of policies and actions have the best effect in different types of situations. There is therefore a need for enhanced monitoring and evaluation of structural prevention to identify the factors that make

programs more, or less, effective and improve guidance to interested organizations on best practices.

Atrocity prevention, like conflict prevention more broadly, is plagued by the problem of uncertainty, what Colin Keating describes as the “prevention dilemma.” This stems from the fact that despite significant advances in conflict forecasting, early warning models remain insufficiently accurate to provide a firm foundation for confident action. We can identify the presence of high-risk factors, but it is very difficult to say with certainty that atrocities are going to happen until they do. This is a problem because, as Keating points out, governments are predisposed to be risk averse owing to concerns about the opportunity costs and political dangers associated with preventive action.¹²⁰ As a result, although early action is considered imperative, there is seldom a sufficiently strong evidentiary basis on which to marshal international action in advance of the actual commission of atrocities. Often, the best that can be achieved is an early response to atrocities that might prevent further escalation, as in Kenya in 2007–8.

The role that confidence plays in enabling preventive action was shown by the fact that lessons learned from Kenya in 2008 spurred a genuinely preventive approach to that country’s 2013 elections that made that exercise a largely peaceful affair despite the presence of the same centrifugal forces that had caused violence five years earlier. It is that sort of precision about the triggers and timing of potential atrocities that is needed to give leaders sufficient confidence to act. Sometimes, circumstance and experience provide such clarity, as with South Sudan’s 2011 referendum, Libyan leader Muammar Qaddafi’s imminent attack on Benghazi in 2011, and Kenya’s 2013 election. In such situations, preventive action is more likely. In most cases, however, there is a much greater degree of uncertainty about whether, when, and where atrocity risks might be actualized, and this is a significant obstacle to decisive preventive action.

The atrocity prevention field also needs to become more systematic in its approach to lessons learning. It needs to develop repositories of knowledge about the types of actions that produce good effects in different sorts of situations and the full range of preventive actions undertaken by different actors. Efforts to prevent electoral violence in Kenya in 2013 involved the government, international organizations and foreign governments, civil society, private sector groups such as KEPSA, and prominent individuals. Understanding precisely who did what and to what effect is important to enable better prepared and targeted strategies for prevention in the future.

Given the low take-up, even among supporters of R2P, of the secretary-general’s call for states to undertake national reviews of risk and resilience, alternative measures may be required in the immediate term to encourage the translation of structural atrocity prevention from political consensus to political practice. One option would be for the UN

system to lead the way by publishing and implementing its own comprehensive strategy for atrocity prevention. Such a strategy, which could be associated with and build on Human Rights Up Front, could be articulated by the secretary-general.

A comprehensive UN strategy for atrocity prevention ought to address five key considerations related to structural prevention:

1. It should provide the basis for a more systematic and comprehensive approach to early warning and assessment. The system should have within it the capacity to collate relevant information and provide atrocity specific analysis and advice about risks and appropriate forms of response.
2. It should provide guidance on how the system can mainstream atrocity prevention into its daily work in order to ensure that UN headquarters has mechanisms to support structural prevention goals and the systematic integration of atrocity prevention concerns into planning processes.
3. It should provide guidance on how to determine when atrocity prevention ought to be prioritized, including the necessary procedures for making such identifications and communicating this through the system from headquarters to the field and to member states.
4. It should provide guidance on how the organization can better direct its diplomatic engagement, public messaging, monitoring and assessment, and partnerships to mitigate underlying threats of violence and support local sources of resilience.
5. It should provide advice on the most appropriate configurations for UN field presence in countries experiencing risk of atrocity crimes. This is not a matter of crystal-ball predictions of where atrocities will occur but of developing a system whereby long-term risk factors may be weighed against mitigating factors and paired with vigilance for the short-term triggers that precipitate violence to determine what missions need to be configured with atrocity prevention in mind from the start.

The key is that atrocity prevention should not be considered one competing priority among others but a central mission of the United Nations, as integral to development and humanitarian affairs as it is to human rights and the maintenance of international peace and security. A systemwide commitment to atrocity prevention means a commitment to act early. As Secretary-General Ban Ki-moon has said, “we owe this [commitment] to the millions of victims of the horrific international crimes of the past—and those whose lives we may be able to save in the future.”¹²¹ By setting an example in this way, the United Nations could not

only improve its own contribution to structural prevention but also encourage member states to follow suit.

Another alternative is that the nongovernmental sector could seize the initiative by providing comprehensive analysis of risk and resilience as well as guidance on what should be the main prevention priorities in different countries. An institute or other kind of research-based policy organization could help provide an important catalyst to practice by building a repository of knowledge on risk and resilience around the world, monitoring changes and preventive action, and using this to inform guidance that other organizations might follow. An initiative like this could help move global debate about structural prevention away from abstract principles and causal chains and toward where it needs to be: focused on specific issues and policy prescriptions in particular parts of the world.

Challenges of Implementation

Translating structural atrocity prevention from consensus to practice involves more than simply getting the right institutional configuration, however. It demands the political commitment of leaders in government, international organizations, and the nongovernmental sector. We should not think that structural prevention is less political and potentially controversial than other elements of R2P. Talking about reforming the deep structures of states and societies is every bit as political and fraught with controversy as any other dimension of R2P, including the use of force.

Five challenges in particular stand out in this regard:

1. **Agreement on risk factors.** It is necessary to build a shared understanding of the factors associated with heightened risk of atrocity crimes and of ways to address new sources of risk such as that created by violent extremists. Only on the basis of a consensus on what the risk factors are can we expect to develop state-led action and global partnerships aimed at addressing them. The United Nations' *Framework of Analysis* provides a useful benchmark for dialogue and deliberation, but it is important that states and civil society actors are engaged in open dialogue about the sources of risk and that efforts are made to build a consensus on these points.
2. **National ownership of atrocity risk.** Arguably, the key practical challenge lies in encouraging states and societies to recognize risk factors, request assistance, and take ownership of structural atrocity prevention. A strong sense of mutual commitment from host states, societies, and their international partners is crucial for effective atrocity prevention.¹²² Atrocity prevention is a decidedly political activity, and states tend to be reluctant to acknowledge even imminent threats, let alone upstream risk factors that may or may not lead

to atrocity crimes. Even structural prevention can therefore generate acute controversies and disputes by, for instance, requiring that some states be identified as being at risk of atrocities and demanding actions that some governments might object to.¹²³ Practical approaches to prevention have to take this reality into account and think through ways of encouraging states to engage proactively. One obvious solution, borrowed from universal periodic review, may be to universalize the basis analysis by having all states report on their risk and resilience in some formal setting. Another alternative is that the friends of R2P, those 53 states that have appointed focal points, could lead the way by conducting their own national reviews. The focal points themselves could lead these processes and report back to the annual meeting of focal points.

3. **Resource commitment to atrocity prevention.** It has proven difficult thus far to generate sufficient political commitment to build atrocity prevention into the daily practice of the United Nations, regional organizations, and development agencies. With that comes the failure to commit resources sufficient for the task. Part of the problem of political commitment stems from the allocation of responsibility: who is responsible for doing what? Another and more commonly identified problem relates to the principle that states are self-interested actors who see themselves as first and foremost responsible for the well-being of their own citizens. As such, states are generally reluctant to spend tax money or commit other resources to prevent atrocity crimes in other countries. The issue here is not whether governments support atrocity prevention as a goal but the depth of their support relative to other goals, including cherished domestic objectives such as health care and social welfare. This commitment gap can be closed only by developing more programs designed to build resilience or reduce risk in specific ways in specific parts of the world. This puts the emphasis squarely on the need for detailed analysis of risk and resilience around the world. Once again, we might look to the friends of R2P—those that have appointed focal points—to take the lead in this. As with national reviews, the annual focal points meeting would provide an ideal setting in which states could report on their activities, exchange ideas with peers, and share lessons. Getting enough states to act this way would provide an incentive for others.
4. **Domestic responsibility for prevention.** There is an urgent need to broaden the practice of prevention beyond the United Nations. Most obviously, it is important to reaffirm that the principle responsibility for atrocity prevention lies with the host state and that the state has a vested interest in structural prevention because investing up front in that area will diminish the underlying risk of atrocities. But it is also important

that in-country civil society and private sector actors be brought into the equation and empowered as agents of prevention and that international efforts be calibrated carefully to support local sources of resilience.

5. **Due diligence with action.** Anticipating and reducing unintended negative consequences through due diligence is a crucial challenge for atrocity prevention.¹²⁴ Harm mitigation is an important part of atrocity prevention, and it is imperative that organizations such as the United Nations avoid exacerbating risks through the unintended consequences of their actions. This requires a form of due diligence of the type already employed by some organizations operating in conflict situations and called for by some of the other contributors to the literature on structural prevention. This is known as conflict sensitivity, and some government programs that deliver aid in conflict settings (e.g., the United States Agency for International Development and the United Kingdom's Department for International Development) employ frameworks to assess the impact of their aid on the social environment. It is important that such work is done on a systematic basis and that it includes sensitivity to atrocity risks.

Recommendations: Tangible Steps Toward Structural Prevention

For States

- States should undertake a periodic national review of domestic sources of risk and resilience and implement any recommendations that are forthcoming. These reviews should take account of the United Nations' *Framework of Analysis* and should be comprehensive in scope and inclusive in procedure, including inputs from nongovernmental actors such as academe, civil society, and the private sector. This process should help governments recognize where risk exists as well as sites of societal resilience and encourage them to ask for help to address risk factors and support resilience well in advance of any crisis. States that have appointed national R2P focal points should lead by example and instruct the focal point to initiate a process of national review. The annual meeting of R2P focal points would provide an excellent opportunity for reporting reviews, peer-to-peer exchange, and articulating action plans to implement recommendations. Global change is likely, but only if the states that have appointed focal points are prepared to lead by example.
- States should appoint a senior official as national R2P focal point and ensure that the position has inward- and outward-looking dimensions. Externally, the focal point should represent the state in multinational settings, coordinate responses to atrocity crimes, and share lessons and best practices in relation to prevention and

protection. Domestically, the focal point should support the internal review of risk and resilience, facilitate the implementation of key recommendations in domestic policy, and convene whole-of-government approaches to atrocity prevention at home and abroad.

- States should pose each other questions relating to the structural prevention of atrocity crimes during universal periodic review and encourage others to pose those questions of them. Specifically, they might inquire as to the steps being taken to prevent atrocity crimes or ensure safeguards against the various forms of discrimination that can give rise to such crimes. The core group of states that support R2P in the UN Human Rights Council could consider leading on this issue.
- States should incorporate an atrocity prevention lens into their assessments and foreign aid programs. In particular, they should regularly review risk and resilience in partner countries, consider how their policies and programs might strengthen resilience and mitigate risk, ensure that their policies and programs do no harm, and monitor developments with a specific focus on the risk of atrocity crimes. States that have appointed R2P focal points could lead by example on this.
- States should train field staff and desk officers to recognize the underlying risks of atrocity crimes. If structural prevention is to become part of the daily business of states, then it is imperative that the field staff on the front line and the desk officers responsible for analysis are trained to identify and understand the factors associated with heightened risk of atrocity crimes. States that have appointed R2P focal points could lead by example on this.

For the United Nations and other International Organizations

- The UN secretary-general should develop a comprehensive UN strategy for atrocity prevention. The strategy should provide (1) the basis for a more systematic and comprehensive approach to early warning and assessment, (2) guidance on how the UN system can mainstream atrocity prevention, using an atrocity prevention lens, into its daily work, (3) guidance on how to determine when atrocity prevention ought to be prioritized, (4) guidance on how the organization can better direct its diplomatic engagement, public messaging, monitoring and assessment, and partnerships to support atrocity prevention, and (5) advice on the most appropriate configurations for the United Nations' field presence in countries experiencing risk of atrocity crimes.
- Regional and subregional organizations ought to incorporate the atrocity prevention lens into their regular programs of work. In particular, they should develop the capacity to review sources of underlying risk

and resilience in member countries, consider how their policies and programs might strengthen the prevention of atrocity crimes within their own region, ensure that their policies and programs do no harm, and monitor developments within the region with a specific focus on the risk of atrocity crimes.

- International institutions, including the United Nations and regional and subregional organizations, should ensure a much heightened degree of functional cooperation between structural atrocity prevention and other cognate agendas such as conflict prevention, conflict management/resolution, countering violent extremism, good governance, human rights, peacebuilding, protection of children in armed conflict, protection of civilians in armed conflict, protection of refugees and displaced persons, rule of law, security sector reform, small arms and light weapons control, sustainable development, and women, peace and security.
- International organizations, including the United Nations and regional and subregional organizations, should be open to partnerships for atrocity prevention with a wider range of actors, including those outside government such as the private sector, civil society, and academic institutions. Attention should also be paid to the role of individuals in preventing atrocity crimes.
- International organizations, including the United Nations and regional and subregional organizations, should develop an approach to prevention that is forward looking, proactive, and focused on supporting resilience. Prevention ought not be limited to situations where threats are imminent. Instead, international organizations should cultivate cultures of prevention by integrating structural prevention into their daily work.

prevention. The principal role of the institute would be to work with country-partners to produce national assessments of risk and resilience, identify opportunities for strengthening prevention, and advocate for the necessary steps. By undertaking this work, the global institute would encourage and assist states in undertaking their own national reviews and would be an important resource of best practices, guidance, and lessons learned on structural atrocity prevention.

- Civil society organizations should do more to engage with the private sector and encourage private sector actors to become more actively engaged in atrocity prevention.
- While remaining aware of the need to continue advocating for the R2P norm, civil society organizations should shift their focus toward the practical implementation of R2P and atrocity prevention. In particular, they should look to build, sustain, or develop national, regional, and global partnerships to support concrete preventive work.
- More research is needed to understand how states and societies affected by risk factors can successfully navigate periods of upheaval and crisis, such as democratic crises or natural disaster. We need to better understand the dynamics through which crises give way to atrocities and the inhibiting factors that prevent that escalation and to develop guidance and best practices for the future.

For Civil Society

- Civil society organizations should encourage states to pose atrocity prevention questions of each other during the UN Human Rights Council's universal periodic review process. They should facilitate this by developing and disseminating relevant example questions.
- Civil society organizations, think tanks, and/or academic institutions should move the debate about structural prevention into the realm of practical implementation by conducting their own independent and impartial reviews of national risk and resilience and recommending tangible steps that could be taken to strengthen prevention. Often, these steps will include measures that can be taken by nonstate actors. Where this is so, civil society organizations should take a lead in implementing recommendations.
- Civil society and academic institutions should move to establish a global institute for structural atrocity

Endnotes

- ¹ For example, Ban Ki-moon, *Implementing the Responsibility to Protect: Report of the Secretary-General, A/63/677*, January 12, 2009; Serena K. Sharma and Jennifer Welsh, introduction to *The Responsibility to Prevent: Overcoming the Challenges of Atrocity Prevention*, ed. Serena K. Sharma and Jennifer Welsh (Oxford: Oxford University Press, 2015), p. 1; and Sheri P. Rosenberg, Tibi Galis, and Alex Zucker, introduction to *Reconstructing Atrocity Prevention*, ed. Sheri P. Rosenberg, Tibi Galis, and Alex Zucker (Cambridge: Cambridge University Press, 2016), p. 4.
- ² Edward Luck and Dana Luck, "The Individual Responsibility to Protect," in *Reconstructing Atrocity Prevention*, p. 215.
- ³ Ban Ki-moon, *A Vital and Enduring Commitment: Implementing the Responsibility to Protect: Report of the Secretary-General, A/69/981-S/2015/500*, July 13, 2015, paras. 58 and 74.
- ⁴ Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict* (New York: Carnegie Commission, 1997). Then-Secretary-General Kofi Annan added a third element, systemic prevention—an extension of structural prevention focused on the global systems and structures that facilitated violence.
- ⁵ The limits of late-stage prevention were recognized by participants at the Stanley Foundation's 54th Strategy for Peace Conference in October 2013. See *Preventing Mass Atrocities: Resilient Societies, State Capacity, and Structural Reform*, Stanley Foundation, Policy Dialogue Brief, April 2014, p. 2.
- ⁶ For an excellent assessment, see Serena K. Sharma, *The Responsibility to Protect and the International Criminal Court: Protection and Prosecution in Kenya* (London: Routledge, 2016).
- ⁷ Scott Straus, *Making and Unmaking Nations* (Ithaca, NY: Cornell University Press, 2015), p. 326.
- ⁸ A call emphasized by Bridget Moix, "Moving Upstream and Going Local: The Responsibility to Protect Ten Years Later," *Politics and Governance*, Vol. 3, No. 3, 2015, p. 100.
- ⁹ Earlier efforts include Ruben Reike, Serena Sharma, and Jennifer Welsh, "A Strategic Framework for Mass Atrocity Prevention," Australian Civil Military Centre, Paper 03/2013, 2013; and Lawrence Woocher, "The Responsibility to Prevent: Toward a Strategy," in *Routledge Handbook on the Responsibility to Protect*, ed. Andy Knight and Frazer Egerton (London: Routledge, 2012).
- ¹⁰ These initiatives are discussed further in the section, "Mainstreaming Structural Atrocity Prevention: A Plan for Future Action."
- ¹¹ Statement Delivered on Behalf of the Permanent Mission of South Africa to the United Nations to the General Assembly's Informal and Interactive Dialogue on the Responsibility to Protect, September 5, 2012.
- ¹² Kwesi Aning and Frank Okyere, *Responsibility to Prevent in Africa: Leveraging Institutional Capacity to Mitigate Atrocity Risk*, Stanley Foundation, Policy Analysis Brief, January 2015, p. 2.
- ¹³ The central argument advanced by Ruben Reike, "The Responsibility to Prevent: An International Crimes Approach to the Prevention of Mass Atrocities," *Ethics & International Affairs*, Vol. 28, No. 4, 2014, pp. 451–476.
- ¹⁴ For the social psychology, see Philip Zimbardo, *The Lucifer Effect: Understanding How Good People Turn Evil* (New York: Random House, 2008); for the history, see Christopher R. Browning's classic *Ordinary Men: Reserve Police Battalion 101 and the Holocaust in Poland* (London: Harper, 1998). The apples and barrels analogy comes from Zimbardo, albeit in a different context.
- ¹⁵ Thomas Cushman, "Is Genocide Preventable? Some Theoretical Considerations," *Journal of Genocide Research*, Vol. 5, No. 4, 2003, pp. 523–542.
- ¹⁶ Ban Ki-moon, *Responsibility to Protect: State Responsibility and Prevention: Report of the Secretary-General, A/67/929-S/2013/399*, July 9, 2013. Hereafter referred to as *State Responsibility*.
- ¹⁷ *Ibid.*, para. 16.
- ¹⁸ UN Office on Genocide Prevention and R2P, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention*, 2014. Hereafter referred to as *Framework of Analysis*.
- ¹⁹ A central claim of Straus, *Making and Unmaking Nations*.
- ²⁰ Alex J. Bellamy, *Mass Atrocities and Armed Conflict: Links, Distinctions, and Implications for the Responsibility to Protect*, Stanley Foundation, Policy Analysis Brief, February 2011.
- ²¹ Leo Kuper, *Genocide: Its Political Use in the Twentieth Century* (New Haven: Yale University Press, 1982), p. 57; Helen Fein, *Accounting for Genocide: National Response and Jewish Victimization During the Holocaust* (New York: Free Press), p. 9.
- ²² Ban, *State Responsibility*, para. 18
- ²³ *Ibid.*, para. 19
- ²⁴ *Ibid.*, para. 20.
- ²⁵ *Ibid.*
- ²⁶ Barbara Harff, "No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder since 1955," *American Political Science Review*, Vol. 97, No. 1, p. 67; and Bernd Simon and Bert Klendermans, "Politicized Collective Identity: A Social Psychological Analysis," *American Psychologist*, 2001, p. 319.
- ²⁷ Ban, *State Responsibility*, para. 21.
- ²⁸ See Raymond Gilpin, *Economic Drivers of Mass Atrocities: Implications for Policy and Prevention*, Stanley Foundation, Policy Analysis Brief, August 2015.
- ²⁹ The evidence of a link between wealth and risk is stronger for civil war than it is for genocide, but nonetheless, there is a relationship between them (which we can presume is stronger for the broader category of atrocity crimes). This connection is compounded by the fact that the presence of civil war significantly increases the risk of atrocity crimes. See Francis Stewart, "The Causes of Civil War and Genocide: A Comparison," in *Responding to Genocide: The Politics of*

- International Action*, ed. Adam Lupel and Ernesto Verdeja, (Boulder, CO: Lynne Rienner, 2013), p. 71.
- ³⁰ See Frances Stewart, ed., *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies* (London: Palgrave, 2008).
- ³¹ Gilpin, *Economic Drivers*, p. 3.
- ³² Gerard Prunier, *Darfur: The Ambiguous Genocide* (London: Hurst, 2005), pp. 3–4; and Julie Flint and Alex de Waal, *Darfur: A New History of a Long War* (London, New York: Zed Books, 2008), p. 19.
- ³³ Straus, *Making and Unmaking Nations*, p. 334.
- ³⁴ Ban, *State Responsibility*, para. 24.
- ³⁵ Harff, “No Lessons Learned,” p. 63.
- ³⁶ Hugo Slim, *Killing Civilians: Method, Madness and Morality in War* (London: Hurst, 2007); and Jonathan Leader Maynard, “Rethinking the Role of Ideology in Mass Atrocities,” *Terrorism and Political Violence*, Vol. 26, No. 5, 2014, pp. 821–841.
- ³⁷ See Stewart, “Causes of Civil War and Genocide.”
- ³⁸ Harff, “No Lessons Learned,” p. 66.
- ³⁹ Matthew Krain, “Democracy, Internal War, and State-Sponsored Mass Murder,” *Human Rights Review*, Vol. 1, No. 3, 2000, pp. 40–48.
- ⁴⁰ For more on the relationship between democratic transition, atrocity crimes, and prevention, see Stephen McLoughlin, “Understanding Mass Atrocity Prevention During Periods of Democratic Transition,” *Politics and Governance*, Vol. 3, No. 3, 2015, pp. 27–41.
- ⁴¹ UN, *Framework of Analysis*, p. 14.
- ⁴² Ban, *State Responsibility*, para. 22.
- ⁴³ The UN *Framework of Analysis* identifies 10 to 14 indicators for each of its specified risk factors, which include “situations of armed conflict” and “weakness of state institutions.”
- ⁴⁴ UN, *Framework of Analysis*, p. 7.
- ⁴⁵ The many functions of which were ably detailed in Maynard, “Rethinking the Role of Ideology.”
- ⁴⁶ Benjamin Valentino, *Final Solutions: Mass Killing and Genocide in the 20th Century* (Ithaca, NY: Cornell University Press, 2004), p. 235.
- ⁴⁷ Ibid.
- ⁴⁸ Ibid., p. 69.
- ⁴⁹ Ibid., pp. 68–90. The basic themes and assumptions that underpin Valentino’s work are also evident in Alexander Downes’s account of “civilian victimization” in war, which Downes defines as government-sanctioned military strategies that either intentionally or predictably kill large numbers of noncombatants. Downes, *Targeting Civilians in War* (Ithaca, NY: Cornell University Press, 2008), p. 10.
- ⁵⁰ Jeremy M. Weinstein, *Inside Rebellion: The Politics of Insurgent Violence* (Cambridge: Cambridge University Press, 2007); and Mary Kaldor, *New and Old Wars: Organized Violence in a Global Age* (Cambridge: Polity, 1997).
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- ⁵³ See Collier, *Wars, Guns & Votes*.
- ⁵⁴ This link is well established. On Bosnia, see Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Washington, DC: Brookings Institution, 1995). On Rwanda and Sierra Leone, see Paul D. Williams, “Peace Operations and the International Financial Institutions: Insights from Rwanda and Sierra Leone,” *International Peacekeeping*, Vol. 11, No. 1, 2004, pp. 103–123.
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- ⁵⁷ Lyman H. Legters, “Soviet Deportation of a Whole Nation,” in *Century of Genocide: Eyewitness Accounts and Critical Views*, ed. Samuel Totten, William S. Parsons, and Israel W. Charny (New York: Garland Publishing, 1997), pp. 113–115.
- ⁵⁸ Stewart, *Horizontal Inequalities*, p. 109.
- ⁵⁹ On the heightened competition for land and resources, see Prunier, *Darfur*, pp. 3–4.
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- ⁶¹ Woodward, *Balkan Tragedy*, p. 15.
- ⁶² See David Keen, *The Benefits of Famine: A Political Economy of Famine and Relief in Southwestern Sudan 1983–1989*, (Princeton, NJ: Princeton University Press, 1994); and Thomas Kinneally, *Three Famines* (New York: Knopf, 2010).
- ⁶³ Karin Solveig Bjornson and Kurt Jonassohn, *Genocide and Gross Human Rights Violations*, (New Brunswick, NJ: Transaction Publishers, 1998), p. 44.
- ⁶⁴ Julie Flint and Alex de Waal, *Darfur: A New History of a Long War* (London, New York: Zed Books, 2008), p. 19.
- ⁶⁵ Ibid., p. 158.

- ⁶⁶ This is the central argument of Frederic Megret, "Beyond the 'Salvation' Paradigm: Responsibility to Protect (Others) vs. the Power of Protecting Oneself," *Security Dialogue*, Vol. 40, No. 6, 2009, pp. 575–595.
- ⁶⁷ On resilience, see Markus Keck and Patrick Sakdapolrak, "What Is Social Resilience? Lessons Learned and Ways Forward," *Erdkunde*, Vol. 67, No. 1, 2013, p. 5.
- ⁶⁸ Stanley Foundation, *Preventing Mass Atrocities: Resilient Societies, State Capacity, and Structural Reform*, Policy Memo, October 30, 2013, p. 3.
- ⁶⁹ The term *managing diversity* was introduced by Francis Deng, former special adviser to the UN secretary-general for the prevention of genocide. See UN News, "Managing Diversity a Challenge for all Countries, Says UN Genocide Prevention Official," March 19, 2010. Deng described it as a "crucial preventive principle." Francis M. Deng, "Sovereignty as Responsibility for the Prevention of Genocide," in *Confronting Genocide*, ed. Rene Provost and Prayam Akhavan (New York: Springer, 2011), p. 78. For a detailed account, see Pauline H. Baker, *Getting Along: Managing Diversity for Atrocity Prevention in Socially Divided Societies*, Stanley Foundation, Policy Analysis Brief, September 2012.
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- ⁷¹ Straus, *Making and Unmaking Nations*, p. 323.
- ⁷² Stanley Foundation, *Strategies and Next Steps*, p. 4.
- ⁷³ Aning and Okyere, *Responsibility to Prevent in Africa*, p. 4.
- ⁷⁴ On which, see Jonathan Leader Maynard, "Combatting Atrocity-Justifying Ideologies," in Sharma and Welsh, *Responsibility to Prevent*, pp. 189–225; and Jonathan Leader Maynard, "Preventing Mass Atrocities: Ideological Strategies and Interventions," *Politics and Governance*, Vol. 3, No. 3, 2015, pp. 67–84.
- ⁷⁵ On the centrality of ending armed conflicts, see Straus, *Making and Unmaking Nations*, p. 323.
- ⁷⁶ See Aning and Okyere, *Responsibility to Prevent in Africa*, p. 6.
- ⁷⁷ Baker, *Getting Along*.
- ⁷⁸ Aning and Okyere, *Responsibility to Prevent in Africa*, p. 1.
- ⁷⁹ In *A New Multilateralism for Atrocities Prevention: A Global Fund and Development Agenda Advancing the Rule of Law*, authors Mark P. Lagon and Ryan Kaminski write, "The prevention of atrocities should prioritize rule of law capacity building." Stanley Foundation, Policy Analysis Brief, March 2015, p. 1.
- ⁸⁰ UN, *Framework of Analysis*, p. 3.
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- ⁸⁶ Gilpin, *Economic Drivers*, p. 10.
- ⁸⁷ On the role of the private sector, see John Forrer's and Conor Seyle's forthcoming edited book on the private sector and the prevention of atrocities, *Engaging Business in the Responsibility to Protect*, (Cambridge: Cambridge University Press, 2016 forthcoming).
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- ⁹¹ Ban, *Implementing the Responsibility to Protect*, paras. 17, 27, 37, 43, 44, 45, 47, 59.
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- ¹¹² Ban, *Implementing the Responsibility to Protect*, para. 44.
- ¹¹³ The secretary-general identified some of these sources of resilience, which he described as "inhibitors" in his 2014 report on R2P. They are a professional and accountable security sector, impartial institutions for overseeing political transitions, independent judicial and human rights institutions, capacity to assess risk and mobilize early response, local capacity to resolve conflicts, media capacity to counteract prejudice and hate speech, and a capacity for effective and legitimate transitional justice. This should not be considered a definitive list. Specific inhibitors will differ from country to country. Ban, *Fulfilling Our Collective Responsibility*, paras. 43–58.
- ¹¹⁴ Ban, *State Responsibility*, para. 71.
- ¹¹⁵ *Ibid.*, para. 74.
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- ¹²³ The political and controversial nature of atrocities prevention is a central theme of Sharma and Welsh, eds., *Responsibility to Prevent*.
- ¹²⁴ "Do no harm" was one of the guiding principles identified by the secretary-general in his 2014 report on R2P. Ban Ki-moon, *Fulfilling Our Collective Responsibility*, para. 14.

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