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# The Evolution of Mass Atrocity Early Warning in the UN Secretariat: Fit for Purpose?

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## ABSTRACT


A lack of early warning by the United Nations Secretariat of the Rwandan genocide contributed, in part, to the failure of the international community to respond in a timely manner to this crisis. In the intervening decades, alongside the strengthening of the norm of civilian protection, the UN has enhanced its capacity for early warning through greater personnel numbers, as well as the refining of risk analysis through the development of frameworks of analysis for atrocity crimes. However, to date, there has been no systematic study of the evolution and practice of mass atrocity early warning within the United Nations Secretariat, and the impact this has had on UN-led responses to impending and unfolding cases of mass atrocity crimes. In this article, we analyse the evolution of early warning within the UN Secretariat and how the Secretariat responded (or failed to respond) to escalating violence in Rwanda, Darfur, Côte d'Ivoire and Ethiopia. This analysis finds that despite incremental improvements in mass atrocity early warning in the UN Secretariat (which contributed to more timely responses in Côte d'Ivoire), more recent cases demonstrate that failure is no longer due to lack of early warning, but a result of lack of political will.

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**KEYWORDS** Early warning; mass atrocities; prevention; United Nations; UN Secretariat

## Introduction

States have long been resistant to enabling the UN Secretariat to have advanced capacities for monitoring and early warning of impending atrocities due to concerns over sovereignty.<sup>1</sup> Yet, as part of the 2005 agreement on the responsibility to protect, all UN members expressed the intention to

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<sup>1</sup>Since the very first attempts to an office for early warning within the UN Secretariat, there has been resistance from member states, principally due to such offices potentially having the capacity to

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‘support the United Nations in establishing an early warning capability’ which was embedded within the renewed determination to respond to mass atrocity crimes.<sup>2</sup> Some of this ambition has been realized in the form of a dedicated Joint Office within the UN Secretariat – on Genocide Prevention and the Responsibility to Protect – which has been given increased capacity for analysis and information collection. However, no scholarly study of the UN Secretariat’s current capacity for mass atrocity early warning has been conducted. Indeed, the last scholarly study of conflict early warning (which did not focus specifically on mass atrocities) within the UN Secretariat was published in 2011.<sup>3</sup> This is significant because there have been numerous claims that failures to respond to past atrocities have partly been a failure of early warning.<sup>4</sup> There is also *prima facie* evidence to suggest that – despite ongoing failures of prevention – improvements in UN response to impending atrocities since the mid-2000s has been partly a product of better early warning in some cases.<sup>5</sup>

Early warning contains three components: gathering information, analysing information, and the communication of this information to decision-makers.<sup>6</sup> Early warning analysis has traditionally focused on forecasting impending conflict, while it is now increasingly nuanced with specific mechanisms aimed at providing warning of mass atrocities. We focus on the early warning of mass atrocities in this article, while also including the precursor mechanisms that focused on conflict early warning more broadly. A principal reason for this focus is that past cases of failure by the international community to prevent atrocity crimes have occurred when heightened risk factors associated with such violence were ignored when other priorities (such as the negotiation of peace agreements) took precedence.<sup>7</sup>

The UN Secretariat translates, coordinates, and monitors the work mandated by the General Assembly and the Security Council.<sup>8</sup> All key capacities for conflict early warning and mass atrocity early warning have been based in the Secretariat, located predominantly in UN Headquarters in New York. It hosts the key offices and departments responsible for information collection, analysis, and communication, which are positioned to receive (from various agencies and missions in the field), distil and disseminate information pertinent to escalating risk to key decisionmakers, including the Secretary-

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collect information against some UN member states. See Sutterlin, ‘Early Warning and Conflict Prevention’, 18; McLoughlin, *The Structural Prevention*, 13.

<sup>2</sup>A/RES/60/1. Atrocity crimes in this article refer to genocide, crimes against humanity, war crimes and ethnic cleansing.

<sup>3</sup>Zenko and Friedman, ‘Early Warning for Preventing Conflict’.

<sup>4</sup>Cockell, ‘Early Warning’, 186-187; Piiparinen, ‘Beyond the Mystery of the Rwanda ‘Black Box’.

<sup>5</sup>See McLoughlin, ‘Moving beyond ‘technical fixes’.

<sup>6</sup>Sutterlin, ‘Early Warning and Conflict Prevention’, 24.

<sup>7</sup>Two such examples discussed in this article are Rwanda in 1994 and Darfur in 2003/4.

<sup>8</sup>United Nations, ‘Secretariat’.

General and the Security Council. These include the Department of Political and Peacebuilding Affairs (DPPA), the Department of Peace Operations (DPO), the Office for the Coordination of Humanitarian Affairs (OCHA), the Special Advisers to the Secretary-General for Genocide Prevention and the Responsibility to Protect, and the Office of the High Commissioner for Human Rights (OHCHR).<sup>9</sup> The Secretariat has been the focal point for early warning since the late 1980s when the first formal office with this function was established in the Office of the Secretary-General.<sup>10</sup> As such, it functions as a conduit between those in the field and those who have the power to respond and react to prevent violence.

The history of the Secretariat's mechanisms on early warning runs in parallel to the history of failures of early warning, starting with the Rwandan genocide in 1994, which significantly influenced attempts to develop better mechanisms.<sup>11</sup> Early warning in the initial Office for Research and the Collection of Information in 1988 was succeeded by the Department of Political Affairs (DPA) in 1992. In the same year the Department of Peacekeeping Operations (DPKO) was created to coordinate and provide support to peacekeeping missions throughout the world.<sup>12</sup> In late 1991 the Department of Humanitarian Affairs (a precursor to the Office for the Coordination of Humanitarian Affairs) was established to provide parallel support for humanitarian missions. All three departments were positioned to receive and pass on information pertinent to impending conflict and mass atrocities. However, the lacklustre response to the genocides in Rwanda and Srebrenica, and the atrocities in Darfur (in 2003/4), exposed limitations in the way the Secretariat practiced early warning.<sup>13</sup> The establishment of the Office for the Special Adviser for the Prevention of Genocide (OSAPG) in 2004 marked the shift towards early warning on atrocities more specifically. In 2009 the OSAPG developed an analytical framework for genocide risk, becoming more tailored towards atrocity crimes. Following on from the Rwandan genocide and other failures, including the Srebrenica massacre, the formation of the responsibility to protect (R2P) was institutionalized in the form of the Special Advisor on R2P.<sup>14</sup> After these two offices became the Joint Office, they created a shared risk assessment framework, initially for the specific crime of genocide, then subsequently for all four atrocity crimes, known as the framework of analysis. The conflict in Côte d'Ivoire is a case where the framework of analysis for genocide was used to analyse the early risks of

<sup>9</sup>Based in Geneva.

<sup>10</sup>Ramcharan, *The International Law and the Practice of Early Warning*, 67-68.

<sup>11</sup>Adelman, "Humanitarian and Conflict-Oriented Early Warning", 47-48.

<sup>12</sup>Boothby and D'Angelo, "Building Capacity", 260.

<sup>13</sup>Rubin and Jones, "Prevention of Violent Conflict", 404.

<sup>14</sup>UN Office on Genocide Prevention and the Responsibility to Protect, *The Special Advisers*.

atrocities.<sup>15</sup> Increasingly sophisticated early warning mechanisms have been developed over decades, in parallel to the failures of early warning in cases of mass atrocities.

The purpose of this article is to chart the evolution of mass atrocity early warning within the UN Secretariat, highlighting changes to capacity and practice, and challenges that still remain. We argue that while the failure of the international community to prevent genocide and atrocities in Rwanda and Darfur was in part due to a lack of targeted early warning, more recent cases demonstrate that failure is no longer due to lack of early warning, but a result of lack of political will. Although improvements in the capacity of UN staffers within the UN Secretariat to conduct mass atrocity early warning has led to timely action that prevented an escalation of violence in at least one case (Côte d'Ivoire), the same could not be said for Ethiopia in late 2020, where the crisis barely rated a mention in the Security Council, despite offices within the Secretariat identifying compelling and escalating risk. More research is needed to understand the nexus between the practice of early warning and the political will of international actors in order to gain further clarity on precisely what the impact of such practices are. The article proceeds in four parts. The first part charts the conceptual development of early warning within the broader remit of monitoring risk for violent conflict within the UN Secretariat. The second part explores how mass atrocity early warning arose as a priority within the Secretariat, particularly over the last fifteen years with the establishment of the Joint Office of Genocide Prevention and the Responsibility to Protect (known as the Joint Office). In the third part we analyse how the practice of early warning played out in four cases involving impending or unfolding mass atrocities (Rwanda 1994, Darfur 2003/4, Côte d'Ivoire 2010/11 and Ethiopia (2020/21). These cases are illustrative, to highlight key stages in the development of the Secretariat's capacities on early warning, each case occurring in a different decade from the 1990s to the 2020s. Finally, we offer reflections on challenges associated with the practice of mass atrocity early warning within the UN Secretariat, and identify areas that warrant further research.

## **The Evolution of Early Warning Within the UN Secretariat**

### ***Early Appeals for and Resistance to Conflict Early Warning***

Early attempts to establish conflict early warning capacity, as a precursor to mass atrocity early warning, within the UN Secretariat was met with resistance from member states, resulting in limited capacity to carry out

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<sup>15</sup>UN Office on Genocide Prevention and the Responsibility to Protect, *Framework of Analysis*.

information gathering, analysis and communication. Appeals for the establishment of conflict early warning mechanism date from the 1950s, with scholars such as Quincy Wright and Kenneth Boulding.<sup>16</sup> Within the UN system, it was Secretary-General Dag Hammarskjöld who first proposed the idea of developing early warning capacity. At a time when Cold War rivalries were inhibiting international cooperation, Hammarskjöld felt that the UN could play a central role in resolving local conflicts before they escalated into regional or international wars, by engaging in what he termed as ‘preventive diplomacy’.<sup>17</sup> However, such ideas failed to materialize until the 1980s, when the then Secretary-General Javier Perez de Cuellar appealed for greater capacity to anticipate escalating tensions, to allow the Security Council sufficient time to respond. In 1981 a Human Rights Commission report called for the creation of an early warning system within the UN. In the following year, de Cuellar, in his first report to the UN General Assembly strengthened the case, arguing that such capacity would give them the tools to diffuse conflicts at an earlier stage, rather than once they hit crisis point.<sup>18</sup> Following the eruption of the Falklands War, which had taken the Secretariat by surprise, de Cuellar pushed for the UN to establish capacity for the collection of information relevant and the provision of reports on areas where escalating crises – possibly leading to conflict – were unfolding. Consultations took place between 1983 and 1987, leading to the establishment of the Office for Research and the Collection of Information (ORCI).

Based in the Office of the Secretary-General, ORCI was tasked with briefing the security and humanitarian wings of the organization with information about escalating risk in relation to conflict, by ‘conducting research, assessing global trends, and bringing potential trouble spots and critical security situations to the attention of the Secretary-General.’<sup>19</sup> The office initially had a staff of forty and aimed to develop both qualitative and quantitative risk analyses in understand conflict trends and to provide early warning. This approach was comprehensive and sophisticated, drawing on traditional methods of information gathering, as well as developing ‘conflict indicators’ in a way that had not been done within the UN before. The purpose was to give advice to the Secretary-General, who had the power to use his good offices to communicate with relevant states or regional bodies, or to bring such instances to the attention of the Security Council, through the powers afforded in Article 99 of the UN Charter.<sup>20</sup>

<sup>16</sup>Wright, ‘Project for a World Intelligence Center’, 94; Ramsbotham et al, *Contemporary Conflict Resolution*, 112.

<sup>17</sup>Zachar, *Dag Hammarskjöld’s United Nations*, 67–68.

<sup>18</sup>de Cuellar, quoted in Carment and Schnabel, *Conflict Prevention*, 15.

<sup>19</sup>Ramcharan, *The International Law*, 67.

<sup>20</sup>*Ibid*, 45.

Almost from its inception however, ORCI was confronted by obstacles that ultimately contributed to its inoperability and eventual closure. There were two reasons for this. The first was resistance by member states. Several states, including the US and the USSR, were not supportive of the idea that a UN office would have the capacity to collect intelligence. This was a function which they believed was incompatible with an institution whose role was meant to be neutral.<sup>21</sup> The second was budgeting. ORCI was established during a system-wide freeze on UN recruitment, which compelled de Cuellar to second staffers from other departments, which created delays in their work, as well as resistance and tensions with other under-resourced departments.<sup>22</sup> The secondment practice also worked against ORCI's favour, with its own staffers constantly being recalled to other parts of the Secretariat, often diminishing the size of the office to half its original number of personnel.<sup>23</sup> This left the office unable to perform most of its declared functions. Moreover, there were no formal means by which the receiving sharing of crucial information could be facilitated, and some agencies were hostile to providing what they believed to be 'political' information that could compromise their own mandates in the field, and jeopardize relations with local authorities.<sup>24</sup> These limitations ultimately contributed to the demise of ORCI, rendering it unable to collect and disseminate information. When Boutros Boutros-Ghali succeeded de Cuellar as Secretary-General in 1992, he closed down ORCI, as part of a broader set of cost-cutting measures at the behest of the UN's key donors.<sup>25</sup>

Despite the closure of ORCI, Boutros-Ghali acknowledged the ongoing need for the UN system to maintain early warning capacity. In his seminal 1992 report, *An Agenda for Peace*, he wrote that the UN 'should seek to identify at the earliest possible stage situations that could produce conflict and try through diplomacy to remove the sources of danger before violence results.'<sup>26</sup> The original functions of ORCI were then transferred to the newly created Department of Political Affairs (DPA),<sup>27</sup> whose central role is to 'prevent and resolve deadly conflict around the world',<sup>28</sup> and the Department of Humanitarian Affairs,<sup>29</sup> which coordinates, finances, advocates for and develops policy in relation to UN-led humanitarian missions (OCHA 2023).<sup>30</sup> The DPA was given the charge of being the key contact with the

<sup>21</sup>Boothby and D'Angelo, "Building Capacity", 252.

<sup>22</sup>Kanninen and Kumar, "the Evolution of the Doctrine and Practice", 50.

<sup>23</sup>Peck, *Sustainable Peace*, 73.

<sup>24</sup>Sutterlin, "Early Warning and Conflict Prevention", 124.

<sup>25</sup>Boothby and D'Angelo, "Building Capacity", 252.

<sup>26</sup>Boutros Boutros-Ghali, *An Agenda for Peace*, para 15.

<sup>27</sup>Now known as the Department of Political and Peacebuilding Affairs (DPPA).

<sup>28</sup>United Nations Department of Political and Peacebuilding Affairs, "What we do".

<sup>29</sup>Now known as the Office for the Coordination of Humanitarian Affairs (OCHA).

<sup>30</sup>For more information, see, respectively <https://dppa.un.org/en> and <https://www.unocha.org/>.



Secretary-General's office in relation to conveying news about conflict-related risk. Among other remits, the DPA became the *de facto* coordinator of conflict prevention within the UN system. Assisting in the collection, analysis and sharing of information was the DPKO (now DPO),<sup>31</sup> whose remit was to provide support and direction to the various peace operations around the world.<sup>32</sup> The procedures that arose within the DPA initially came on the back of failures, particularly in relation to Rwanda in 1994. In 1995, a Policy Analysis Team was established to improve both early warning analysis, and to make recommendations as to how to respond.<sup>33</sup> In 1995, Kieran Prendergast, then Under Secretary-General for Political Affairs, established the DPA Prevention Team, whose task was to identify situations which appeared to be at high risk of escalating into violent conflict, and which might compel a preventive response from the UN. 'Preventive Teams' were set up, with four regional divisions providing the Secretary-General with regular updates about at-risk locations, deriving their information from other UN departments and agencies, as well as open sources.<sup>34</sup> Under Secretary-General, Kofi Annan, the DPA also set up avenues for more effective consultation between UN departments and agencies through the establishment of the Executive Committee on Peace and Security (ECPS), which would meet twice monthly to facilitate 'high level discussion and decision-making' on issues related to early warning and prevention.<sup>35</sup>

However, none of these improvements removed the reticence – and sometimes hostility – that many member states felt about allowing the UN to have the capacity to provide early warning analysis out of concern that such a function could one day compromise their own sovereignty. The capacity for the DPA to provide adequate early warning analysis during the 1990s and the first decade of the 2000s was profoundly limited,<sup>36</sup> and there was no enthusiasm from member states to afford it the resources it needed to conduct this work adequately.

### *Early Warning Within a 'Culture of Prevention'*

Following failures in Rwanda (where 800,000 Tutsis and moderate Hutus were killed) and Srebrenica (where 8,000 Muslim men and boys were killed), the late 1990s and first decade of the 2000s saw increased capacity for early warning, and an attempt to use the Department of Political Affairs as a focal point for a system-wide 'culture of prevention'. After

<sup>31</sup> Now known as the Department of Peace Operations (DPO).

<sup>32</sup> United Nations Peacekeeping, "Department of Peace Operations".

<sup>33</sup> Adelman, "Humanitarian and Conflict-Oriented Early Warning", 47.

<sup>34</sup> Boothby and D'Angelo, "Building Capacity", 260.

<sup>35</sup> Ibid, 257.

<sup>36</sup> Rubin and Jones, "Prevention of Violent Conflict", 404.

releasing a report highlighting the slowness in progress in developing early warning capacity, Kofi Annan appealed to the General Assembly to provide more resources to the DPA to enable staffers to provide adequate analysis and policy recommendations, arguing that the DPA – given its connections with field missions as well as its proximity to the Office of the Secretary-General – should become the UN system’s ‘focal point’ for Annan’s vision of a ‘culture of prevention’ within the UN system (Annan, 2001: 50). This focal point was tailored to be a clearing ground for information coming from various UN missions. For example, the United Nations Development Programme, through its Crisis Bureau was designed to with information about cases of escalating risk to the Secretariat, particularly when extra resources are needed to respond.<sup>37</sup> While the General Assembly acknowledged the need for greater capacity (A/RES/57/337), little was done, ensuring that through much of the early 2000s, the same challenges persisted.<sup>38</sup>

These limitations in the everyday practice within the DPA of information gathering, analysis and policy recommendations were further highlighted by an oversight report carried out by the Economic and Social Council in 2006. It stated that the DPA still had limited access to ‘timely and detailed information’, which in turn adversely affected their ability to conduct effective early warning.<sup>39</sup> This had a flow-on effect, hindering the Department’s ability to obtain information from other UN departments and regional divisions. The Office of Internal Oversight Services pointed out that that there was lack of structure and reciprocity in the methods of information flow in various field locations, as well as between the field and UN headquarters.<sup>40</sup> This ‘limited the potential for meaningful long-term cooperation’.<sup>41</sup> The report also underscored just how inadequate its early warning capacity was, noting that desk officers were only able to devote a small portion of their time to early warning. They devoted 16 per cent of their time writing analytical papers, and less than 20 per cent was set aside for ‘monitoring and research activities that build and update the knowledge base that in turn supports all of the other substantive work.’<sup>42</sup> This amounted to roughly ninety minutes per day. Given that most desk officers were allocated five countries to monitor, this broke down to eighteen minutes per country per day (UNECOSOC, 2006: 13). As a result, the report deemed that the DPA’s capacity for early warning was ‘suboptimal.’<sup>43</sup> This report prompted Ban Ki-moon to point out that the resources currently available to the DPA

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<sup>37</sup>UNDP, *Crisis Response*.

<sup>38</sup>Annan, “Prevention of Armed Conflict”, 27.

<sup>39</sup>UNECOSOC, *Report for the Committee*, 15.

<sup>40</sup>*Ibid.*, 8.

<sup>41</sup>*Ibid.*, 8.

<sup>42</sup>*Ibid.*, 13.

<sup>43</sup>*Ibid.*, 15.

were inadequate to carry out its early warning mandate as laid out in General Assembly Resolution 57/337, and Security Council Resolution 625.<sup>44</sup> He requested the establishment of an additional ninety-six posts to address this shortfall.<sup>45</sup> Given that such research and analysis formed the foundation of subsequent preventive work that the Department carried out, this limited early warning capacity had clear implications for the DPA's preventive diplomacy and mediation functions.

Response to the request was luke-warm. The General Assembly approved the changes to the structure of the Department, which, the Office stated, would enhance the DPA's 'knowledge management', as well as 'coordination and collaboration, both within the Department and with key partners.'<sup>46</sup> However, with only forty-nine new positions approved, it fell well short of what had originally been called for, meaning the DPA remained understaffed, compromising its ability to gather information and conduct analyses particularly in the Middle East and West Africa. It also undermined the Department's ability to develop direct relationships in these locations, 'thereby weakening DPA's ability to identify early warning signals.'<sup>47</sup> This was another example of resistance to providing the DPA (and the Secretariat) with the tools it needed to conduct early warning adequately.

Over the last decade, two more developments contributed to greater integration and streamlining of early warning practices within the UN Secretariat. Under Ban Ki-moon, the UN established Human Rights Up Front (HRUF) in 2013. This was an initiative that aimed to facilitate greater coherence and collaboration between various offices and departments that had, as part of their remit, prevention, and early warning. It aimed to reform the UN's operational culture, raise the profile of human rights violations (as signifiers of heightened risk of conflict and/or mass atrocities), and to provide mechanisms for encouraging member states to address such violations. Changes included the introduction of regional quarterly reviews within the UN Secretariat, which brought together members of different offices and departments to discuss cases of risk; and the introduction of horizon scanning briefings in the Security Council, where the Secretariat informed Security Council members of cases of escalating risk.<sup>48</sup> Further reforms were introduced by incoming Secretary-General, António Guterres in 2017. In efforts to break down the siloing between departments, Guterres merged peacebuilding and political affairs to create the Department of Political and Peacebuilding Affairs (DPPA) and created the Department of Peace Operations (DPO) out of the

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<sup>44</sup>Ban Ki-moon, *Revised Estimates*, 2.

<sup>45</sup>*Ibid.*, 2.

<sup>46</sup>UNECOSOC, *Triennial Review*, 3.

<sup>47</sup>Zenko and Friedman, "Early Warning for Prevention", 23.

<sup>48</sup>Kurtz, "With Courage and Coherence", 15.

former DPKO. These changes involved locating these departments in the same office and merging regional desks so that information-sharing and inter-departmental collaboration would become easier and would be shared further upstream from the outbreak of crises.<sup>49</sup> These changes aimed to strengthen ‘coherence between the security, development and human rights pillars of the UN’.<sup>50</sup> Regional quarterly reviews became monthly, though horizon-scanning was dropped.

### *Developing Analytical Tools for Genocide and Mass Atrocity Early Warning*

From the mid-2000s, the UN Secretariat moved to tailor analytical capacity for the more specific phenomena of genocide and other atrocity crimes, narrowed from previous analysis on conflict prevention. Good early warning is premised on a robust understanding of the causes of mass atrocities, the scholarship for which has improved significantly over the last three decades. The field of comparative genocide studies has yielded more robust theoretical claims on the causes and triggers of genocide and other atrocity crimes. In turn, there has been a growth of quantitative research into the salient preconditions and risk factors of such violence.<sup>51</sup> In 2004, Secretary-General Kofi Annan established the Office for the Special Adviser for the Prevention of Genocide (OSAPG). This small office was mandated with raising awareness of the causes of genocide, and of ‘alerting relevant actors where there is a risk of genocide, and to advocate and to mobilize for appropriate action.’<sup>52</sup> However, like the DPA, the OSAPG also experienced funding restrictions, which saw the first Special Adviser, Juan Méndez, appointed only on a part time basis, renewed annually. Following Méndez’ retirement from the post in 2007, the new Secretary-General, Ban Ki-moon, appointed Francis Deng as his replacement, and establishing a new office, that of the Special Adviser for R2P. The two advisers – Frances Deng and Edward Luck, worked closely together, broadening the early warning work from a specific focus on genocide, to that of other atrocity crimes.<sup>53</sup> The strengthening of the Office of the Special Adviser under Deng helped to significantly advance work on early warning with the groundwork being laid for a joint office for genocide prevention and R2P, with a critical role in early warning.<sup>54</sup> For the first time, early warning analytical capacity was being framed specially for atrocity crimes.

<sup>49</sup>Guterres, “Restructuring the United Nations Peace and Security”, 8.

<sup>50</sup>Jacob, “The Status of Human Protection”, 7.

<sup>51</sup>See, for example, Verdeja, “Predicting Genocide and Mass Atrocities”; Harff, “Countries at Risk of Genocide and Politicide”.

<sup>52</sup>UN Joint Office, “Mandate”.

<sup>53</sup>Bellamy, *Global Politics*, 136.

<sup>54</sup>*Ibid.*, 137.

The Joint Office for Genocide Prevention and the Responsibility to Protect has, over the last decade, developed analytical capacity to sensitize early warning analysis to mass atrocity crimes. In 2009, the Office of the Special Adviser for the Prevention of Genocide (OSAPG) developed an analytical framework for genocide risk.<sup>55</sup> When the OSAPG merged with the Office for the Special Adviser for the Responsibility to Protect (forming the Joint Office),<sup>56</sup> they expanded the risk analysis framework to incorporate crimes against humanity, war crimes and ethnic cleansing.<sup>57</sup> This Framework of Analysis is used both within the Joint Office, and by other organizations monitoring mass atrocity-related risk situations.<sup>58</sup> It supports the early warning role that the Office's two Special Advisers play, particularly to bolster their efforts at 'advocacy efforts to mobilize the United Nations system and Member States to take effective action in response to situations where populations are at risk of atrocity crimes.'<sup>59</sup> The Framework is deployed as an assessment tool which monitors developments which indicate the escalation of mass atrocity risk; based on such assessment, the special advisers can then decide to act in various ways – bringing such assessments to the attention of the Secretary-General, the Security Council, or other UN officials, as well as by releasing public briefings.<sup>60</sup> There is scope for the Framework of Analysis to be more intersectional in its analysis.<sup>61</sup> The logic is that a more specific kind of early warning would yield more targeted preventive responses.

Refining analytical capacity reflects, in practical terms, the translation of scholarly knowledge into policy tools that have the potential to target unfolding situations of risk in a timely manner. However, the Joint Office is small with a limited number of personnel devoted to information collection and risk analysis. Given this refinement, the current practice of early warning, as well as the extent to which the practice has evolved and improved since the early 1990s, warrants further examination. Failures in the past have often come from incomplete or faulty information rather than absence of early warning.<sup>62</sup> This then raises the question of whether such changes to analysis and assessment lead to better preventive outcomes. Bellamy and Luck contend that in cases where the international community has failed to respond to prevent mass atrocities (such as in Rwanda and Sri Lanka),

<sup>55</sup>UN Office for Genocide Prevention and the Responsibility to Protect.

<sup>56</sup>The Office for the Special Adviser of coordinates efforts to protect populations from atrocity crimes. See <https://www.un.org/en/genocideprevention/special-adviser-responsibility-protect.shtml#>.

<sup>57</sup>United Nations Joint Office, "Framework of Analysis".

<sup>58</sup>Such as the Asia Pacific Centre for the Responsibility to Protect (<https://r2pasiapacific.org/>).

<sup>59</sup>UN Office for Genocide Prevention and the Responsibility to Protect.

<sup>60</sup>*Ibid.*

<sup>61</sup>Gifkins, Jess and Dean Cooper-Cunningham. Forthcoming. 'Queering the Responsibility to Protect', *International Affairs*.

<sup>62</sup>Bellamy and Luck, "The Responsibility to Protect", 91, 110.

there was ample early warning, but in cases where prevention has been more successful information was scantier.<sup>63</sup> This might be because of the nature of analysis, or it may reflect a weak connection between early warning and international action. To better understand this connection, the next section provides an examination of four cases (Rwanda 1994, Darfur 2003/4, Côte d'Ivoire 2010/11 and Ethiopia 2020/21), which reflect the application of early warning at different stages over the last thirty years.

## Mass Atrocity Early Warning Through the Prism of Four Cases

### *Rwanda 1994*

The lack of timely decision-making in response to the genocide in Rwanda in 1994 is in part a result of poor early warning from within the UN Secretariat. While there was no lack of information emanating from local sources (and conveyed to the DPKO by UNAMIR head of mission, Roméo Dallaire), the lack of structure and analytical capacity within the UN Secretariat to analyse and understand the gravity of the information in terms of genocide risk downplayed its importance. Instead of genocide risk, the response to the information by the DPKO was motivated by pressure to prioritize the peace process and to stay within the parameters of the mandate set out by Security Council Resolution 872. Consequently, the gravity of the risk was not formally understood, and was not conveyed to the Secretary-General, or to members of the Security Council.

Information about the planned extermination of Tutsis started to accumulate in January 1994, four months before the genocide unfolded. On January 10, Dallaire was told that someone from inside the *Interahamwe* had information that various cells within the militia were being trained for the purposes of killing the Tutsi population throughout the country.<sup>64</sup> The information, provided by an informant code-named Jean-Pierre, told of large shipments of AK-47s, their storage locations, as well as news about lists of Tutsis to be targeted, in various communes throughout the country.<sup>65</sup> As tensions escalated through January and February, Dallaire contacted DPKO headquarters on numerous occasions, warning them that the *Interahamwe* were making plans to commit ethnic cleansing against the Tutsi population.<sup>66</sup> All of this unfolded in an environment that was far more volatile than the pre-mission briefings had suggested.<sup>67</sup> As early as November and December 1993, violence was escalating on the ground, with numerous massacres of Tutsi civilians taking place throughout the

<sup>63</sup>Ibid, 178.

<sup>64</sup>Dallaire, *Shake Hands with the Devil*, 142.

<sup>65</sup>Ibid, 143.

<sup>66</sup>Barnett, *Eyewitness to a Genocide*, 81.

<sup>67</sup>Ibid, 65, 77.

country.<sup>68</sup> By the end of 1993, the situation was so volatile that a group of high-ranking Rwandan officers sent a letter not only to Dallaire, but also to several diplomatic missions, warning them of plans from within to sabotage the Arusha Accords.<sup>69</sup> It was in this context of increasing volatility that Dallaire took the information seriously, immediately cabling the DPKO in New York, conveying the revelation with a request to locate and apprehend the caches of weapons.

While there was no shortage of information, risk analysis was virtually non-existent. From the advent of UNAMIR's mission in October 1993, to the early weeks of mass violence in April 1994, the UN Secretariat adopted no formal risk analysis framed by the risk of genocide or other mass atrocities. The DPA gave its initial briefing of the mission to Dallaire in August 1993. It was brief – a two-page document providing information on the country's history, its politics, and the recent civil war. Missing was any kind of analysis of the current situation, as well as potential or simmering identity-based fault lines that had driven past violence. Around the same time, the UN Human Rights Commission in Geneva conducted their own report on Rwanda, and using the Genocide Convention as a guide, concluded that the patterns of violence in the country (such as the numerous attacks on Tutsis) were such that the term genocide was 'applicable'.<sup>70</sup> However, the UN bureaucracy in 1994 meant the organization's human rights work was siloed off from, and not shared with any departments within the UN Secretariat. This lack of analytical capacity was made evident in the absence of any bureaucratic structure to deal with the urgency and content of Dallaire's cable. The subsequent high number of cables exchanged over the coming days, as well as Dallaire's numerous phone calls made it clear that this was no ordinary information. That a meeting was 'hastily convened' in the DPKO to discuss the content of the cable also suggested that UN staffers in New York understood its seriousness. However, there were no formal structures to deal with such information, and no analysis assessing the risk of genocide was conducted. Indeed, at least one staffer resorted to placing the cable in a 'black box', or 'black folder' – an ad hoc measure to distinguish more serious cables from routine ones.<sup>71</sup> Instead of the risk of genocide or other atrocities, the cables sent by Dallaire to DPKO headquarters were viewed through the prism of the Security Council mandate,<sup>72</sup> and the desire by the Security Council and the Secretary-General to finalize the Arusha Agreement to fulfil the terms of the mission as soon as possible. Not only was the DPKO opposed to any

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<sup>68</sup>Ibid, 77.

<sup>69</sup>Ibid, 77.

<sup>70</sup>Ibid, 63; Commission on Human Rights, E/CN.4/1994/7/Add. 1, para 78.

<sup>71</sup>Piiparinen, "Beyond the Mystery of the Rwanda 'Black Box'", 336.

<sup>72</sup>S/RES/892

action they deemed beyond the bounds of the mandate, they were also averse to any action that steered the mission in the direction of peace enforcement, following the disastrous failure of the peace enforcement efforts in Somalia.<sup>73</sup> The DPKO prioritized the Arusha Agreement; and while the information about an impending massacre was compelling, the lack of formal analytical framing around genocide and other atrocities made such information easier to discard.

The lack of analytical capacity resulted in the new information being kept inhouse within the DPKO. As Barnett points out, 'Instead of passing along this information and the decision to the Council, DPKO made the call without its input.'<sup>74</sup> Of course, most issues are handled within the department, with DPKO making the judgement on this occasion that a 'Somalia-obsessed council', which at the time included Rwanda as a non-permanent member, would either not be interested, or such an action would risk placing UNAMIR's source into hostile hands. Again, as Barnett observes, 'there was a gap between what Dallaire was communicating to the Secretariat and what the Secretariat, in turn, was reporting to the Council.'<sup>75</sup> Moreover, the fact that DPKO did not have the ability to provide a genocide-related risk assessment meant that conveying the content of the cable to the Secretary-General or the Security Council would have made little difference.

### **Darfur 2003/4**

There was a serious lack of early warning analysis in the case of Darfur, and in fact there was limited awareness outside of Sudan that conflict was raging for the first six months. The lack of information and awareness was partly due to the remoteness of Darfur, with limited presence of international actors, and partly due to a strategic campaign by the government of Sudan to create a media blackout during the height of the conflict. During the first six months of the conflict there was little to no UN presence inside Darfur, with UN actors concentrated in the capital Khartoum.<sup>76</sup> The UN Children's Fund (UNICEF) had a minimal presence on the ground in Darfur from early 2003, however the government of Sudan restricted its movements and UNICEF head office in New York was not aware of the scale of the crisis until late in 2003.<sup>77</sup> Mukesh Kapila, OCHA's Resident and Humanitarian Coordinator for Sudan, was in Khartoum from early 2003 and heard reports of violence against civilians; however, in mid-2003

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<sup>73</sup>Dallaire, *Shake Hands with the Devil*, 71-72.

<sup>74</sup>Barnett, *Eyewitness to a Genocide*, 84.

<sup>75</sup>Ibid, 109.

<sup>76</sup>Traub, *The Best Intentions*, 214.

<sup>77</sup>UNICEF-DFID, "Global".



he explained, 'ours remained a half-formed, patchy understanding.'<sup>78</sup> The absence of staff from the UN in Darfur is significant because UN analysis privileges UN-generated data, so the lack of UN data limited the UN's engagement.<sup>79</sup> In fact, the first international warnings of escalating violence against civilians in Darfur came from Amnesty International and a small number of media outlets in early to mid-2003.<sup>80</sup> However, six months into the conflict when Kapila attempted to raise the alarm with UN member states he found they had extensive intelligence of destroyed villages in Darfur but were prioritizing the concurrent peace talks between North and Southern Sudan (now South Sudan) and he was repeatedly told 'not to rock the boat.'<sup>81</sup> We cannot know what might have happened if this intelligence had instead been met with a strong diplomatic response, but some have argued that this might have been sufficient to change Khartoum's calculations.<sup>82</sup> The early stages of the Darfur conflict were characterized by lack of UN-generated information, which limited the engagement of the UN.

Once the UN Secretariat became aware of escalating violence in Darfur conflicting analysis between departments became an issue.<sup>83</sup> OCHA, with a remit on humanitarian affairs, argued that it was a political crisis which required an urgent political response. DPPA on the other hand, with a remit on political affairs, viewed the crisis as unexceptional tribal violence rather than exceptional government-sponsored violence.<sup>84</sup> The head of DPPA, Kieran Prendergast, said that he became aware of the situation in Darfur from late 2003 but that at this time that deaths in Darfur were from preventable illness rather than violence.<sup>85</sup> Prendergast did, however, have access to information at the time that contradicted this perception. In late 2003, a memo from Kapila to Prendergast stated that one million people were affected by the war in Darfur and said that OCHA's office were receiving daily reports of human rights violations.<sup>86</sup> Kapila had also spoken to Prendergast in person around late 2003 and described the use of aircraft against civilians, which strongly suggested that the government were involved (Kapila and Lewis, 2013). Prendergast, however, was highly critical of the advocacy taken by OCHA on the political nature of the conflict because it was outside of their 'humanitarian' mandate.<sup>87</sup> The

<sup>78</sup>Kapila and Lewis, *Against a Tide of Evil*, 107; Cockett, *Sudan*, 169-170.

<sup>79</sup>Mac Ginty, "Peacekeeping and Data", 695-705; Jacobsen and Engell, "Conflict Prevention".

<sup>80</sup>Amnesty International, "Sudan: Urgent Call"; Amnesty International, "Sudan: Empty Promises?"; Amnesty International, "Sudan: Looming Crisis in Darfur".

<sup>81</sup>Kapila and Lewis, *Against a Tide of Evil*, 108-119.

<sup>82</sup>Cockett, *Sudan*, 199; Traub, *The Best Intentions*.

<sup>83</sup>Gifkins, "Darfur"; Gifkins, "Naming and Framing".

<sup>84</sup>The Department of Political and Peacekeeping Affairs was known as the Department of Political Affairs at the time.

<sup>85</sup>Frontline, "Interview with Kieran Prendergast".

<sup>86</sup>*Ibid.*

<sup>87</sup>Kapila and Lewis, *Against a Tide of Evil*.

divergent interpretations between OCHA and DPPA – as an urgent political crisis or as an unremarkable humanitarian crisis – meant that there were two different arguments that states could align with, both of which had the legitimated authority of backing by the UN Secretariat.<sup>88</sup> DPPA and OCHA maintained divergent interpretations of the situation on the ground in Darfur.

These divisions also limited the effectiveness of Secretariat lobbying within the UN Security Council. OCHA staff lobbied for action by the UN Security Council and sought support from the DPPA in doing so, which was not forthcoming.<sup>89</sup> The US and UK initially used the DPPA's depoliticized framing to justify their focus on the north–south peace process to the exclusion of Darfur.<sup>90</sup> Charles Snyder, from the US State Department, described the situation in Darfur using the same depoliticized framing as the DPPA; as a 'standard African civil war.'<sup>91</sup> Similarly, statements issued by the UK a month apart were almost identical in wording except that the first statement referred to 'armed groups' and 'armed fighters', which the second statement referred to 'tribal groups' which minimized the political nature of the violence.<sup>92</sup> The depoliticized stance taken by the DPPA, along with divisions within the UN Secretariat, enhanced the legitimacy of the decision taken by Western states early in the conflict to focus on the north–south peace talks to the exclusion of Darfur.

The key shift towards international attention on Darfur however was framing the situation in Darfur as analogous to the Rwandan genocide. After being stonewalled by Western governments, out of frustration Mukesh Kapila spoke to the media about Darfur 19 March 2004 where he described the situation in clear political terms as 'ethnic cleansing' and said that 'the only difference between Rwanda and Darfur is the numbers involved of dead, tortured, and raped.'<sup>93</sup> Kapila's statement was made weeks before the tenth anniversary of the Rwandan genocide, which generated a lot of media attention as Kapila's statement gave the media a 'current' angle to the anniversary. Kapila's statement has therefore been described as the 'spark' for a rapid increase in media interest in the case, especially in the United States.<sup>94</sup> What this suggests, however, is that OCHA reached for an analogy to help people understand the crisis in Darfur because they did not have readily available tools of analysis for communicating genocide risk. While the Rwandan case can be framed as the Secretariat not communicating key information with the Security Council, by the time of the Darfur

<sup>88</sup>Gifkins, "Beyond the Veto".

<sup>89</sup>Kapila, "Why the International Community Failed Darfur"; Kapila and Lewis, *Against a Tide of Evil*; Traub, *The Best Intentions*.

<sup>90</sup>Srinivasan, "Negotiating Violence".

<sup>91</sup>Cockett, *Sudan*, 196.

<sup>92</sup>Srinivasan, "Negotiating Violence", 31.

<sup>93</sup>AFP, "West Sudan's Darfur Conflict".

<sup>94</sup>Grzyb, "Media Coverage", 81; Stedjan and Thomas-Jensen, "The United States", 159.

conflict the DPPA was tasked with early warning but framed the situation in depoliticized terms as routine tribal violence. This in turn enabled Council members to align with the DPPA framing, over OCHA's description of the situation as an exceptional political crisis. There remained a lack of suitable analytical framework from the Secretariat to effectively communicate their unified concerns.

### *Côte D'Ivoire 2010/11*

Unlike the previous two cases, in Côte d'Ivoire, an international response to growing violence throughout the country was preceded by analysis within the UN Secretariat that articulated the risk specifically in relation to genocide. Between early December 2010 and April 2011, post-election tension and violence escalated rapidly in the wake of incumbent President Laurent Gbagbo's refusal to concede defeat, following results that gave victory to his rival, Alassane Ouattara. The contested presidential election result provoked a mobilization of both government troops and militias loyal to each side, committing acts of violence targeted against supporters of both political camps, in a political environment defined by territorial and ethnic difference. This rapid rise in inter-group tensions, and the escalation of violence prompted to the head of the United Nations Operation in Côte d'Ivoire (UNOCI) to write to the UN Secretariat in December to request greater capacity and a stronger mandate to respond to the changing conditions.

The presence of the peace mission, UNOCI, provided the UN Secretariat with real time information about the escalating tensions on the ground throughout the country, and particularly in Abidjan, meaning there was readily available UN-generated data. In addition, there were numerous NGOs on the ground in Côte d'Ivoire collecting and publicizing information pertaining to the changing circumstances.<sup>95</sup> As tensions escalated in early December, UNOCI reported the likely presence of mass graves of Northern Muslims, and nationals from other West African countries, who were victims of attacks by government security forces. However, they were unable to access these sites in an environment where pro-Gbagbo militia groups were stepping up harassment of UNOCI personnel and in some cases targeting them and their vehicles in direct attacks.

Within the UN Secretariat, greater early warning analytical capacity – particularly in relation to mass atrocities – was apparent in the public statements released at the time. During this escalation of violence, the Special Advisers to the Secretary-General for Genocide Prevention and the Responsibility to Protect released two public statements, the first on December 29, 2010, and a

<sup>95</sup>See, for example, Human Rights Watch, "Côte d'Ivoire"; International Crisis Group, "Is War the Only Option?"

follow-up statement on January 19, 2011. These statements provide an understanding of the analytical capacity that existed in the Secretariat at the time – the analysis that the Special Advisers conducted was based on a recently established eight-point framework that articulates the key preconditions to such violence (both structural and imminent). To highlight how closely briefs were guided by the framework of risk for genocide, we provide a copy of the first statement, highlighting passages that identified specific factors in the country that were identified by the Special Adviser's Office's analytical framework (*italics have been added*):

#### UNITED NATIONS PRESS RELEASE

##### **UN Secretary-General's Special Advisers on the Prevention of Genocide and the Responsibility to Protect on the Situation in Côte d'Ivoire**

(New York - 29 December 2010) Francis Deng, the Special Adviser of the Secretary-General on the Prevention of Genocide, and Edward Luck, the Special Adviser of the Secretary-General who focuses on the responsibility to protect, have expressed grave concern at developments in Côte d'Ivoire. They drew attention particularly to indications that *some leaders there are inciting violence between different elements of the population so as to serve their political purposes*. 'Given the history of internal conflict in Côte d'Ivoire,' they warned, 'such actions are highly irresponsible'. There are continuing reports, so far unconfirmable, of serious human rights violations by supporters of Mr. Laurent Gbagbo and by forces under his control as well as *the use of inflammatory speech to incite hatred and violence*. The latter has especially dangerous implications which are completely unacceptable. Mr. Deng noted that allegations that *the Abidjan homes of political opponents of Mr. Gbagbo had been marked to identify their ethnicity* were extremely worrying. Mr. Deng and Mr. Luck reminded all parties of their responsibility to protect all persons in Côte d'Ivoire, irrespective of their ethnicity, nationality, or religion. Special Adviser Luck recalled the 2005 World Summit Outcome Document, in which all Heads of State and Government pledged to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. *'This responsibility entails the prevention of these crimes, importantly including their incitement,'* he stressed. 'We would like to remind all parties in Côte d'Ivoire, as the Secretary-General did in his statement of two weeks ago, of this solemn commitment and of the fact that they are accountable for their actions under international law'.<sup>96</sup>

The two new Special Advisers within the UN Secretariat provided extra capacity for early warning, which enhanced both the analysis and the communication of information emanating from the field in Côte d'Ivoire. Having the formal capacity (through extra personnel and a framework of analysis for genocide risk) means that pertinent information is harder to ignore, just as the dearth of analysis in Rwanda quite likely contributed to inaction.<sup>97</sup> The

<sup>96</sup>United Nations Joint Office, "UN Special Advisers on the Situation in Côte d'Ivoire".

<sup>97</sup>Piiparinen, "Beyond the Mystery of the Rwanda 'Black Box'", 346.

Special Advisers are mandated to provide a conduit to the Secretary-General. Their positions as Special Advisers mean that they should be able to communicate directly with the Secretary-General and can provide him or her with cogent information that can then be conveyed to the Security Council.

This conveying of atrocity risk prompted direct appeals by the Secretary-General to the Security Council. The rapid escalation of violence in December 2010 prompted the leaders of the United Nations Operation in Côte d'Ivoire to request more capacity to respond to the changing circumstances. The Secretary-General wrote a letter to the Security Council on 11 January, asking for an additional 2,000 troops.<sup>98</sup> This request used the same genocide risk framing to convey the urgency of the situation in the country, referring to the government's use of the state broadcasting corporation to 'incite hostility and violence against particular Ivorian ethnic, religious and political groups',<sup>99</sup> as well as against UNOCI personnel. It also noted the 'increase of inter-ethnic tensions',<sup>100</sup> making clear the identity-based dimension of the situation. It conveyed the request of UNOCI leaders for 2000 more personnel. In response, the Security Council authorized the deployment of 2000 more personnel, and strengthened the mandate, acknowledging the 'continued violence and human rights violations'.<sup>101</sup> This pattern of information, analysis, and communication to decisionmakers continued between January and March of 2011 as the situation on the ground continued to deteriorate. Less than a month later, the Security Council authorized a three-month extension to personnel already deployed.<sup>102</sup> On March 30, after the advocacy of ECOWAS and the AU, the Security Council authorized UNOCI to use 'all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence.'<sup>103</sup> The analytical framework offered by the Joint Office helped enable the Security Council to create a stronger mandate and increase personnel. In the case of Cote d'Ivoire, unlike the previous two cases, analysis and communication was timely, atrocity-informed, and incisive and the Security Council responded with increased personnel for peacekeeping and a stronger mandate.

### *Ethiopia 2020/21*

The UN Secretariat had been aware of the possible risk of mass atrocities in Ethiopia long before conflict erupted in November 2020. In the lead up to and on the cusp of violent conflict breaking out between Ethiopian

<sup>98</sup>Ban Ki-moon, "Letter Dated 7 January".

<sup>99</sup>*Ibid.*

<sup>100</sup>*Ibid.*

<sup>101</sup>S/RES/1967.

<sup>102</sup>S/RES/1968.

<sup>103</sup>S/RES/1975.

government forces and forces loyal to the Tigray People's Liberation Front (TPLF) in early November 2020, the relationship between rising tensions and possible mass atrocities were well known to the UN Joint Office as well as the High Commissioner for Human Rights. The Joint Office's Framework of Analysis for Atrocity Crimes had been in use since 2014, providing a more refined lens for identifying and understanding conditions that indicated the heightened risk of genocide, crimes against humanity, war crimes and ethnic cleansing.<sup>104</sup> In addition, different UN actors including the Office of the High Commissioner for Human Rights, had been collecting information in Ethiopia, and had been acutely aware of the escalation of tensions in the preceding two years as well as the final months leading up to November of 2020.<sup>105</sup> In short, early warning within the UN Secretariat was timely and accurate. The key issue with Ethiopia was lack of political will, rather than lack of early warning.

There was no shortage of information collection between the 2015 election and the outbreak of conflict in Tigray on 3 November 2020. The OHCHR had expressed concern over human rights violations and intra-government tensions in the country since 2018.<sup>106</sup> In 2020, these concerns became more acute as inter-communal violence increased from July, though attention from media sources and human rights organizations was centred predominantly on the killing of a popular Oromo singer, rather than tensions between Tigray and Addis Ababa. Despite this, the impasse between the TPLF and the governing Prosperity Party, over the government's decision to delay elections scheduled for that year due to Covid 19, drove tensions to a new high as the region unilaterally declared its intention to hold its own regional election.<sup>107</sup> This prompted the coalition government to freeze funds to Tigray, a move which triggered threats of war from both sides.<sup>108</sup> This escalation of tension clearly had an ethnic dimension, which the OHCHR pointed out on numerous occasions.

Within the UN Secretariat, clear early warning analytical capacity, especially in relation to mass atrocities was evident in a public statement released on 12 November. As violence was on the cusp of escalating, the two Special Advisers of the Joint Office released a public statement. The statement provides a glimpse of the way that the 2014 Framework of Analysis for atrocity crimes had informed early warning. Referring to the risk of crimes against humanity, the statement drew attention to 'reports of ethnically and religiously motivated hate speech'.<sup>109</sup> The statement also referred

<sup>104</sup>UN Office for Genocide Prevention and the Responsibility to Protect, "Framework of Analysis".

<sup>105</sup>UN Office for the High Commissioner for Human Rights, "High Commissioner's Global Update, 2018"; UN Office for the High Commissioner for Human Rights, "Global Human Rights Update, 2020".

<sup>106</sup>UN Office for the High Commissioner for Human Rights, "High Commissioner's Global Update, 2018".

<sup>107</sup>Crisis Group, "Defusing Ethiopia's Latest Perilous Crisis".

<sup>108</sup>Crisis Group, "Steering Ethiopia's Tigray Crisis".

<sup>109</sup>UN Office for Genocide Prevention and the Responsibility to Protect, "High Level Officials Express Deep Concerns".

to ‘ethnically motivated attacks and reportedly ethnic profiling of citizens’ which, as they stressed, ‘constitutes a dangerous trajectory that heightens the risk of genocide, war crimes, ethnic cleansing and crimes against humanity, commonly referred to as atrocity crimes’.<sup>110</sup> Other risk factors associated with atrocity crimes that are identified in the statement include ‘arbitrary arrests, killings, displacement of populations and destruction of property’,<sup>111</sup> all of which are identified in the Framework of Analysis as signs of impending atrocities, or atrocities already started. The Secretary-General also expressed concern about violence directed towards citizens as early as 3 November.<sup>112</sup> The statement was unambiguous about the link between the unfolding circumstances in Tigray and the heightened risk of atrocity crimes.

Despite the acute awareness of impending atrocities in November 2020, there was very limited UN response. Apart from a press statement in April 2021 ‘expressing deep concern’,<sup>113</sup> there has been very little discussion within the Security Council in response to the conflict, even as atrocities and famine unfolded over 2021 and 2022. Some Council members expressed concern about the conflict under ‘any other business’ at its meeting on November 24, 2020. On December 14, members discussed the situation once again during ‘any other business’, receiving a briefing from the Office for the Coordination of Humanitarian Affairs (OCHA). Such discussions continued into 2021, without the situation appearing on the Council’s formal agenda.<sup>114</sup> The Secretary-General spoke privately with Ethiopian Prime Minister Abiy Ahmed, though this did not precipitate any change of direction. In the meantime, the Ethiopian government became increasingly hostile to any external presence in the country. Addis Ababa promoted a campaign called #HandsoffEthiopia, drawing on national memories of colonial occupation and interference.<sup>115</sup> Amidst this hostility, the Ethiopian government expelled seven high level UN officials, including the country heads of the UN Children’s Fund (UNICEF) and OCHA, almost a year into the fighting.<sup>116</sup> These expulsions made the collection of information increasingly difficult for the UN as violence intensified. Cutting electricity and the internet compounded the difficulties for locals attempting to share information with the outside world, and those that did risked making themselves targets.<sup>117</sup> Effective

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<sup>110</sup>Ibid.

<sup>111</sup>Ibid.

<sup>112</sup>UN Ethiopia, “Statement attributable to the Spokesperson for the Secretary-General”.

<sup>113</sup>UN, “Security Council Press Statement on Ethiopia”.

<sup>114</sup>Security Council Report, “Chronology of Events”. On the politics of the UN Security Council’s agenda, see Gifkins, Jess (2023) ‘Inside the UN Security Council: Legitimation Practices and Darfur’, Oxford: Oxford University Press.

<sup>115</sup>See Fisher, “#HandsoffEthiopia”.

<sup>116</sup>Al Jazeera, “Ethiopia orders expulsion of Top UN Officials”.



and timely early warning within the UN Secretariat prior to November 2020 did not lead to a timely or effective response from the international community. The challenge unmet within the Security Council and the UN more broadly was, in this case, not the challenge of early warning, but the challenge of early response.

## Conclusion

The United Nations has experienced several false starts in relation to early warning since its first attempt with ORCI in the late 1980s. However, with developments in the DPPA, and in the Joint Office for Genocide Prevention and the Responsibility to Protect, there is some evidence that early warning efforts are becoming more coordinated and focused. While the precise relationship between the DPPA and the Joint Office remains unclear, there are grounds for some optimism that the UN system is developing ways of better utilizing and analysing the information that it already gathers for early warning purposes. Moreover, although concerns remain among member states as to whether the UN should be in the business of early warning, opposition has become less pointed for two main reasons. First, the amount of publicly available information has increased dramatically over the last twenty years, meaning that ample information can be gleaned from open sources to conduct early warning analysis. As a result, there has been a proliferation of non-state actors conducting their own early warning analysis from open-source information such as the Global Centre for the Responsibility to Protect and International Crisis Group. Second, the 2005 unanimous commitment to R2P signals an international consensus that sovereignty does not provide a veil to protect the perpetrators of genocide, war crimes, ethnic cleansing, and crimes against humanity and that it is legitimate for international society to concern itself with their prevention. The specific commitment to early warning made as part of this removes some of the political obstacles. With the emergence of R2P, and the development of the Joint Office, the question has increasingly become not whether the UN should be engaged in early warning and preventive action, but of how it should conduct that early warning analysis and translate it into timely and decisive preventive action.

However, good early warning does not always translate into timely and effective international responses. Our preliminary overview of the four cases of early warning during the crises in Rwanda (1994), Darfur (2003/4), Côte d'Ivoire (2010/11) and Ethiopia (2020/21) provide an illustration of how some of these improvements have triggered effective preventive responses, but more often than not they are ignored. While there was no shortage of information being conveyed from the field in Rwanda from

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<sup>117</sup>Fisher, “#HandsoffEthiopia”, 29.



early 1994, the lack of analytical capacity hampered appropriate and timely responses to it. Conveying information from the field to UN Secretariat was vastly different in 1994 to today. In 1994 there were a handful of staffers working 9–5 in New York. Now the capacity is much greater – there is a 24-hour, around the clock capacity in New York, which means that communication is more efficient and effective. Analytical capacity in the UN Secretariat has changed to incorporate the risk of genocide and atrocity crimes specifically. The eight-point genocide risk framework developed by the Office of the Special Adviser for the Prevention of Genocide in 2009 was utilized in the Special Adviser's press releases on Côte d'Ivoire. This analytical framing was also adopted by the Secretary-General in his letters to the Security Council. This level of analytical sophistication did not exist in 1994. The analytical framing influenced the decisions by the Security Council to increase personnel, and to ultimately pass a strong Chapter VII mandate authorizing the use of force to protect civilians. However, even after the introduction of the Joint Office's Framework of Analysis for Atrocity Crimes and the more targeted early warning which it enabled, the case of Ethiopia demonstrates that good early warning can amount to nothing.

Clearly, these improvements do not always translate into effective preventive responses. In 2003, for example, there was a long delay in conveying the appropriate information about the impending and subsequent unfolding of atrocity crimes in Darfur. Even equipped with the information, the Secretariat was then unable to convince member states to act, despite US Secretary of State declaring it a genocide (Weisman, 2004).<sup>118</sup> Additionally, while there was greater analytical capacity within the DPPA in 2003, conflicting analytical claims between the DPPA and OCHA further complicated the UN Secretariat's position. There was no delay in conveying information about Ethiopia, where the risks were known years prior to the conflict in November 2020. But even after numerous concerns were raised and the risk of atrocities unambiguously conveyed (especially by the Joint Office), member states failed to respond.

Key changes that have helped improve the Secretariat's capacity for mass atrocity early warning include the development of targeted analytical frameworks, increased staffing, a dedicated Joint Office focused on the prevention of mass atrocities, and an early warning mandate for the DPPA. Areas where there remains scope for improvement include ensuring coordination of policy between departments within the Secretariat, recognizing the value of open-source data for early warning, and ensuring that there are open communication channels from analysts to decision-makers. Further resources for the Joint Office, including salary for the Special Advisors, and additional staff dedicated to early warning would also enhance the Secretariat's capacity. The

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<sup>118</sup>Weisman, "Powell Declares Genocide in Sudan".

Secretariat has come a long way in its ability to provide early warning of impending mass atrocities, especially with a specific analytical framework, however there is still considerable room for improvement in providing timely and robust analysis to decision-makers in a timely manner. More research is needed to understand how early warning is practiced in the day-to-day workings of Secretariat Departments and Offices. In addition, more research is needed to understand the relationship between early warning and response.

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