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Home Location **S-0043-0010-001 (In Container)**

Assignee **In Container 'S-0043-0010-001 (Souleymane Soukouna)' since 11/12/2006 at**

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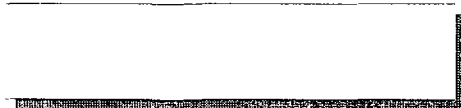
Container **S-0043-0010: DPA - Prevention for Genocide**

Notes

Record has no document attached.

Print Name of Person Submit Image

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Prevention of genocide 27.2.04

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Dear Lamin,

Welcome back!

What a splendid appointment The S-G  
made in Louisa.

Here is something on The S-G proposal on  
an SR to prevent genocide.

Let's meet soon, very best, Justice

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24-02903



Ref.: UN/NYt/014/04

Mr Danilo Türk,  
Assistant Secretary-General  
Department of Political Affairs  
Room S 3327A  
United Nations  
New York

27 February 2004-02-27

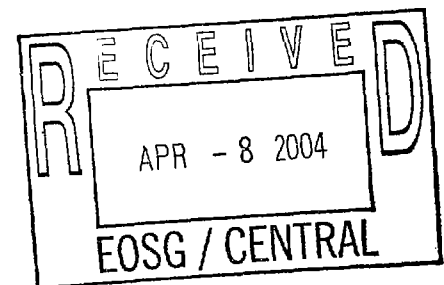
Dear Danilo,

We were interested to see the proposal which the Secretary – General made in Stockholm to consider establishing a Special Rapporteur to prevent genocide.

We have prepared a note making some preliminary observations about the proposal, attached. We would welcome the opportunity to contribute further as the proposal takes shape. I am sending a copy of this note also to Ed Mortimer, Lamin Sise, and Bacre Waly Ndiaye.

With best wishes,

Yvonne Terlingen  
Amnesty International Representative at the United Nations



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24-02903



## Note on the Secretary-General's proposal to establish a Special Rapporteur on the Prevention of Genocide: Some observations by Amnesty International

26 February 2004

Amnesty International has noted with considerable interest the proposals made by the Secretary-General at the 2004 Stockholm International Forum: ( Preventing Genocide; Threats and Responsibilities) to address the conspicuous gaps in the UN's capacity to give early warning of genocide or comparable crimes. We welcome the Secretary-General's efforts to establish a crucial link between massive and systematic violations of human rights and threats to international peace and security.

The 1999 report of the Independent Inquiry into the actions of the UN during the 1994 genocide in Rwanda, chaired by Ingvar Carlsson, called on the Secretary-General to initiate an action plan to prevent genocide involving the whole UN system. It concluded that the UN, and the Security Council in particular, must be prepared to prevent acts of genocide or gross violations of human rights and that the flow of information on human rights and the UN's early warning capacity had to be improved.

In resolution 1366 (2001) the Security Council (SC) acknowledged that lessons were to be learned from the failure of the UN's preventive efforts which preceded such tragedies as the genocide in Rwanda and the massacre in Srebrenica. The Council resolved to take appropriate action, combined with the efforts of Member States, to prevent the recurrence of such tragedies. The Council also decided to keep situations of potential conflict under close review and invited the Secretary-General to refer to it information and analyses from within the UN system on cases of serious violations of international law, including international humanitarian law and on potential conflict situations arising, inter alia, from ethnic, religious and other disputes.

We agree with the Secretary-General that it is timely to take substantive measures to improve the UN's capacity to prevent genocide. Amnesty International would like to suggest the following elements to guide how a Special Rapporteur on the prevention of genocide would operate in practice.

- \*The mechanism should have both a preventive and an early warning function;
- \* with regard to its preventive function, the mechanism should be at the centre of a network that draws on lessons learned and acts as a catalyst to mobilize effectively and rapidly the available resources within the UN to prevent a descent towards genocide once initial symptoms manifest themselves and are identified;
- \* with regard to early warning, the mechanism should be closely linked to existing UN early warning mechanisms and co-operate with relevant programs and departments at headquarters, UN agencies, as well as UN and civil society actors in the field to identify conditions that could give rise to genocide and to review particular situations that show symptoms of those conditions;

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\* the mandate should be closely linked to the Genocide Convention, and build on States Parties' obligations to prevent and punish genocide. To enable the Security Council to act preventively, the early warning aspect of the mandate would have to cover gross violations of human rights that might lead to genocide. Whenever appropriate, the mechanism should urge the Security Council to use its powers – provided under the Rome Statute - to refer situations to the Prosecutor of the International Criminal Court under Chapter VII of the UN Charter;

\*the mechanism should help strengthen long term measures to prevent genocide, including through working for increased ratification among the 52 states that have yet to ratify the Genocide Convention;

\* the mechanism must have a direct reporting relationship with the Security Council (SC), to ensure that an authoritative UN analysis of early warning signs of genocide will be brought promptly to the SC's attention. The mechanism should also report to other UN bodies, including the General Assembly, ECOSOC, which is developing important work in this area especially in Africa, and the Commission on Human Rights (CHR). Reporting should include early warning reports as well as regular reports on measures to prevent the emergence of situations susceptible of leading to genocide;

\* the relationship of the mechanism to the High Commissioner for Human Rights, the Office of the High Commissioner for Human Rights, the CHR special procedures and the UN human rights treaty bodies must be clearly defined in order to ensure maximum co-ordination, effectiveness and efficiency. Particular attention must also be paid to ensuring that the respective roles and responsibilities of the proposed Special Rapporteur and those of the High Commissioner are well coordinated and mutually supportive;

\* the mechanism should maintain close links with regional organizations and civil society actors which can support the UN's work for conflict prevention;

\* the mechanism should be based in New York. It should have adequate professional support from the OHCHR in New York and Geneva, and should have access to all relevant information, including from humanitarian organizations, academic and other reliable sources outside the UN;

\* funding for the mechanism and professional support should be provided from stable resources. Additional, dedicated funding sources may be required for this purpose.

\* the office holder should be an independent person of integrity and authority, familiar with the UN's work, and possessing the requisite skills and expertise in the field. He or she should be appointed at a rank commensurate with the high position reserved for those communicating at Security Council level.

Amnesty International hopes that these initial observations will assist the Secretary-General in his efforts to establish a mechanism that ensures that the United Nations will never witness another genocide.