



**BUDAPEST CENTRE**  
FOR THE INTERNATIONAL  
PREVENTION OF GENOCIDE  
AND MASS ATROCITIES

**PREVENTION OF MASS ATROCITIES IN PRACTICE**  
PRE-EVENT OF THE VI BUDAPEST HUMAN RIGHTS FORUM

**Roundtable Report**

**COOPERATION OF THE VISEGRAD COUNTRIES  
IN PREVENTING MASS ATROCITIES**

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Central European University  
Budapest

## Roundtable Report

The roundtable on the 'Cooperation of the Visegrad countries in preventing mass atrocities' took place in Budapest, Hungary, on 6<sup>th</sup> November 2013. The event was organised by the Budapest Centre and hosted by the Central European University, and supported by the International Visegrad Fund.

The roundtable aimed at providing a detailed framework for governmental officials, academics and non-governmental organizations of the Responsibility to Protect (RtoP). Furthermore, the roundtable attempted to provide new ways of contributing to the Visegrad Group's on-going international efforts and identify new possibilities for cooperation and building up relevant national and regional capabilities with a view to translate the principle of the Responsibility to Protect into practice.

The geographical and temporal closeness of the genocide of Srebrenica is a particular challenge for the Visegrad Group, which are positioned to better facilitate the reconciliation and peace process in Bosnia and Herzegovina. Therefore, the roundtable offered the possibility to discuss ways for the Visegrad Group to engage and cooperate more in the region. (The Programme is attached).

After introductory and welcoming remarks by the organisers, the host, and members of the Hungarian Ministry of Foreign Affairs and of the International Visegrad Fund, the UN Special Adviser on the Responsibility to Protect delivered the keynote speech.

The Special Adviser drew on the multi-layered agenda of the Responsibility to Protect, that being the 3 pillars, as a way for Central Europe to work as an operative actor in the prevention of mass atrocities. The current status of Syria was raised to illustrate how the Responsibility to Protect can have an effect in protecting civilians without the need for military force, such as helping neighbouring states take in fleeing refugees, the Human Rights Council passing a series of resolutions on the conflict, sponsoring a fact-finding mission and a commission of inquiry, and the imposition of sanctions.

It was also re-affirmed that the Responsibility to Protect does not inherently pose a threat to state sovereignty, and does not attempt to create a hierarchical structure in which the international community stands above and outside states and imposes solutions. Rather, the RtoP proposes ways for the international community to assist states in their protection and prevention functions, thus strengthening sovereignty.

The first panel focused on capacity building in EU institutions and Visegrad Group to enhance international efforts in prevention. A member of Hungary's Permanent Mission to the UN in Geneva gave an overview of the challenges facing the Responsibility to Protect after its adoption in the World Summit in 2005. It was highlighted that many governments blurred the lines between concepts of military intervention and the Responsibility to Protect, with many fearing that this new principle was a modernised dressing for

humanitarian intervention. However, it was debated that this can be a result of not reflecting on the real strength and importance of the Responsibility to Protect. Furthermore, the positions of Geneva and New York in debating over the Responsibility to Protect was highlighted; and how such a process can lead to greater integration and cooperation between the two 'Houses' of the UN.

The conference's focus then shifted to the role of governments in the region, and the common ground shared by the Visegrad Group was highlighted as a solid base for further cooperation on the Responsibility to Protect. In particular, the role of states in strengthening capacities to develop national and regional mechanisms on the Responsibility to Protect was emphasised. It was argued that this can be achieved through numerous avenues by governments, such as approving intergovernmental efforts, assigning senior level officials to work on the Responsibility to Protect concept at national levels, and participating in the global network on the Responsibility to Protect. Furthermore, the role of prevention as being the prime objective of the Responsibility to Protect agenda was underlined. It was argued that the Visegrad Group could contribute to the implementation of that objective by strengthening preventative capacities and early warning mechanisms, developing cooperative strategies and sharing information.

The participants were then briefed on the main findings and recommendations of the Report prepared by an international Task Force on the capabilities of the European Union to prevent mass atrocities. The document suggested that the EU should attempt to play a more active role in building up a European consensus on how the Responsibility to Protect is to be implemented, and to contribute to the international consensus on the Responsibility to Protect, especially after Libya and the current crisis in Syria. Reference was made as to how the EU should address shortcomings in key documents by referring to the Responsibility to Protect and mass atrocities prevention, and that the EU should enhance its expertise in mass atrocity prevention through the introduction of training programs and dedicated career paths.

Furthermore, the Task Force suggested that the EU should appoint a Special Adviser on the Responsibility to Protect and the prevention of mass atrocities. This would further lead to a greater distinction between the prevention of violent conflicts and the prevention of mass atrocities, and would allow for a specific mass atrocity lens to be applied and possibly mainstreamed across different levels of EU policy.

The final topic of the morning session was on the role of dialogue as a tool in preventing mass atrocities. The representative of the Nansen Centre for Peace and Dialogue explained that dialogue was defined as a way of communication that focuses more on getting the participants of the dialogue to understand why they think differently about the same reality. It was explained that conflicting parties tend to hold onto their own truths so strongly that negotiation, communication, movement, and progress towards resolution can become stagnated. Thus, it was emphasised that dialogue can shift paradigms and allow people to move forward in better understanding each other's positions and finding sustainable solutions for handling the problems. Key examples of the Centre's work in

Bosnia and Herzegovina were used to demonstrate the profound effect that dialogue can have in conflict and post-conflict areas. The Centre presented its current work on integration within schools, local governments and on the reintegration of police in home communities, as well as the training of teachers to deal with the new environment of reintegration.

The second panel focused on the promotion of peace and reconciliation in Bosnia and Herzegovina, and on the present situation and possibilities for cooperation.

One aspect which was discussed by the panellists was that European states can take various steps to strengthen national capacities to translate the Responsibility to Protect principle into practice, by either codifying or vocally expressing their support on the Responsibility to Protect at national level. The progress within an individual state would help set an example for other countries that have not yet made steps to operationalise the Responsibility to Protect at national level. It was further discussed how the establishment of national mechanisms would assist the implementation of the international standards relating to the Responsibility to Protect, and would subsequently help strengthen the overall national infrastructure for the promotion and protection of human rights and fundamental freedoms. In this regard, it was expressed that work towards justice and reconciliation can prove to be extremely effective in prevention in the future, and thus it is an urgent need to support further such processes in the Balkan states.

The conference then moved onto issues regarding criminal justice and international law in the reconciliation process. The first part of the session discussed the importance of the second phase of the justice efforts following the conclusion of the ICTY period. The discussion highlighted that an essential pre-requisite for moving forward with transitional justice efforts was a common strategy for the region. This involves taking stock of existing documents within states to see their compatibility and where they can fuse together in the interest of each state. However, it was cautioned that given many states in the region are largely contested from within, steps towards regional cooperation to implement transitional justice will be extremely difficult, and will require institutional building from within. The current situation in Bosnia and Herzegovina was described as a “negative peace” (whereby the violence has stopped but there are still intrinsic divisions within the society), and the next steps will have to focus on how to negotiate this into a “positive peace”.

The discussion then moved onto the concerns that a change in the legal code of the War Crimes Chamber in Bosnia and Herzegovina will weaken and limit the role of criminal justice in acting as a deterrent against genocide and mass atrocities. Under the current legal code (2003) sentences for individuals found guilty of committing war crimes range from 40-45 years. However, since the 2003 code was adopted after the conflict, there have been calls from within the legal community to retrial convicted war criminals under the code at the time of the conflict, the 1976 legal code. This, however, has far more lenient sentencing policies. It was concluded that the current 2003 code must remain for criminal justice to continue acting as a deterrent, and a viable part of the peace and reconciliation process.

Finally, a presentation was given by a member of the Nansen Centre who works in Bosnia and Herzegovina on the current projects which focus on the reintegration of schools and a dialogue among students as a way of strengthening harmony in local communities.

## **Conclusions and Recommendations**

The Roundtable discussions were a substantial step towards building up consensus and regional capabilities in Central Europe to translate the Responsibility to Protect principle into practice. The discussions have reaffirmed the conviction of the Budapest Centre that:

- A comprehensive and holistic state approach is required to prevent mass atrocities;
- Sustainable prevention policies are key to the success of prevention in general;
- Cooperation among security, development, human rights and legal sectors and communities can considerably improve the chances to effectively prevent mass atrocities;
- The application and mainstreaming of a mass atrocity lens in detecting and responding to security threats is a crucial prerequisite to effectively address situations at risk;
- International actors should devote more attention to the facilitation of dialogue in fragile situations;
- Targeted skills building for government officials are required for developing institutional and national capabilities to prevent mass atrocities.

The Budapest Centre encourages administrations of the Visegrad Group to:

- Map national capabilities to implement the Responsibility to Protect for the prevention of genocide and mass atrocity crimes;
- Convene thematic meetings between scientists and practitioners to discuss the technical aspects of operationalizing the Responsibility to Protect;
- Elaborate and agree national mandates for Responsibility to Protect focal points, and move towards setting up mechanisms of collaboration;
- Promote the process of institutionalising cooperation among R2P focal points within the European Union and within the Visegrad Group itself;
- Develop national and regional capabilities by targeted trainings;
- Contribute to the reconciliation processes in Bosnia and Herzegovina through promoting dialogue within the society at various levels.