

Written evidence submitted by Protection Approaches (XIN0067)

Executive Summary

- 0.1 Following the ethnic cleansing and genocide of Rohingya Muslims from Rakhine province in late summer 2017, the Foreign Affairs Select Committee asked the Foreign Office to ‘set out what lessons it ha[d] learned regarding atrocity prevention from these events and how these lessons will be applied in Burma and elsewhere in future.’¹ A year later, reflecting upon the UK’s failures in Syria as well as Myanmar, the Committee called upon the government to ‘act urgently to produce a comprehensive’ atrocity prevention strategy and implementation plan to ensure it moves beyond words and towards concrete actions.’² The Committee recommended that a draft of this strategy should be available for consultation by April 2019. Notwithstanding some important if modest steps³ in the right direction, no such strategy has yet emerged.
- 0.2 Hesitancy and uncertainty in the face of growing pressure to respond to the network of detention camps and reported atrocities in Xinjiang has once again exposed that without such a strategy UK government finds itself unable to uphold its responsibilities to help protect communities facing the gravest persecution. The absence of an atrocity prevention strategy has contributed to delayed, inconsistent, and ad hoc policy responses to yet another well-documented and ongoing pattern of widespread systemic discrimination and violence that likely meets the threshold of crimes against humanity and genocide.⁴
- 0.3 Without such a strategy – without applying a framework of how best to help prevent future atrocities to the human rights crisis in Xinjiang – it has been too easy for the UK government to miss opportunities to influence and mitigate; it has been too easy to hesitate; too easy to obfuscate. Even in the face of considerable power asymmetry and wider contestation of values at the UN, any analysis of UK strategy through a framework of atrocity prevention would help identify options for what Britain could do. This would help map actions, instruments and levers of British government, influence and businesses and identify where British actions can or do help prevent – or risk becoming complicit.
- 0.4 As the Prime Minister oversees the ‘largest review of UK international policy since the Cold War’ and as Whitehall continues its merger of the FCO with DFID, Her Majesty’s Government has created a rare moment in the history of British foreign policy. In a recent op-ed in *Jewish News*, Chief Executive of Holocaust Memorial Day Trust and I quoted the Prime Minister’s remarks made during this year’s Holocaust Memorial Day

¹ Foreign Affairs Committee, [Violence in Rakhine State and the UK’s response](#), December 2017

² Foreign Affairs Committee, [Global Britain: The Responsibility to Protect and Humanitarian Intervention](#), September 2018

³ Foreign, Commonwealth & Development Office, [UK approach to preventing mass atrocities](#), July 2019

⁴ Kate Ferguson, ‘[What Can the UK do to Help Protect the Uyghurs? Adopt a National Strategy of Atrocity Prevention](#)’, European Centre for the Responsibility to Protect, 12 August 2020; Olivia Marks-Woldman, ‘[Don’t look away – read about what’s happening to the Uighur people](#)’, Metro, 13 August 2020

commemoration: Mr Johnson asked “What happened to our resolve in the genocides that followed?”⁵ One might now ask the same question of Britain’s resolve to confront the outrageous suffering facing the Uyghur and other minorities in Xinjiang. The integrated review is a rare moment to move from words to deeds. Ms Woldman and I argued, as many others do –this Committee included; ‘it’s time to embed a national strategy of atrocity prevention in the heart of British international policy.’ This evidence submission sets out how this can be achieved.

0.5 This written evidence answers the questions set out in the terms of reference particularly concerned with British policies, capabilities and systems to prevent and respond to mass atrocities. It builds upon the recent recommendation from this Committee that ‘the Government equips the FCDO with an enhanced and institutionalised capability...to maximise the coherence and impact of the UK’s contribution’ to ‘mediation, conflict prevention, and atrocity prevention’.⁶ The answers provided here are further supported by the public evidence submission to the Integrated Review published in August 2020 by members of the UK Atrocity Prevention Working Group⁷; a joint written evidence submission to the Foreign Affairs Select Committee’s inquiry on the Integrated Review from Protection Approaches and the United Nations Association UK⁸; and the essay ‘Putting Atrocity Prevention at the Heart of British Foreign Policy’ in the Foreign Policy Centre’s September 2020 collection *Finding Britain’s Role in a Changing World: The Principles of Global Britain*.⁹ Assessments and recommendations below are informed by more than ten years of analysis of the UK’s capacities, capabilities, systems, and political will to predict and prevent mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity and the most serious war crimes) including in-depth research and interviews with former/ current UK officials, MPs and ministers involved in developing UK policy towards Bosnia in the 1990s, in Syria from 2011-2016, in Myanmar from 2014-2020, and in the Democratic Republic of Congo (2019-ongoing).

1. About

1.1 This submission comes from Protection Approaches. Protection Approaches works to confront and prevent identity-based violence by developing and implementing innovative programmes that address all forms of hate. From Newham in East London to Bangui in the Central African Republic, we work with local communities, civil society organisations, policymakers, governments, academics and multilateral institutions to develop strategies that predict, prevent and protect people from identity-based violence. Protection Approaches convenes the UK Atrocity Prevention Working Group: a

⁵ Kate Ferguson and Olivia Marks-Woldman, [‘Never again can never again be left to chance’](#), Jewish News, 20 August 2020

⁶ Foreign Affairs Committee, [A brave new Britain? The future of the UK’s international policy](#), October 2020

⁷ UK Atrocity Prevention Working Group, [Submission to the Integrated Review of International Policy from the UK Atrocity Prevention Working Group](#), August 2020

⁸ Protection Approaches & United Nations Association UK, [Written evidence to Foreign Affairs Select Committee \(INR0087\)](#)

⁹ Foreign Policy Centre, [Finding Britain’s Role in a Changing World: The Principles of Global Britain](#), September 2020

group of 25 NGOs based in the UK who collaborate on atrocity prevention policy and advocacy.

1.2 The submission has been prepared by Dr Kate Ferguson. Dr Ferguson is a foreign policy expert recognised as driving a new approach to preventing crises in the UK and internationally. She co-founded Protection Approaches in 2014 where she leads research and policy programmes. She is Chair of Policy at the European Centre for the Responsibility to Protect, Policy Fellow at the Centre for Science and Policy at the University of Cambridge, and Honorary Research Fellow at the University of East Anglia. Dr Ferguson has trained and advised state representatives, parliamentarians, and law enforcement from Romania to the Central African Republic to the United States, including on what national and local atrocity prevention strategies can look like. Between 2012 and 2018, Kate lectured on subjects related to human rights, international justice, the United Nations, and UK foreign policy. She has a BA in History and PhD on the dynamics of modern atrocities both from the University of East Anglia, and an MPhil in Russian and East European Studies from the University of Oxford. Her book, *Architectures of Violence: The Command Structures of Modern Mass Atrocities* will be published later this year by Hurst and Oxford University Press.

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2. Assessing the UK's current approach to atrocity prevention

2.1 **No coordinating mechanism, no clear strategy:** Despite the welcome publication of the UK's National Approach to Preventing Mass Atrocities (2019) and clarification of ministerial responsibility for UK atrocity prevention policy, the UK – as noted in Protection Approaches' submission to this committee in May 2018¹⁰ – is still at risk of falling behind many like-minded states in its approach and contribution to the timely and effective prevention, prediction, and protection from mass atrocities. Various national policies or mechanisms of mass atrocity prediction and prevention have been integrated by states in Europe, South America, Africa, and perhaps most comprehensively by the US. These mechanisms are vehicles through which governments discharge their international responsibilities to protect populations from mass atrocities, uphold their obligations set out under the UN Convention for the Prevention and Punishment for the Crime of Genocide, and other international treaty commitments. While their success is not inevitable, the US Atrocities Prevention Board (now the Atrocities Prevention Early Warning Taskforce) is credited with mitigating escalating identity-based violence in both Central African Republic and the Democratic Republic of Congo.¹¹

¹⁰ Protection Approaches, [Written evidence from Protection Approaches \(RTP0002\) to the Foreign Affairs Committee](#), May 2018

¹¹ The Auschwitz Institute for Peace and Reconciliation, [Pursuing Institutionalisation of the Prevention Agenda: National Mechanisms for the Prevention of Genocide and other Atrocity Crimes](#), 2017; Alexandra Buskie, [From promise to practice: Strengthening the UK's approach to atrocity prevention and R2P, A report based on UNA-UK's delegation visit to the United Nations and Washington DC](#), UNA-UK, August 2015

- 2.2 The only office in the UK that currently exists within Whitehall tasked specifically to implement these responsibilities is the Focal Point for the Responsibility to Protect, a role that in recent years has been occupied by the FCO's Multilateral Policy Director. It is unclear what this role will look like and who will fill it in the new FCDO structure. The merger brings an opportunity to reimagine the office of the R2P focal point, and to address the gaps of coordination and consistency that persistently fell through the cracks of FCO and DfID policy and programming.
- 2.3 In recent years, lack of transparency and stretched resources have risked the role of the focal point for R2P becoming unfit for purpose. It is unclear, for example, what role the focal point and their team have played regarding the detention of Uyghurs. Has, for example, the UK's focal point for R2P convened internal or external meetings on the Xinjiang crisis? What atrocity prevention architecture or expertise, whether within the UK Government, UK civil society, and/or internationally, has been activated or drawn upon with regards to the atrocities in Xinjiang? What scenario planning has been undertaken by office of the R2P focal point, the Multilateral Directorate, or others working to support the FCDO minister responsible for the UK's atrocity prevention policy? How has publication of the UK's National Approach to Preventing Mass Atrocities in 2019 informed or impacted the UK's China policy? Were FCO and DfID (now FCDO) staff working on China provided with training on the principles of atrocity prevention; the UK's legal obligations to prevent and punish genocide; the UK's atrocity prevention policy?
- 2.4 **The UK lacks atrocity prevention risk assessment and analysis capabilities:** Knowing what to look for, how to analyse relevant indicators, and how to 'raise the alarm' are crucial steps for successful early warning of atrocity risks and early preventative action: current UK risk assessment tools lack the remit, capabilities, and flexibility required for the UK to adequately identify or analyse atrocity risks. In the past, the UK's early warning system has over-relied upon two core processes: the Cabinet Office's annual Countries at Risk of Instability (CRI); and the Joint Analysis of Conflict and Stability (JACS). While both are powerful analytical tools, neither are early warning mechanisms capable of capturing real-time threats and informing rapid responses. Neither incorporate indicators of identity-based violence or atrocity.¹² They are both processes for analysing longer-term trends and establishing agreed understandings and approaches across government. As a result, they continue to miss or underappreciate mass atrocity risks, including omitting Central African Republic in its 2013 risk analysis – despite it being a state extremely prone to atrocity crimes; by December that year, 'widespread and systematic mass atrocity crimes, including killings on the basis of religious identity, had become a feature of a crisis that was rapidly expanding in scale and scope.'¹³ The JACS is a process that has to be requested and approved on a case by case basis; this process meant that a JACS for Rakhine state in Myanmar was not initiated until long after the atrocities of 2017.

¹² Internal Protection Approaches analysis, supported by interviews with HMG staff (2019), and research by Alex Buskie, publication forthcoming (2020). On JACS: Jason Ralph, [Mainstreaming the responsibility to protect in UK strategy](#), UNA-UK, April 2014

¹³ Evan Cinq-Mars, [Too little, too late, Failing to prevent atrocities in the Central African Republic](#), Global Centre for the Responsibility to Protect, September 2015

- 2.5 Did the last CRI identify the ongoing crisis in Xinjiang or is the current remit of risk and analysis too narrow to include risks of mass atrocity crimes (including genocide and crimes against humanity) that occur outside of 'hot conflict' settings? Has a JACS been initiated for the Xinjiang region or do the scale and scope of the abuses not fit the current conflict prevention framework that governs the process of cross-government analysis? Conflict prevention can often help prevent atrocities but sometimes, as in Syria, Rakhine or Xinjiang, different tools are needed.¹⁴ The detention camps in Xinjiang provide devastating proof that modern instances of mass atrocities can – and do – occur outside of what HMG understands as armed conflict; this fact necessitates a different, if at times complementary, strategy to predict and prevent mass atrocities.
- 2.6 The current approach of conflict prevention, from analysis to programme development, does not sufficiently capture contexts where populations are deliberately targeted outside of 'hot conflict' situations. Mass atrocities are commonly grounded in a long history of grievances, discrimination, and tension and set off by events that changes these dynamics for the worse. The history of discrimination against Uyghur and other communities in Xinjiang has been well documented and indications of a worsening of abuses, including patterns of more systematic violations, have been clear for year; what assessment did HMG make of these risks and how did this analysis inform UK policy in China and with its allies? If such an analysis was not undertaken, was this a conscious decision or – as we contend – because there was no position of mechanism tasked with doing so?
- 2.7 The integrated review and FCDO merger offers opportunity to strengthen the UK's risk analysis and assessment processes, within Cabinet, the Stabilisation Unit, and on an embassy level. This analysis gap requires human expertise and bureaucratic coordination rather than big data, statistical modelling or large budgets.¹⁵ Atrocity predication and policy analysis is low-cost but high-impact yet the Stabilisation Unit and its tools of analysis, the CRI, and the UK's National Security Strategy more broadly, omits common indicators of identity-based violence, lacks specialist expertise, and as such leaves HMG without the necessary knowledge and tools to respond effectively and with coherence.
- 2.8 Any HMG office, mechanism or policy on preventing, predicting and responding to mass atrocities would strengthen the UK's ability to:**
- Uphold its responsibilities to protect populations from mass atrocities and as articulated in the 2005 and set out in the 1948 UN Convention for the Prevention and Punishment of Genocide

¹⁴ Protection Approaches and United Nations Association-UK, [Written evidence to Foreign Affairs Select Committee \(INR0087\)](#), September 2020

¹⁵ There are serious contentions regarding the efficacy and reliability of existing conflict and atrocity forecasting modelling. For more see Jens Stappenbeck, [Frühwarnung weiter denken: Errichtung einer digitalin Vorhersageplattform](#), PeaceLab, March 2017 . Stappenbeck is currently reviewing efficacy of statistical data-based early warning systems, working closely with the Germany government and others. Contact Jens Stappenbeck jens.stappenbeck@genocide-alert.de

- Address the prevention of mass atrocities as a core national security interest and a moral responsibility
- Apply an atrocity prevention framework to HMG decision making, particularly when it comes to conflict prevention and work in fragile states
- Coordinate cross-Whitehall information sharing and response to early warnings of atrocities
- Integrate indicators of risk particular to identity-based violence, including violent extremism and mass atrocities, into horizon scanning and strategic planning
- Promote accountability for perpetrators of atrocity crimes, whether in the UK or abroad

3. Recommendations for restructuring the UK's approach to atrocity prevention

3.1 The Integrated Review and creation of the FCDO offer a rare moment in UK foreign policy development to finally and fully embed the lessons and promises of the past to meet the challenges of the future. Current Whitehall, embassy and New York architecture could be restructured in a number of ways to strengthen the UK's approach to atrocity prevention. In past evidence submitted to this Committee, Protection Approaches and UNA-UK set out a number of possible models in an annex.¹⁶

3.2 Any such restructuring, however, should prioritise three core strands – **analysis** to ensure an appropriate response, **communication** between and across government, and **institutionalisation** to ensure the integration of atrocity prevention across all government policies.¹⁷ **Integrating the means of prevention analysis** across government would facilitate intelligence collection and collation, conduct risk assessments of UK exposure to the possibility of complicity, undertake scenario planning, engage allies and partners, and develop the capacity to deploy civilian advisors to situations of concern. **Improving communication** would establish a clear internal communications protocol setting out how to monitor imminent warning signs, triggering moments, indicators and risk factors; when and how to raise the alarm – both across government and externally – and guidance on escalation. **Institutionalising the UK's commitment to prevent atrocities** would establish a coordinating function of prediction and prevention across Government.

3.3 **Analysis:** As set out in previous submissions to the Committee, Protection Approaches recommends an analysis unit sitting within FCDO and with ministerial oversight from the designated atrocity prevention minister (currently Lord Ahmad). This analysis unit could receive seconded staff from other departments, notably MOD, DIT and the NSA's office in the Cabinet Office to strengthen the interrelation between those key elements of the strategy – much as the current "Joint Units" on peacekeeping, modern slavery and

¹⁶ Protection Approaches and UNA-UK, [Written evidence to Foreign Affairs Select Committee \(INR0087\)](#)

¹⁷ Ibid.; [What Can the UK do to Help Protect the Uyghurs? Adopt a National Strategy of Atrocity Prevention](#); Dr Kate Ferguson, ['Putting atrocity prevention at the heart of British foreign policy'](#), The Foreign Policy Centre, 8 September 2020

counter terrorism do. It could work, as the Atrocities Prevention Board, with civil society fellows and partners as a means of rapidly bolstering current knowledge gaps in government. This analysis unit would champion the strategy, coordinate action, and perform the core of the work. However, to be effective the strategy must not start and stop with creation of a such a unit, but most influence the actions of and provide support to the entirety of government. Further details regarding what this unit could look like, drawing on current models of HMG best practice, are set out in publications by Protection Approaches, UNA-UK, and the UK Atrocity Prevention Working Group.¹⁸

3.4 Communication: UK missions play a key role in identifying early warning signs of mass atrocities and, in coordination with Whitehall and their local partners, devising policy options to respond. Interviews with former and current FCO and DFID staff in Myanmar and the Democratic Republic of Congo have highlighted gaps that exist between UK officials in the field and Whitehall, which mean that the urgency felt by on-the-ground personnel can be lost as the information is passed up through the bureaucracy to Ministers rather than through a distinct alert channel.¹⁹ Introducing a light-touch internal model of emergency communication, accompanied by clear resources such as checklists and rapid analysis frameworks, would facilitate missions to ‘raise the red flag’ to colleagues back home, clarify tools and strategies already available, and improve joined-up communications during periods of exceptional challenge.

3.5 Establishing an internal communications process would set out how to monitor imminent warning signs, triggering moments, indicators and risk factors; as well as when and how to raise the alarm – both across government and externally – and provide guidance for officials and ministers on policy options. Such a process would, at the very least, ensure UK staff in China, working on the country desk, making decisions related to trade, the promotion of business, higher education and other bilateral UK-China policies, were tasked with communicating and sharing information internally from the perspective of how UK actions could mitigate – or risk being complicit in – atrocities in Xinjiang. Introducing a cross-departmental atrocity prevention communications protocol would likely automatically enhance coherence between DIT, FCDO, and other relevant departments.

3.6 Institutionalising the UK’s commitment to prevent atrocities: ‘Establishing an atrocity prevention “seat” at the policy-making table’ would help maximise and coordinate contributions towards effective prediction and prevention across Government.²⁰ This could be led from a crosscutting prevention analysis unit, a better resourced office supporting the focal point for Responsibility to Protect, and/or the creation of an Atrocity Prevention Advisor to the Minister. The nature of UK international policy is such

¹⁸ [UK Atrocity Prevention Working Group](#)

¹⁹ Kate Ferguson, ‘For the wind is in the palm-trees: The 2017 Rohingya atrocities and the UK approach to prevention’, *Global Responsibility to Protect*, forthcoming 2021; Alexandra Buskie, ‘Strengthening the UK’s approach to atrocity prevention in the Democratic Republic of Congo’, *Protection Approaches*, forthcoming 2020.

²⁰ Alex J. Bellamy, [Mass Atrocities and Armed Conflict: Links, Distinctions, and Implications for the Responsibility to Prevent](#), The Stanley Centre, February 2011; See also Wilton Park, [“Prevention of mass atrocities \(WP1645\)”](#), October 2018

that until the prevention of mass atrocities is identified as a matter of national security and national interest, it is likely that its institutionalisation will remain limited.

- 3.7 In reimagining the bureaucratic architecture of the FCO and DFID, the Prime Minister and the new FCDO leadership have an opportunity to ensure UK staff tasked with designing and implementing policy that contributes to fulfilling Britain's responsibilities to help prevent mass atrocities are able to draw upon the full breadth of the government's tools and expertise.
- 3.8 At its most simple, the principles and practice of atrocity prevention need to be consciously integrated into job descriptions, job titles, and training of staff so that a prevention-first way of thinking is fully institutionalised across government.

4. Additional policy recommendations to confront and halt the atrocities in Xinjiang

- 4.1 **Co-sponsor a coalition of conscience:** If the UK is serious about seeking an end to the atrocities in Xinjiang it must work to build a coalition of support with other state partners –and not just from the United States, Five Eyes or Europe. The UK needs to work with partners in Asia and member states – from all regions – in the General Assembly to build a coalition of conscience and condemnation. Given China's power and influence this is no easy task and will require careful coordination and analysis of points of leverage, convergence and opportunities to influence; precisely the type of scenario planning and stakeholder mapping exercises any mechanism tasked with viewing UK-China relations from an atrocity prevention perspective would be expected to undertake. HMG should activate the global network of R2P focal points as a means of triggering a global dialogue with state representatives already tasked with and committed to implementing national and collective means of protecting populations from crimes against humanity and genocide.
- 4.2 Such an endeavour requires a strong British diplomatic corps. Without the diplomatic toolbox in all its forms, other means of atrocity prevention will always have its limits. The new FCDO must therefore reflect a commitment to resource expert and diverse diplomatic capacities.

5. Confronting rising anti-Chinese, East Asian and South East Asian hate in the UK

- 5.1 Effective atrocity prevention requires consistency. The UK government and members of parliament, like all those rightly joining the condemnation of the Chinese state for its failure to protect its populations, must themselves be responsible in the language and means of criticism they deploy. Efforts to halt the atrocities must not be accompanied by a slide towards the populist anti-China rhetoric coming from the US and elsewhere.²¹ Reported hate crime directed at the UK's BESEA communities in the first quarter of 2020 indicates a 300 % increase on previous years: left unchecked divisive narratives regarding the origins of the virus, anxiety surrounding Huawei and irresponsible

²¹ Dorothy Wickenden, ['A rise in anti-Chinese rhetoric during the coronavirus pandemic'](#), New Yorker, 1 June 2020

conflation between criticism of the Chinese state and Chinese populations will increase risks of identity-based violence and discrimination here at home.²² Those who rightly use their platforms to condemn Chinese state culpability for human rights abuses, whether in Xinjiang or Hong Kong, must never fall into ‘anti-Chinese’ tropes or feed the divisionism and prejudice that is rising against East and South East Asian communities in the UK and elsewhere. A parliamentary code of conduct or commitment to principles would send a clear and welcome message to British Chinese, East Asian, and South East Asian communities.

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²² Protection Approaches, [COVID-related hate: East and South East Asian communities' experiences of racism during the COVID-19 pandemic](#), October 2020