EARLY WARNING SYSTEMS IN MINORITY CONFLICTS

A FRAMEWORK FOR DEVELOPING REGIONAL RESPONSES

7TH ASIA-EUROPE ROUNDTABLE WORKSHOP
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FOREWORD

The 7th Asia-Europe Roundtable workshop "Early Warning Systems in Minority Conflicts" was held on 20–21 May 2010 at the Asia-Europe Foundation in Singapore. It was a part of the Asia-Europe Roundtable series on conflict management, bringing together participants from the Asia-Europe Meeting (ASEM) member countries[1].

The Asia-Europe Roundtable (AER) which is a joint initiative by the Asia-Europe Foundation (ASEF), the Friedrich-Ebert-Stiftung (FES) Office for Regional Cooperation in Asia and the Singapore Institute of International Affairs (SIIA), is a fora that examines Asia-Europe experiences and cooperation in tackling common challenges such as region-building and conflict management.

The inaugural AER was launched in Singapore in 2000, to present a broad overview of the transitions in the two regions. The 2nd AER was held in Oxford, UK, in 2001, and focused on the issue of global and regional governance and transnational problem-solving. In 2003, the roundtable shifted towards a more specific focus on conflict management. The 3rd AER in Hanoi (2003) and the 4th AER in Berlin (2005) deepened bi-regional dialogue and promoted networking in the areas of conflict prevention as well as peace and reconciliation. The 5th AER focused on "Sustaining Peace through Post-Conflict Reconstruction". The 6th AER, held in Letterkenny and Derry (2009) examined minority conflicts with a particular focus on "frozen conflicts" and recommended a set of policy directives on minority conflict management — chief among them was the call for Asia and Europe to cooperate on an early warning system to monitor the outbreak of minority conflict.

Following up on this recommendation, the 7th AER was focused towards developing a framework for preventing minority conflict at the regional level. This publication *Early Warning Systems in Minority Conflict: A Framework for Developing Regional Responses* which was prepared initially as a background paper for the workshop, is a direct outcome of the 7th AER workshop.

This publication presents an overview of the existing international and regional responses towards minority conflict prevention. It provides an analysis of early warning mechanisms for minority conflicts as well as the role of regional actors in the early warning and prevention of minority conflict. Finally, it offers proposals by which regional structures can be strengthened and on how coordination between institutional and non-institutional actors can be improved, both intra- and inter-regionally.

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[1] **ASEM** (the Asia-Europe Meeting) is an informal process of dialogue and cooperation. It brings together Australia, Austria, Belgium, Brunei, Bulgaria, Cambodia, China, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Laos, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Myanmar, The Netherlands, New Zealand, Pakistan, The Philippines, Poland, Portugal, Romania, Russia, Singapore, Slovakia, Slovenia, South Korea, Spain, Sweden, Thailand, United Kingdom, Vietnam, the ASEAN Secretariat and the European Commission.

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ACRONYMS

AER	Asia-Europe Roundtable
AICHR	ASEAN Intergovernmental Commission on Human Rights
AMM	Aceh Monitoring Mission
APSC	ASEAN Political-Security Community
ARF	ASEAN Regional Forum
ARMM	Autonomous Region of Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
ASEF	Asia-Europe Foundation
CoE	Council of Europe
CSCE	Conference on Security and Co-operation in Europe
CSO	Civil Society Organisation
DPA	Department of Political Affairs
DPKO	UN Department of Peacekeeping Operations
EAS	East Asia Summit
ECOWARN	ECOWAS Warning and Response Network
ECOWAS	Economic Community Of West African States
EEP	Eminent Expert Persons
ESCAP	Economic and Social Commission for Asia and the Pacific
ESDP	European Security and Defence Policy
EU	European Union
EWER	Early Warning and Early Response
EWS	Early Warning System
FCNM	Framework Convention for the Protection of National Minorities
FES	Friedrich-Ebert-Stiftung
GPPAC	Global Partnership for the Prevention of Armed Conflict
HCNM	High Commissioner on National Minorities
HRC	Human Rights Council
ICAPP	International Conference of Asian Political Parties
ICES	International Centre for Ethnic Studies
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IDRC	International Development Research Centre

IMT	International Monitoring Team
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
NGO	Non-governmental Organisation
NTS Asia	Non-Traditional Studies in Asia
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organization of the Islamic Conference
OSCE	Organization for Security and Co-operation in Europe
PRIO	Peace Research Institute Oslo
RAMSI	Regional Assistance Mission to the Solomon Islands
R2P	Responsibility to Protect
SAARC	South Asian Association for Regional Cooperation
SAPA	Solidarity for Asian People's Advocacy
SAPG	Special Advisor to the Secretary-General on the Prevention of Genocide
SEAPA	Southeast Asian Press Alliance
SIIA	Singapore Institute of International Affairs
TPF	Titian Perdamaian Framework
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
WANEP	West Africa Network of Peacebuilding

EXECUTIVE SUMMARY

Ethnicity and minority identity play important roles in conflict — both in causation and perception. Across Asia and Europe, minority issues remain at the heart of most intrastate conflicts and in spite of the large strides made in developing Early Warning Systems (EWS) for armed conflict, many believe that the existing frameworks and mechanisms lack the provisions to specifically prevent the outbreak of ethno-political conflicts.

On 20–21 May 2010, experts from the field of early warning systems and minority conflict issues, met at the Asia-Europe Foundation for a workshop which was held under the auspices of the Asia-Europe Roundtable (AER) series. Following up upon recommendations from previous AER meetings to monitor warning signals for minority conflicts, this workshop was on the topic of 'Early Warning Systems in Minority Conflicts'.

Drawn from the background paper and the discussions from the AER workshop, this framework document studies the manner by which minority conflicts are prevented and contained through early warning systems; by analysing the gaps within the current mechanisms, it presents a framework by which regional early warning structures and responses can be better integrated and enhanced.

This paper also maps the definitions and international legal frameworks for minority protection and conflict prevention. It illustrates the work of regional actors in preventing minority conflict and the different preventive efforts that have been organised at the regional level. This enables the contextualisation of the importance and requirement for a framework to develop regional responses.

The legal framework for the protection of minority rights can be found in several international human rights treaties such as the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the UN Declaration on Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The legal framework for conflict prevention can be found in the Charter of the United Nations (UN) which rests the responsibility of conflict prevention with national governments, with the UN and international community (including civil society) playing an active, supportive role in conflict prevention.

Increasingly, the links between minority rights and conflict prevention have been acknowledged and voiced in key reports of the UN Secretary-General, and seminal statements such as the 2001 'Responsibility to Protect' (report of the International Commission on Intervention and State Sovereignty). The idea of 'Responsibility to Protect' which is gaining currency in international circles, links state sovereignty with the responsibility to protect people at risk of atrocities. In the event of state failure, the concept establishes the responsibility of the international community to prevent as well as to respond to mass atrocities.

Regional frameworks however, are important in their ability to address conflict. Unlike global structures and frameworks, they can create a cooperative atmosphere where governments can engage in cross-border governance and assist each other in resolving disputes, including those concerning minorities. If the focus is on interaction and not mere membership in a regional grouping, then as the ties between states and non-state actors become deeper, the expectation is that minority conflicts decrease. In Hungary, Slovakia, Romania, as well as the Baltic states, accession to the EU has brought stronger incentives for cooperation, and greater potential for economic development and infrastructure improvements for minorities living in border regions.

Similarly, the Council of Europe (CoE) has set standards for minority rights protections; these directives are legally binding although member states can use different approaches to implement these standards, as long as they adhere to the values set down.

In comparison to the CoE, the Association of Southeast Asian Nations (ASEAN) has traditionally followed a policy of quiet diplomacy and consensus to maintain stability in the region. Although following a policy of non-interference in the intra-state affairs of member states, in recent times the Chair of ASEAN has set policy initiatives which highlight non-traditional security issues — as seen with the promotion of the ASEAN Security Community and the ASEAN Socio-Cultural Community which can serve as important entry points and opportunities for minority protection on which one can build up and develop early warning system.

For early warning to be successful a systematic approach is required. The power of these mechanisms is however, dependent on the cooperation and dialogue between civil society and official bodies. Analysis shows that most EWS are loosely framed and warning is separated from early response, so that the actors who are given the information are different from those who have the mandate to coordinate a response. The transformation from analysis to policy can be supported by the activities of civil society groups, lobbyists and other actors. However, to bridge these gaps, trust has to be built between all actors involved so that a multi-level response can be evolved whereby activities are jointly coordinated.

Indeed, formalised inter-governmental structures should not be seen as the only possible solution; other non-governmental approaches to EWS should also be studied. This is important in the context of minority conflicts, especially in Asia where in the absence of a regional institutional EWS framework, the work of non-state actors takes on considerable relevance. Track II and Track III actors can be directly involved — and though there is a struggle to find examples of multi-level solution, there exist several situations in Asia (Indonesia) and Europe (Macedonia) where there is low-intensity tension that does not escalate; a strong economic imperative to take quick action; where the presence of strong charismatic leaders and the satisfaction of basic rights may act as a means of arresting the development of minority conflict.

Successful response strategies depend on sensible divisions of labour among those actors who are best placed to fulfil very specific security provision tasks and the greater the pool from which to select the best placed actors, the greater the chances are for success. A regional approach will automatically increase that pool. Moreover, regional approaches mean that joint strategies can be put into place to develop practical responses to avert complex threat scenarios.

A regional framework for an EWS for minority conflict will require building capacities at all levels — local, national, bilateral, regional and international. While their constituencies may differ, there is a need for different actors at each level to be able to monitor minority conflict situations as they develop. In addition, there is a need to build a knowledge community at the regional level that would include the involvement of decision makers and eminent persons, think-tank academic networks and journalists' networks.

While the linking of EWS to existing human rights and human security frameworks may gain greater support for the idea for a regional framework, some of the immediate next steps that have been proposed include:

1. Encourage direct meetings on Early Warning component in Asia and Europe, e.g. with OSCE HCNM;

2. Promote the framework to ASEAN's Eminent Expert Persons (EEP) group and promote exchanges between the HCNM and the EEP. Similarly, encourage linkages between ARF and OSCE; and

3. The dialogue for a regional framework could start with a track II approach first (because of sensitive issues); this would allow even government officials to participate albeit in a private capacity

Ultimately, it is important to note that joint efforts in facing and averting common threats, crises and insecurities also contribute to regional confidence-building. A region that jointly and successfully overcomes traditional as well as non-traditional crises will inevitably emerge as a stronger community.

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INTRODUCTION

The past two decades have illustrated how important ethnicity and minority identities have become in group politics — how they influence conflict, both in causation and perception.

In both Asia and Europe, minority issues remain at the heart of most intrastate and non-state conflicts and in spite of the large strides made in developing Early Warning Systems (EWS) for armed conflict, many believe that the existing frameworks and mechanisms lack the provisions to specifically prevent the outbreak of minority conflicts. Indeed, one of the key messages and recommendations from the 6th Asia-Europe Roundtable (AER) on minority conflict was that "members in the ASEM framework should set up a track II forum to detect early warning signals and monitor conflict areas".[2]

Picking up on this recommendation, the 7th AER elaborated upon a potential regional framework to assemble preventive tools and Early Warning Systems (EWS) to address such conflicts. This paper will study the manner by which minority conflicts are prevented and contained through EWS; by analysing the gaps in the current mechanisms, it will present a framework by which regional early warning structures and responses can be better integrated and enhanced.

This paper begins by mapping out the definitions and international legal frameworks for minority protection and conflict prevention. It also illustrates the work of regional actors in preventing minority conflict and the different preventive efforts that have been organised at the regional level. This enables us to contextualise the importance and requirement for a framework to develop regional responses.

1. Definition of Basic Concepts[3]

1.1 Definition of Concepts

Due to the lack of international consensus or agreement, there is no universal definition of 'minority'. In the United Nations system, the term refers to national, ethnic, religious and linguistic groups[4]. A commonly accepted definition is the one provided by UN Special Rapporteur, Francesco Capotorti, according to whom a minority is "A group numerically inferior to the rest of the population of a state, in a non-dominant position, whose members — being nationals of the state — possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language"[5].

For the purposes of this paper, the characterisation provided by Francesco Capotorti is used as the working definition for the concept of minority.

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[2] 6th Asia-Europe Roundtable Special Report, Minority Conflicts – Towards an ASEM Framework for Conflict Management, 2009, p 11

[3] These definitions are not restrictive — their intention is to frame the context for this paper.

[4] Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Adopted by General Assembly Resolution 47/135, 18 December 1992.

[5] Francesco Capotorti, proposed definition of 'minorities' in the context of Article 27 of the International Covenant on Civil and Political Rights: Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities, E/CN.4/Sub.2/384/Rev.1, 1979.

1.2 Minority Conflict

While it is true that not all minority conflicts are ethnic conflicts, in a majority of minority conflicts, ethnicity does play an important role. As Clancy and Nagle observe[6], depending on the nature of the minority group, conflict can arise from demands for (greater) autonomy, seccession or (re) unification with the kin state.

When identifying any conflict as a 'minority conflict', it is important to note that while structural deprivations and discriminations are often the root causes for many conflicts, minority or ethnic identities and tensions are often manipulated by political actors to rally and mobilise supporters within the group[7].

1.3 Conflict Prevention

One of the most enduring definitions of conflict prevention has been articulated by Michael Lund, who defined conflict prevention as those 'actions, policies, procedures or institutions undertaken in particularly vulnerable places and times in order to avoid the threat or use of armed force and related forms of coercion by states or groups, as the way to settle the political disputes that can arise from the destabilising effects of economic, social, political and international change'[8].

For conflict prevention to be efficient[9], quiet diplomacy can be a necessary action — to prepare the solutions in advance without allowing radical voices from both sides to prevail. But these solutions need to be elaborated in bottom-up parallel developments too. Communities may successfully engage in search of conflict prevention tools and, in addition to official governmental efforts, civil society can be instrumental. The aim of conflict prevention must be "to create a synergy with those civil society groups that are bridge-builders, truth-finders, watchdogs, human rights defenders, and agents of social protection and economic revitalization."[10]

1.4 Early Warning Systems

Early warning generally refers to the 'systematic collection and analysis of information coming from areas of crises for the purpose of: a) anticipating the escalation of violent conflict; b) the development of strategic responses to these crises; and c) the presentation of options to critical actors for the purposes of decision-making'[11].

Early warning is an important component of conflict prevention with its focus on both preparedness and prediction. As Blénesi notes, 'One of the crucial tasks in early warning is ascertaining <u>where</u> and <u>when</u> the most harmful conflicts are likely to occur so that the most appropriate levels of response may be committed to them'[12].

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[6] Mary Alice C. Clancy and John Nagle, Minority Conflicts – Towards an ASEM Framework for Conflict Management, Paper presented to the 6th Asia-Europe Roundtable, 10-12 June 2009

[7] Bruce Gilley, Against the Concept of Ethnic Conflict, Third World Quarterly, Vol. 25, No. 6, pp. 1155–1166, 2004

[8] M. Lund, Preventing and Mitigating Violent Conflicts: A Revised Guide for Practitioners, 1997 as quoted in A. Schmid, Thesaurus and Glossary of Early Warning and Conflict Prevention Terms (abridged version), PIOOM, Synthesis Foundation, 1998, p 12

[9] A detailed discussion on conflict prevention can be found in the special report of the 4th Asia-Europe Roundtable on 'Conflict Prevention: Actors, Institutions and Mechanisms. Sharing Experiences between Asia and Europe', 2005, available at www.asef.org

[10] UN Secretary General Kofi Annan's opening remarks at the Security Council debate,"The role of civil society in post-conflict peacebuilding", New York, 22 June 2004

[11] FEWER Mission Statement, Forum on Early Warning and Early Response, 1997 as quoted in A. Schmid, Thesaurus and Glossary of Early Warning and Conflict Prevention Terms (abridged version), PIOOM, Synthesis Foundation, 1998, p 13

[12] Éva Blénesi, Ethnic Early Warning Systems and Conflict Prevention, Global Security Fellows Initiative, Occasional Paper No. 11, University of Cambridge, 1998

2. International Legal Framework for Minority Conflict Prevention

2.1. Historical overview

Rights of people belonging to minorities have been a matter of concern for long time — with an increased focus towards the protection of their rights in the 20th century. After the First World War, the newly independent states had to acknowledge the minority clauses of the peace treaties and make them part of their domestic laws. These treaties contained a reconciliatory procedure between minorities and affected states. This system was an important step in the evolution of minority protection — it allowed the subject of violations (collectively, if not yet as individuals) to be brought to an international forum. For the first time the international community recognised that people living outside usual domestic jurisdiction may need additional guarantees of their fundamental rights from an external body, if the protection within individual states fails. With the decline of the League in the 1930s the minority treaties increasingly became unenforceable and the UN Security Council often failed to act upon complaints from minorities. State policies for cultural assimilation were ignored and even seen as contributing to internal stability. The crisis of the system deepened when the issue of German minorities in Poland and Czechoslovakia was abused as a pretext for aggression.[13]

2.2. United Nations System

After 1945 the international protection of human rights, including the rights of minorities, became universal and enshrined as one of the purposes of the United Nations, as defined in the Charter of the United Nations (Art. 1/3). The drafters of the Charter intentionally discarded special provisions on minorities in favour of a general human rights regime based on the principles of equality and non-discrimination. Minority issues were left for states to deal with internally, bilaterally or regionally.

Some of the relevant International human rights laws and conventions that include implicit or explicit relevance to minorities are:

1948: Universal Declaration of Human Rights (UDHR)

1965: International Convention on the Elimination of All Forms of Racial Discrimination

1966: International Covenant on Civil and Political Rights (Article 27 of which concerns the rights of persons belonging to ethnic, religious or linguistic minorities)

1966: International Covenant on Economic, Social and Cultural Rights

1981: Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

1992: UN Declaration on Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

2007: UN Declaration on the Rights of Indigenous Peoples

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[13] In principle, the League's minority treaties are not 'dead' — when the International Court of Justice analysed the status of Palestine (para 69, 70, 129, Advisory Opinion on Legal Consequences of Construction of a Wall in Occupied Palestinian Territory) in addition to the general guarantees of freedom of movement, it stressed specific guarantees of access to Holy Places, quoting that minority and religious rights had been placed under international guarantee by Art. 62 of the 1878 Treaty of Berlin, and preserved in accordance with the safeguarding provisions of Art. 13 of the League of Nations Mandate.

Another mechanism is the **Sub-Commission on the Promotion and Protection of Human Rights** (before 1999 known as the Sub-Commission on Prevention of Discrimination and Protection of Minorities) — a subsidiary body of the UN Commission on Human Rights, which was replaced by the Human Rights Council (HRC) in 2006. The Sub-Commission was first formed in 1947 with the mandate to undertake studies and make recommendations to the Commission concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, national, religious and linguistic minorities. In 2006 the HRC resolved to extend the Sub-Commission's mandate on an exceptional one-year basis. The Sub-Commission met for the final time in August 2006; among the recommendations adopted was one for the creation of a Human Rights Consultative Committee as a standing body to assist the HRC.

A **Special Adviser to the Secretary-General on the Prevention of Genocide** (SAPG) was appointed in July 2004. The Peacebuilding Commission, recommended by the High-Level Panel, has been operating since 2005. The Secretary-General is expanding his 'good offices' for conflict mediation, and the Department of Political Affairs (DPA) has established a Mediation Support Unit.

In the Charter of the United Nations, the international legal framework for conflict prevention rests upon Chapter VI. Article 33 (1) calls upon states, in the first instance, to seek settlement of disputes by peaceful means. Article 36 (1) allows the Security Council to "recommend appropriate procedures or methods of adjustment". Article 36 (3) holds that "legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court". The **Security Council Resolution 1366** on the role of the Council in prevention of armed conflicts stresses that the essential responsibility for conflict prevention rests with national Governments, and that the United Nations and the international community can play an important role in support of national efforts for conflict prevention and can assist in building national capacity in this field; furthermore, it recognises the important supporting role of civil society[14].

Apart from the UN, the World Bank, the European Commission, and other bilateral aid agencies also monitor minority situations in countries in turmoil and assess risks of violence breaking out. The World Bank and UNDP for example, have initiated a joint "watching brief" project to monitor social and economic conditions in specific countries. The UN Office for the Coordination of Humanitarian Affairs (OCHA) has a dedicated 'Early Warning Unit' that combines field missions and analytical work to track trends that might lead to humanitarian crises or failures. It also disseminates regular upgrade and one-page reports highlighting particular situations to others entities within the UN system. The UN Department of Peacekeeping Operations (DPKO) also developed recently strategies to assess potential conflict escalation and preventive early warning. More actively than before, its missions now engage in the protection of civilians in armed conflicts.

In addition to the system-wide changes and efforts by the UN, other international entities such as governments, multilateral organisations and NGOs are also involved in conflict prevention efforts — Sweden, Norway and Canada have led many of the international debates and initiatives relating to the promotion of conflict prevention, and the need to promote human security as a key to preventing war.[15]

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[14] United Nations Security Council Resolution 1366 (2001), S/RES/1366 (2001)

[15] John Degnbol-Martinussen and Poul Engerg-Pedersen, "Aid: Understanding International Development Cooperation", London: Zed Books, 2003.

2.3 Development of the Concept of Responsibility to Protect

More recently the concept of Responsibility to Protect (R2P) has been endorsed in the 2005 World Summit Outcome Document (para 138–140). R2P places the primary responsibility for protection of citizens on the states directly — linking state sovereignty with responsibility to protect people at risk of atrocities. If states fail to protect their citizens, the responsibility to protect then falls upon the international community to intervene. R2P is significant not only for reconciling sovereignty with human security, but also for holding the international community accountable for state failure. It establishes the responsibility of the international community to prevent as well as to respond to mass atrocities[16]. The 2009 UN Secretary-General Report "Implementing the Responsibility to Protect" (2009 R2P Report) places a greater emphasis on prevention rather than intervention, and exhorts the international community to provide assistance to states in building capacity to exercise this responsibility, including establishing an early warning capability[17].

Internationally there is growing support for R2P and in this regard regional organisations have acquired significant relevance in conflict prevention — especially in Europe and Africa. In Asia, there continues to be a strong respect for state sovereignty and a policy of non-intervention with regard to early warning. However, this attitude is now beginning to shift, as can be evidenced in the remarks of the Singaporean Permanent Representative to the UN who, in his 2005 pre-summit statement, said "…it is high time that massive killings and crimes against humanity be things of the past. Yet, these things continue to happen, and they continue to be protected by walls of an antiquated notion of absolute sovereignty."[18]

There are plans to implement in stages, a conflict prevention component to the ASEAN Regional Forum (ARF). Proponents of the R2P framework place greater emphasis on preventive measures over interventionist measures as a way of pushing forward a regional conflict prevention framework. Civil society has an important role to play in pushing for stronger regional frameworks for conflict prevention when inter-governmental and regional organisations appear reluctant to initiate minority conflict prevention measures. For example, the Solidarity for Asian People's Advocacy's (SAPA) submission to the Eminent Persons Group on the ASEAN Charter included the following clause: "The ASEAN Charter should define clearly that the responsibilities of the state to protect, promote and fulfil its obligations in respecting the rights of its citizens supersede the obligations it imposes on its citizens."[19]

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[16] Nicole Deller and Sapna Chhatpar, "Guidelines for the International Community to Prevent and React to Genocide and Mass Atrocities", presented at the World Federalist Movement-Institute for Global Policy, November 2006.

[17] There are concerns that the 2009 R2P Report is conservative and focuses on general armed conflict mediation and prevention over the prevention of atrocities. Armed conflicts may lead to atrocities, but atrocities may happen outside armed conflict too — the Cambodia genocide is a good example. For more detailed discussions, please refer to Knight and Popovski, "Putting People Ahead of Protocol", the Edmonton Journal, 4 June 2008.

[18] Vanu Gopala Menon, Permanent Representative of Singapore to the United Nations", 87th Plenary Meeting on the Report of the Sec-Gen "In Larger Freedom: Toward Development, Security and Human Rights for All," 7 April 2005.

[19] Solidarity for Asian People's Advocacy (SAPA), "Submission to the Eminent Persons Group on the ASEAN Charter," Ubud, Bali, 17 April 2006.

3. Minority Conflict Prevention in Europe and Asia

3.1 Benefits of Regional Frameworks

The regional frameworks for minority protection emerged as a response to the risks of unilateral approaches by kin-states and also the deficiencies of the global UN System.

If kin-states take unilateral action to protect minorities abroad, serious tensions can be created or exacerbated with the host state. For example, the "Act on Hungarians Living in Neighbouring Countries" (known as the "Status Law") adopted by Hungary unilaterally granted special rights for the significant ethnic Hungarian minority populations in neighbouring Romania, Serbia, Slovakia, Slovenia and Ukraine to work within Hungary, referring to them as part of the "unified Hungarian nation". To receive these special rights, individuals simply had to voluntarily declare themselves as being of Hungarian nationality. The Status Law was strongly criticised by some neighbouring states as interference in their domestic affairs and a violation of their sovereignty. With tensions rising, regional organisations including the Council of Europe (CoE), the OSCE's High Commissioner on National Minorities (HCNM) and the European Union (EU), pressured the states involved to enter into bilateral negotiations which eventually defused the situation.

This case illustrates the dilemma of kin-state involvement in minority protection abroad: although kin-states can provide much-needed assistance and fill capacity gaps in preventing and resolving minority tensions, their interference in the domestic affairs of other states can also present a destabilising threat to regional security. Still kin-states are an important factor, but the best way for them to ensure protection of minorities is not to act unilaterally but multilaterally — through the regional frameworks. If bilateral approaches might be problematic, because of historically inherited tensions, kin states can utilise mechanisms of existing regional organisations to assist the protection of minorities.

Regional frameworks for minority protection have emerged partly as a response to the risks of unilateral approaches by kin-states and also partly the deficiencies of the global UN system. While the effects of minority conflicts are located first at the local level, their impact will also be deeply felt at the regional level. Neighboring states share common concerns, such as regional political and socio-economic stability; regional frameworks aid in the local implementation of early warning systems into a state's domestic political and social structures. For example, the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children was quickly picked up by member states in their own efforts to curb human trafficking. Lessons can also be learnt from the European experience where standards-setting for minority rights was a major part of the human rights approach behind the creation of the Council of Europe. Although directives from the CoE are legally binding, member states can use different approaches to implement these standards, as long as they adhere to the values set down.

3.2 Europe

In 1950 the **European Convention on Human Rights** was adopted with all CoE members being party to the Convention. Individuals belonging to minority groups, as all other citizens, enjoy the full amount of rights and fundamental freedoms, listed in the Convention, including the right to individual petition against a state for violations of the Convention.

In 1994 the **Framework Convention for the Protection of National Minorities** (FCNM) was adopted by 22 member states of the CoE[20]. It came into force in 1998 and remains one of the first treaties to comprehensively address the protection of minority rights. The Framework Convention's broad aims are to ensure that the signatory states respect the rights of national minorities and undertake to combat discrimination, promote equality, preserve and develop the culture and identity of national minorities, guarantee certain freedoms in relation to access to the media, minority languages and education and encourage the participation in public life[21]. As of 2010, 40 member states have signed and ratified the Convention.

The FCNM has faced certain criticisms. First of all, not all member states of the CoE have signed and ratified the Convention[22]. Secondly, although legally binding on parties, there is no provision for enforcement – the Convention cannot be reviewed in either domestic or international courts such as the European Court for Human Rights; its provisions are monitored by the Committee of Ministers of the Council of Europe through an Advisory Committee. Furthermore, the provisions, which are directed towards States to improve minority protection, are flexible, creating the possibility for states to interpret the FCNM in a manner most favourable for them[23].

However, it is because the provisions are directed towards state action, a sense of accountability is created– States are legally obliged to take concrete steps to implement the principles of the Convention. In fact, Articles 24 to 32 are focused on the monitoring of the Convention. This monitoring process allows NGOs and civil society groups to provide inputs into the monitoring and implementation of the FCNM in member countries[24].

Apart from legal mechanisms, there have also been political agreements and mechanisms, which although not legally binding, are important for setting standards:

1973: Conference on Security and Co-operation in Europe (CSCE) and 1975 Helsinki Final Act

1990: Copenhagen Document on the Human Dimension of the CSCE

1990: Charter of Paris for a New Europe

In 1995 CSCE was renamed **Organization for Security and Co-operation in Europe** (OSCE).

In 1992 with the recognition that ethnic conflict is one of the main sources of large-scale violence and with the main task to prevent such violence, the post of the OSCE **High Commissioner on National Minorities** (HCNM) was established. Its mandate, accordingly, is to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating States.

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[20] The Council first discussed specific protection for national minorities in 1949, but it was not until 1990 when the Council made a firm commitment to protect minority groups and listed principles in Recommendation 1134.

[21] The full text can be accessed at www.coe.int

[22] Andorra, France, Monaco and Turkey are not signatories to the Convention. Belgium, Greece and Luxembourg and Iceland have signed but are yet to ratify.

[23] An indepth review of the legal obligations of the FCNM can be found in Marc Weller (ed). The Rights of Minorities in Europe. A commentary on the Framework Convention for the Protection of National Minorities, Oxford University Press, 2005

[24] Magdalena Syposz, Framework Convention for the Protection of National Minorities – Opportunities for NGOs and Minorities, Minority Rights Group International, 2006

More specifically, the HCNM is described as "an instrument of conflict prevention at the earliest possible stage" and is to provide "'early warning' and, when appropriate, 'early action' at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage, but, in the judgment of the High Commissioner, have the potential to develop into a conflict within the OSCE area, affecting peace, stability or relations between participating States, requiring the attention of and action by the Council or the CSO"[25].

The HCNM does not investigate individual cases nor is it an ombudsman's office. The office focuses on the protection of minority rights, but it does so in the interest of the OSCE member states – the HCNM contributes towards social cohesion within states and minority protection within the OSCE area[26].

Since the 1990s, the HCNM has been particularly active in the former Soviet Union — building confidence and trust between the governments in the newly independent states of the ex-Soviet Union and their Russian minorities. In Hungary, Slovakia, Romania, as well as the Baltic states, accession to the EU has brought stronger incentives for cooperation, and greater potential for economic development and infrastructure improvements for minorities living in border regions.

The office of the HCNM is assured of two important features[27]:
- A high degree of independence is granted to the High Commissioner; although the HCNM reports to the Permanent Council, he/she does not require the approval of the Council but is allowed to take initiative to get involved as an impartial actor in any particular situation. With regard to early warning, the HCNM acts as a 'tripwire' to warn the OSCE of conflict escalation beyond its control – in 1999, the HCNM raised an alarm over the potential fallout of the influx of Kosovo Albanian refugees into Macedonia on inter-ethnic relations.
- The HCNM works through a policy of quiet diplomacy and confidentiality. This allows the High Commissioner to work discreetly and directly with the conflicting groups; more importantly, by working in confidence, the office is able to ensure its neutrality.

While early warning is an important activity of the immediate conflict prevention activities that the HCNM undertakes, it also undertakes long term prevention activities; it conducts activities in language training, media broadcasting in minority languages, cultural sensitivity training for civil servants, police personnel and journalists. The HCNM approach is based both on promoting integration and encouraging respect for diversity and often invites experts to help develop guidelines and recommendations[28].

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[25] Helsinki Decisions, paragraph II.3

[26] Council of Europe, Institutions for the management of ethnopolitical conflict in central and eastern Europe, Council of Europe Publishing, 2008

[27] Detailed information about the HCNM's mandate can be found on the OCSE website which can be accessed at http://www.osce.org/hcnm/43201

[28] More information about the HCNM's activities can be found at www.osce.org/hcnm

3.3 Asia

3.3.1 Southeast Asia and ASEAN

The **Association of Southeast Asian Nations** (ASEAN) was formed in 1967. In comparison to the Council of Europe, ASEAN is based on informal cooperation without binding legal obligations[29]. Although limited to managing inter-state tensions over territorial claims, it has a conflict prevention role — for example, in the early 1990s recognising that the territorial and jurisdictional disputes in the South China Sea may directly affect peace and stability in the region, ASEAN issued its 1992 Manila Declaration, which promoted a policy of cooperation and collaboration to mitigate the conflict. ASEAN also played a significant role in the settlement of the Cambodian conflict through the Paris Agreement, sponsored track-two diplomacy efforts on the Spratly Islands dispute in 1991. ASEAN continues to host dialogues regarding nuclear non-proliferation in Northeast Asia and South Asia.[30]

In 1994 ASEAN established the **ASEAN Regional Forum (ARF)** to foster constructive dialogue and consultation on political and security issues of common interest and concern, and to promote confidence building and preventive diplomacy in the Asia-Pacific region. To achieve this objective, the ARF has adopted an evolutionary three-stage process: stage one focuses on promotion of confidence building measures; stage two promotes the development of preventive diplomacy mechanisms; and stage three elaborates on conflict resolution mechanisms[31]. The ARF framework is based on the ASEAN's norms and practices, where decision-making is based on consensus and that the ARF should move at a pace that is neither "…too fast for those who want to go slow and not too slow for those who want to go fast".[32]

Political Settlement of Conflict
In the Philippines, the peace negotiations with the MNLF (Moro National Liberation Front) and later the MILF (Moro Islamic Liberation Front) opened avenues for government and the rebel groups to discuss legitimate grievances of Muslim people. The creation of the Autonomous Region of Muslim Mindanao (ARMM) following the peace agreement signed between the government and the MNLF in the late 1990s demonstrates that assimilation and integration were no longer the overriding objective — the government poured in a lot of resources and development assistance, including multilateral aid, to ARMM. With the exception of the administration of former president Joseph Estrada (1998–2001) which pursued a total war policy against the MILF and splinter groups, the government of the Philippines has pursued a negotiated political approach in ending the Muslim rebellion in Mindanao, with the participation of various non-state actors down to the local levels.

The negotiated political settlement however is not without 'spoilers' — there are still military operations or encounters between government troops and MILF rebels, breakdowns in ceasefire agreements and lack of coordination within MILF rebel factions in dealing with government forces. There are certain terrorist groups (e.g., Abu Sayyaf and splinter groups) operating in MILF-controlled territories. It must also be noted that within the MILF, the central leadership does not fully control

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[29] Rodolfo C. Severino, Southeast Asia in Search of an ASEAN Reader. Singapore: ISEAS, 2006.

[30] For more information see Association of Southeast Asian Nations, www.aseansec.org

[31] For detailed information on the three-stage process, please refer to "The ASEAN Regional Forum : A Concept Paper", 1995.

[32] The ASEAN Regional Forum: A Concept Paper, ibid.

the different factions in the group. The creation of an International Monitoring Team (IMT) was supported by the government of the Philippines in order to ensure that both sides honour the ceasefire agreement. This is another indication that the state is not purely adopting a military approach in dealing with the rebel groups. Apart from the IMT, there are also NGOs to be credited for creating peace zones where both government and rebel forces are expected to honour and avoid having military encounters in order to protect civilians in the area.

The Involvement of Regional Actors

Regional actors have also played an important role in the facilitation of 'Good Offices' in Mindanao.

The involvement of the Organization of the Islamic Conference (OIC) began at the height of the conflict between the MNLF and the Philippine government, after concern was raised by Malaysia on the impact of the conflict on the Muslim communities in Mindanao. Three OIC fact-finding missions were dispatched between 1972 and 1974, whose participants included no less than the foreign ministers of Libya, Senegal, Somalia and Saudi Arabia. Eventually, the OIC played the role of a mediator between the Philippine government and the MNLF, culminating in the signing of the Tripoli Agreement of 1976, which outlined the general provisions for autonomy in three provinces in southern Philippines.

Libya acted as head of OIC (1972–1993) in the Quadripartite Ministerial Committee and as main sponsor of the Tripoli Agreement, which became the main reference for further negotiations between the two parties. Libya was also the main supporter of the MNLF within OIC[33]. While former president Marcos initially responded to the conflict by launching full-scale military operations, the intensity of fighting, which showed no signs of decreasing, led him to respond to proposals for peace talks. The OIC also urged its members in Southeast Asia, Indonesia and Malaysia, to "exert their good offices to help find solution within the framework of ASEAN". A summit between presidents Marcos and Suharto of Indonesia, another ASEAN member, also tackled the problem in Mindanao.

In August 2008, peace negotiations between the government and the MILF were bogged down following the derailment of the signing of the Memorandum of Agreement on Ancestral Domain (MOA-AD). The agreement was supposed to have been the final, key substantive stage of the peace process on arrangements for recognition of the Bangsamoro homeland through an expanded form of autonomy. However, the agreement was opposed by a number of Christian and Muslim politicians at the local and national levels. A Supreme Court ruling (by a narrow 8–7 vote) on the draft agreement as "unconstitutional" has rendered the continuation of future negotiations uncertain and has led to the fiercest fighting in Mindanao since 2003, which began when a major MILF unit launched attacks on several Christian towns in the Lanao del Norte province. Fighting affected nine provinces, resulting in some 610,000 persons displaced from their homes and 104 dead in August 2008.[34]

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[33] Soliman Santos Jr, The Moro Islamic Challenge: Constitutional Thinking of the Mindanao Peace Process. University of the Philippines Press: Quezon City, 2001.

[34] Amnesty International, Shattered Peace in Mindanao: The Human Cost of Conflict in the Philippines, 2008.

Prior to its direct role as facilitator, Indonesia, along with fellow ASEAN member Malaysia pushed for a peace talk framework of national sovereignty and territorial integrity for the Philippines. Here the ASEAN factor played a role in supporting the Philippine position in negotiating with the MNLF. Both countries were "anxious to prevent interference" in Southeast Asia, and ASEAN was of "higher value" to Indonesia and Malaysia, than OIC or "Islamic solidarity". Indonesia also reportedly avoided using the term "Bangsamoro people" because, quoting Indonesian Ambassador Wiryono — the chief representative of Indonesia during the GRP MNLF peace talks, "We don't want to be seen as adopting the right to secede."[35] Indonesia itself also faced multiple separatist threats, including Timor Leste which obtained its independence in 1999.

The **Aceh** struggle for independence has probably been one of the longest and bloodiest separatist insurgencies in Asia. The Aceh conflict is often described as a 'classic secessionist conflict' in which grievances about structural impoverishment and gas extraction came to merge with a pre-existing struggle against the government for autonomy[36]. The three decades of armed conflict finally ended in ceasefire in 2005 with both sides – the Government of Indonesia and the Free Aceh Movement (GAM) – signing a Memorandum of Understanding (MoU) on 15 August 2005 in Helsinki, Finland.

A month after signing the peace agreement, the Aceh Monitoring Mission (AMM) was deployed to assist the Government of Indonesia and the GAM in the implementation of the MoU. The AMM was an EU-led mission, conducted together with five ASEAN countries (Brunei, Malaysia, Philippines, Singapore and Thailand), and with contributions from Norway and Switzerland. On the European side, the AMM was the first such initiative under the European Security and Defence Policy (ESDP).).

The AMM actively assisted with the decommissioning and destruction of weapons, ammunition and explosives surrendered. It monitored the re-location/withdrawal of "non-organic" military and police forces, and the Decommissioning, Demobilisation and Reintegration (DDR) of former GAM combatants. The AMM observed the human rights situation and provided assistance in the context of its tasks; it did not take on a facilitation or negotiation role. Within the continuing peace process in Aceh, a number of important political events such as the legislative elections and the run-up to the presidential election took place in recent years. And throughout these events, the civil society continues to play a major role in making sure that the voices of the people are heard[37].

The AMM represented an invaluable opportunity for the EU to demonstrate its capacity to rapidly launch a complex ESDP mission over long distances and to combine decommissioning, demobilisation and reintegration of former combatants and post-tsunami reconstruction, in an effort to achieve sustainable security and development of the region.

With the great number and variety of cultural groups existing in Asia, the scope of potential conflict is large; however, intercultural relations by and large remain peaceful and are rarely the cause for conflict at the regional level. Croissant and Trinn point to the non-violent strategies used by Singapore and Malaysia and note that 'the fact that culture at the inter-state level in Southeast Asia hardly has any relevance for conflicts, but rather, within ASEAN, forms of a joint identity creation are recognisable (Shuck 2008), clarify[ies] that cultural diversity and conflicts within states and state regions in Asia need not necessarily assume violent forms'[38].

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[35] 6th Asia-Europe Roundtable, Minority Conflicts – Towards an ASEM Framework for Conflict Management: Case Studies of Ethnic Minority Conflicts in Southern Philippines and Southern Thailand, 2009

[36] A. Wennmann and J. Krause, Managing the Economic Dimensions of Peace Processes: Resource Wealth, Autonomy, and Peace in Aceh, The Centre on Conflict, Development and Peacebuilding CCDP Working Paper 3

[37] For further reading on the AMM, please see 'Supporting the Peace Process:the Aceh Monitoring Mission (AMM)

[38] Aurel Croissant and Christoph Trinn, Culture, Identity and Conflict in Asia and Southeast Asia, ASIEN 110 , January 2009, pp 13-43,p 41

ASEAN's role in addressing local minority conflicts has the potential to be enhanced further. Before this can happen, the organisation must complement its present political mode of cooperation primarily through state elites, by strengthening regional human rights norms, institutions, and dispute settlement mechanisms to protect and fulfil minority rights — including migrant communities, indigenous peoples, and ethnic nationalities. These goals are clearly enshrined in the ASEAN Charter that was ratified in 2008 and in the ASEAN Concord II that was signed in 2003, which endorsed the creation of an ASEAN Community by 2015 based on "...political and security cooperation, economic cooperation, and socio-cultural cooperation that are closely intertwined and mutually reinforcing for the purpose of ensuring durable peace, stability and shared prosperity in the region".[39] At the 14th ASEAN Summit in 2009, the ASEAN Political-Security Community (APSC) Blueprint was adopted which provides the road map for establishing of an ASEAN Political-Security Community. In addition to detailing actions aimed at the promotion of peace and stability in the region, it also lays emphasis on preventive diplomacy and confidence building measures as important instruments for conflict prevention.[40]

3.3.2 South Asia and SAARC

When it comes to region-building, South Asia and Southeast Asia have had very different experiences. Historical relations between the South Asian countries have not always been very cordial with the current tensions in the region only serving to further aggravate the situation. The South Asian Association for Regional Cooperation (**SAARC**) was formed in 1985 by the seven countries of the region: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka (Afghanistan was admitted as the eighth member in 2007) with an objective to 'contribute to mutual trust, understanding and appreciation of one another's problems'[41].

Although SAARC countries do coordinate with each other on security issues, its joint activities remain focused on terrorism, narcotics and organised crime. As compared to ASEAN whose general objective was to maintain peace in the region, SAARC at the time of its creation was specifically charged to not interfere in any bilateral disputes.

Ananya Mukherjee Reed provides a critique to the institutional approach to international cooperation which sees the building of institutions as an effective means of improving relations between nations. Reed observes that SAARC's inadequate attempts at regionalisation 'arises precisely out of the effort to use the institution to focus attention away from serious disagreements within the member countries, and establish some arrangement despite these disagreements'[42].

ASEAN's success can be attributed in large part to the awareness that peace was required for regional progress. Hedley Bull compares ASEAN to a society of states in which members adhere to certain norms and practices to build regional security; SAARC remains a system of states, unable to act on common regional interests[43].

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[39] Declaration of ASEAN Concord II (Bali Concord II) ,2003

[40] The full report can be accessed at http://www.aseansec.org/22337.pdf

[41] The full charter can be found at www.saarc-sec.org

[42] Ananya Mukherjee Reed, Regionalization in South Asia: Theory and Praxis, Pacific Affairs, Vol. 70, No. 2 (Summer, 1997), University of British Columbia, pp. 235-251, p 238

[43] Hedley Bull, The Anarchical Society: A Study of Order in World Politics, Macmillan, 1997 as quoted by . Kripa Sridharan, Regional Organisations and Conflict Management: Comparing ASEAN and SAARC, Crisis States Research Centre, Working Paper 33, 2008

The fact that a number of ASEAN peace treaties were technically formed outside the ASEAN framework indicates that not all norms have to be instituted in legal charters. Regular consultation and dialogue between ASEAN countries has led to the development of the Association into an effective regional security forum. As Bull states 'it is not uncommon for a rule to emerge first as an operational rule, then to become established practice, then to attain the status of a moral principle and finally to be incorporated in a legal convention'[44].

While some SAARC countries are already involved in bilateral cooperation with ASEAN (India and Pakistan are both members of the ASEAN Regional Forum), there needs to be greater and more interaction between the SAARC and ASEAN communities.

In Asia the building of both regional and domestic constituencies in supporting the protection of minority groups has continued, notwithstanding the limitations of regional frameworks. It is important to highlight the role of 'champions' and various stakeholders in protecting civilians in conflict areas, especially vulnerable groups. Meanwhile, the Chair of ASEAN also has the potential to set policy initiatives which as demonstrated by experience can be more people-centered, human security oriented, and give importance to non-traditional security issues. When Indonesia was Chair in 2003, it promoted the idea of ASEAN Security Community with emphasis on promoting democratic values and protection of human rights. When the Philippines was Chair of ASEAN in 2006–2007, it promoted the ASEAN Socio-Cultural Community, as well as the adoption of the ASEAN Convention on the Protection of Migrant Workers in the region. These are important entry points and opportunities for minority protection on which one can build up and develop early warning system.

3.4. Other Regional Institutions and Mechanisms

While a regional framework may be useful, formalised structures cannot be seen as the only possible solution. In Indonesia, the existence of a large variety of ethnic groups call for a need for a special framework. Mechanisms need not be institutionalised as ad-hoc creations catering to individual community needs could also be effective.

In Southeast Asia, there are a number of bodies and mechanisms that can, if utilised well, be instrumental in developing an early warning framework and contribute to reduction of minority conflicts. These include:

- The **ASEAN Regional Forum (ARF)** framework which provides for preventive diplomacy, especially through the ARF Chair mechanism; the Eminent Expert Persons (EEP) Group; and the (non-governmental) Council for Security Cooperation in the Asia Pacific (CSCAP) process.

- The **ASEAN Intergovernmental Commission on Human Rights (AICHR)** which in its Terms of Reference has the capacity for consultation with civil society groups; work with relevant national and regional human rights institutions, including the recently created ASEAN Commission on the Promotion and Protection of the Rights of Women and Children.

- **International Conference of Asian Political Parties (ICAPP)** existed for 10 years and convened six Annual Conferences and accumulated a good record and reputation for bringing together members of Parliament from both ruling and opposition (minority) parties all over Asia.

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[44] ibid

- National Bodies – e.g., the administrative courts in Thailand have made previous rulings on statelessness

- The use of special envoys in the region. For example, individual states have actively participated in international peacekeeping – Indonesia, Japan and China

- **International civil society groups/networks** which include organisations such as Forum Asia, the Global Partnership for the Prevention of Armed Conflict (GPPAC), the International Committee of the Red Cross (ICRC), International Crisis Group (ICG), Oxfam, International Development Research Centre (IDRC), International Alert, SEA Women's Caucus; other groups and networks; as well as religious groups. Civil society organisations have the potential to make the most impact as can be seen in Cambodia and then Mindanao, where civil society was pivotal in pushing for international monitoring for the conflict situation.

- **Regional or national civil society groups** such as the Initiative for International Dialogue (Philippines), Institut Titian Perdamaian (Indonesia), Shalom Foundation (Myanmar); and the civil society Working Group for an ASEAN Human Rights Mechanism.

- Regional Groups on Responsibility to Protect, such as the Asia Pacific Centre for the Responsibility to Protect, Friends of R2P, and regional and national networks of R2P advocates.

- Regional Peace-building Missions, such as the Aceh Monitoring Mission (AMM), those involved in the Mindanao peace process.

- **UN Regional offices** – Economic and Social Commission for Asia and the Pacific (ESCAP), Office of the High Commissioner for Human Rights (OHCHR), Office for the Coordination of Humanitarian Affairs (OCHA).

Within South Asia, some of the early warning mechanisms that can be operationalised include:

- The SAARC database on monitoring violence

- In Sri Lanka, the International Centre for Ethnic Studies (ICES) and the Peace Research Institute Oslo (PRIO) have done substantial work in this area

- Other national mechanisms which monitor local groups or localised ethnic issues

- Cross-border initiatives such as in the Punjab

The situation in Northeast Asia is very different from Southeast Asia – US dominance; potential competition between China and the US; and the fact that the Korean peninsula is still technically at war. However, it is useful to note that the leaders of China, Japan and South Korea have begun to meet regularly since their first trilateral summit in Dazafu in 2008. In addition, their participation in the ASEAN + 3 framework and the East Asia Summit (EAS) could all potentially contribute to their participation and interest in an early warning system to prevent conflicts.

The power of the available mechanisms is however, dependent on the cooperation and dialogue between civil society and official bodies. State and non-state actors need to work in partnership to promote and build an early warning system as an integral part of conflict prevention.

4. Minority Conflict Prevention in the Context of Early Warning Systems

4.1 Early Warning Systems

This section will situate minority issues within the knowledge and experience of Early Warning Systems (EWS), which represent a major element of the theory and practice of conflict prevention.

Important to any understanding of EWS for conflict prevention is to learn not only from the experience of inter-governmental bodies, such as OSCE, ASEAN and SAARC, but also to study other non-governmental, non- regional approaches to EWS. This holds true in the context of minority conflicts, especially in Asia where given the lack of a regional institutional EWS framework, the work of non-profit and academic institutions in this field takes on considerable relevance. Listed below are some of the EWS available for conflict prevention, none of them is limited in scope to a region, but provide information on a global scale — which allows policy makers to adapt information to their needs.

- The **Minorities at Risk (MAR) Project** is one of few EWS that have the monitoring and analysis of ethnic and minority conflicts as a central focus. Using qualitative assessments and quantitative data, MAR which is a university-based research project, provides maps which display those groups in their database that are engaged in the most mobilisation (includes protests and rebellions) and those that are subject to the highest forms of persecution (includes political discrimination and repression).

- Another minority conflict tracking tool is the **Global News Monitor** which is managed by Prevent Genocide International which is a global education and action network. The Global News Monitor follows current news and information on genocide and those topics related to ethnic, national, racial and religious violence.

- **CrisisWatch**, which is compiled by the International Crisis Group, is a monthly bulletin which provides updates on the developments of current or potential conflict. Information is drawn from multiple sources, including ICG's own internal staff resources, providing summaries of reports and briefing papers that have been published by the organisation.

- The **International Crisis Behavior (ICB) Project**, which is also university-based, has been engaged since 1975 in an investigation of 434 crises that plagued the international system from the end of World War I to 2001, and has involved the participation of 956 individual states as crisis actors. Using both qualitative and quantitative methods, the project has four specific objectives: 1) to accumulate knowledge about protracted conflicts and crisis; 2) generate and test hypotheses about the effects of crisis-induced stress on coping and choice by decision makers; 3) discovering patterns in crisis - onset, crisis management, superpower activity, involvement by international organisations, and outcome; and 4) applying lessons learnt to the effective crisis management of future conflict. The project is currently in its fifth stage.

- Swisspeace's early warning program called **FAST International**, which was operational between 1998–2008, provided a systematic collection of early warning information through a web interface that allowed users to access and work with the entire FAST database. Drawing upon international and regional expertise, FAST's regional coverage extended to Asia, Africa and Europe.

- The **IASC Humanitarian Early Warning Service (HEWSweb)** is an inter-agency partnership project aimed at establishing a common platform for providing early warning information from multiple specialised institutions on both humanitarian crisis and natural hazards. Endorsed by the IASC Sub-Working Group on Preparedness and Contingency Planning — which is co-chaired by the World Food Programme (WFP) and UNICEF — in 2004, the service was developed and coordinated by WFP. Partnerships with external, non-UN specialised institutions and sources have been or are being established.

- The **BEFORE Project** is jointly administered by the Alliance for Peacebuilding and Swisspeace. Built upon and focused on partnerships, they connect local stakeholders and international or transnational organisations with the purpose of looking at potential wars from every angle. As a bridge between northern and southern actors, BEFORE reaches out to people with the opportunity for peaceful transformation in their communities.

4.2 Gap between Early Knowledge and Early Warning

EWS report raw data which needs to be analysed so as to provide concrete policy recommendations that can be put into action by policy makers to mitigate the effects of conflict. As described by **FAST**, their work was aimed at "enhancing the ability of decision makers and their staff in state and non-state institutions to identify critical developments in a timely manner so that coherent political strategies could be "formulated to either prevent or limit destructive effects of violent conflicts, or to identify windows of opportunity for peacebuilding"[45].

However, even when clear information is available, warning signals may be delayed and therefore the link between early knowledge and early warning, and between early warning and early action remain weak.

The questions are:

1. How inclusive is the conflict prevention process in all three elements — early knowledge, early warning, and early action?

2. How can all actors be involved? Who would be the right players and how to identify them?

3. How can we narrow the gap between early knowledge, warning and action?

4.2.1 Political Costs of Recognition

The lack of political will has often been identified as the key factor preventing both inter-governmental and regional organisations from acting decisively in the early days of conflict. In contrast to NGOs, governmental organisations have a higher threshold to wait before acting upon signals. There are political costs involved with recognising and appraising early warning signals. Political differences within organisations; lack of capacity for effective intervention and principles such as non-intervention and sovereignty are some of the barriers that prevail. Even a powerful international security mechanism such as the UN Security Council is still not capable to identify threats and respond to early warning signals. Another factor that contributes to the delay between information and warning is the fact that information is often levelled to senior policy makers, less attention is paid to actors at the local level — who often have a better understanding of the local dynamics of minority conflicts, the triggers and the mitigating factors.

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[45] Swisspeace's Fast International, programme description at http://www.swisspeace.ch/typo3/en/peace-conflict-research/early-warning/index.html; last accessed in January 2011.

4.2.2 Narrow Definitions of 'Threat'

A recent paper by Albrecht Schnabel identifies a fundamental deficiency and explains that current political EWS are geared towards one specific threat, while neglecting other existential risks to human security linked to economic, political, social or environmental developments; and that the main reason for this negligence is the traditional definition of security — originally, early warning was a military concept that, over time, was adjusted for civilian purposes[46]. Various types of EWS emerged to assist national and international actors in the early anticipation of and timely preparation for natural disasters, the outbreak of famine, political destabilisation, and forced migration. The rationale behind these political early warning frameworks, however, was still reactive rather than proactive. Early knowledge, warning and response measures were taken only after a humanitarian emergency had occurred and not beforehand. Crisis de-escalation was the key issue, not careful and early preparedness.

Contrary to the early generations of political EWS, present-day EWS address not only the symptoms but also the underlying causes of violent conflict. As the term 'early warning' indicates, monitoring and analysis of a potentially conflictive situation should be initiated at the earliest possible stage in order to prevent rather than alleviate human suffering. The fact remains, however, that this and similar definitions used within the early warning community still focus on one single facet of the threat spectrum, that is violent conflict — they neither take other existential threats to society into account, nor do they clearly delineate what type of information needs to be collected and analysed. This can be in part attributed to the fact that human security as a dependent variable is not as easily defined and operationalised than such narrowly defined threats as 'famine', 'forced migration', or 'violent conflict'. Most of the very same actors who find it difficult to invest in preventive activities also realise and admit that prevention is the best assurance against the suffering and instability associated with structural and direct violence and the costs of repairing the subsequent damage[47]. The fundamental mind-shift towards human security-focused early warning must first happen before further technical challenges can be resolved. Afterwards, monitoring and analysis alongside suitable preparation for complex threat scenarios need to take place on a national basis, feeding into collaboration on a regional basis.

4.2.3 Indicators of Conflict

The 4th AER Report listed early warning indicators that must be properly identified and interpreted, especially those that could eventually lead to violence. It appealed for a distinction between latent instability versus signals of impending violent conflict. Essentially structural problems within a given country such as endemic poverty and economic inequality, ethnic and long-standing religious differences may never lead to violent conflict without the presence of triggering mechanisms. It categorised these early indictors as Territorial, Ethno-religious, Governance, Economic, Political and External.

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[46] Albrecht Schnabel, "Priorities for Comprehensive Capacity Building for Regional Arrangements to Address Emerging Non-Traditional Security Challenges and Threats" at the International Seminar "Common Strategy for the Asia Pacific Region: regional Arrangement for the Emerging Challenges", Bangkok, Thailand, 30 March–2 April 2010.

[47] A. Schnabel and H. Krummenacher, 'Towards a Human Security-Based Early Warning and Response System' in H.G. Brauch (ed.) Facing Global Environmental Change – Environmental, Human, Energy, Food, Health and Water Security Concepts, Berlin-Heidelberg-New York: Springer, 2009, pp 1253-1264

A careful analysis would be required so as to ensure that the right signs are detected at the right time. While some can be readily applied such as sudden demographic changes; migration patterns (increase in refugees, internally displaced persons); social and economic deprivation and disparity; destruction of cultural/religious sites; stereotyping; hate speeches, etc.; other indicators used for more 'generalised' forms of early conflict warning such as increase in public demonstrations; rise/shift in unemployment rates would have to be more circumspect in their application[48].

4.2.4 Lack of a Systematic Approach

For early warning to be successful — in any context and with regard to any threat — one should ideally take such a systematic approach. Thus, partners in early warning and response need to work closely together. EWS need to be unbiased and even when appearing to be critical of official actions, they need to ensure that all actors involved in the process seek to actively cooperate with one another. Schnabel and Krummenacher highlight how a focus on redressing the root causes for human insecurity – which is a less politically sensitive issue – can have a positive impact on identifying and addressing early the root causes for conflict[49].

Threat analysis, warning and prevention systems and tools exist at national level. Also there are several functional regional early warning and prevention programmes and activities. For instance, the European Commission and the OSCE pursue early warning and preventive activities, and so do a number of African sub-regional organisations, such as ECOWAS, IGAD, ECCAS and SADC. As the sharing of confidential intelligence is difficult even among close and friendly organisations, such regional efforts tend to depend on open-source analysis (i.e. the analysis of publicly available information resources, such as media reports). **Once regional neighbours agree on the nature of regionally relevant threats and requirements for the most suitable responses, joint strategies can be put into place to develop practical responses to avert complex threat scenarios.**

Most important for a systematic approach is the need for not only collating information on impending conflict but to analyse the information and detect early warning signals. The right signs have to be detected at the right time in order to anticipate and prepare for the outbreak of conflict. This also implies analysts and policy makers need to work closely to ensure that proper response is undertaken by the appropriate authority in a timely fashion. In Schnabel and Krummenacher's words[50]:

> It will not be enough simply to generate information and hand it to those who might be in the situation to ring the alarm bell. If the recipients of early information are not well placed, capable or willing to make early warning analysis, it would be nothing but an exercise without any effect on the improvement of potentially volatile situations. Those who are engaged in early warning work, particularly if operating on a system that focuses on context-specific threats and their amelioration, must assure that the recipients of their analyses – the expected response actors - are closely involved in the early warning process and that they support the work done by early warning system.

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[48] The discussions are based on using the indicators matrix of the 4th AER and the indicators listed in the 'Beyond Intractability' document.

[49] A. Schnabel and H. Krummenacher, 'Towards a Human Security-Based Early Warning and Response System' in H.G. Brauch (ed.) Facing Global Environmental Change – Environmental, Human, Energy, Food, Health and Water Security Concepts, Berlin-Heidelberg-New York: Springer, 2009, pp 1253-1264

[50] Ibid, p 1259

4.3 Gap between Early Warning and Early Response

The responsibility to act is vested in the hands of policy makers, while information, knowledge, indicators' analysis and early warning lies in the hands of policy analysts. The transformation of information from analysis to policy can be supported by the activities of civil society groups, lobbyists and other actors. In fact, there is an added value of those bodies and organisations that wear multiple hats — providing both analysis and advocacy related to early warning.

Even when early warning is done properly, there remains an even more significant gap — between warning and response. Past examples have shown, with devastating consequences, both a failure to warn (as in the case of Kosovo) and a failure to act (as in the case of Rwanda). Reducing the delay between warning and response becomes crucial to the success of EWS in its ability to prevent conflict from escalating into a full-blown crisis.

A gap between early warning and response characterised previous EWS. The first and second generation of EWS relied exclusively on quantitative or qualitative data and then later, a combination of the two. These were unable to prove their added value — they could not demonstrate their impact (as in the case of FAST International[51]). The present third generation of EWS now relies on and promotes local initiatives in early warning and early response. For example, due to local efforts in Ambon, Indonesia, the first early warnings of conflict go to the local community leaders (in the case of Ambon, the Rajahs) who use the information to forestall and prevent violence in the community through mediation.

The gap between early warning and response emerges from several challenges:

4.3.1 Complexity of EWS in Minority Conflicts

The essential purpose of EWS is to monitor tension escalation, identify threats and, give warning signals to prevent conflict. In the case of minority conflicts, EWS become more complex. The social, historical, political and economic circumstances and concerns of different groups have to be taken into consideration which makes it difficult to put early warning mechanisms in place. Also, there is a reluctance to discuss the issue of intra-state conflicts on a broader level. The principle of non-intervention crops up, and it usually takes a violent situation to elicit a response. International pressure by itself may be a weak instrument.

4.3.2 Structural Challenges

Most EWS are loosely framed and there are lapses both in external and internal infrastructure. Very often, warning is separated from early response, so that the actors who are given the information are different from those who have the mandate to coordinate a response. A positive example, in which the exception proves to be more effective, is the OSCE's office of the High Commissioner of National Minorities whose powers allow greater autonomy. In Macedonia, when conflict broke out, the High Commissioner could relay the early warning to the relevant national and central authorities, without having to wait for authorisation from the OSCE Chairperson's office.

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[51] FAST was operational from 1998–2008, covered 25 countries or regions in Africa, Asia and Europe.

4.3.3 'Spoilers'

Early warning is often compromised by actors with different interests — 'spoilers'. Actors may have their own agenda and be directly involved in the conflict. This is especially true of community leaders who may act as 'ethnic entrepreneurs', pushing their own political agenda without necessarily representing the interests of the minority group.

4.3.4 Representation

Who speaks legitimately on behalf of minorities? There could be an external and an internal assessment. The external assessment would analyse whether the existing legislation is discriminatory in any manner. It may look at the country reports to the UN monitoring bodies of monitoring Civil Society Organisations (CSOs) — such as Amnesty International, Minority Rights Group, Human Rights Watch, Asia Watch and discover unresolved cases of human rights violations in the country. An internal assessment would be to look at the documents and websites of minority representatives, local community reports and testimonies as sources of information.

4.3.5 Early Warning Fatigue

Most EWS skim only the surface of the causes of conflict, without any real consideration of interest mapping or analysis of the root causes and tensions. If minority tensions are not sufficiently analysed and early warnings are misreported these may create false alarms and cause early warning fatigue.

5. Creating Regional Structures

Understanding the challenges of EWS and prevention of discrimination of minorities would narrow the gaps between warning and response. What regional structures can be created to address minority protection? What role is there for CSOs, international actors, governments and how can they can build capacities, trust, cooperation and create regional arrangements to coordinate effective early warning and response?

5.1 Creating Trust and Cooperation

There is often a lack of cooperation between those who identify and interpret the warning signals and those who act upon them. Certain networks may be closed processes so that there may be little engagement with organisations outside the networks. Other organisations involved in peace building and minority conflict prevention activities may find it difficult to learn and emulate from these networks.

Governmental actors are sometime late to recognise signs of intolerance against minorities and often lack the political will to act and stop extremist actions against minorities. There may be a difference of opinion on priorities and timing of minority conflict prevention. Instead of taking on shared responsibilities, a blame game can escalate between governments and civil society organisations, fuelled by mistrust and lack of dialogue.

There may also be disagreements on methodology and analysis which can confuse the agendas of the stakeholders involved. Some official state actors undervalue the importance of analytical work and act from positions of power, rather than expertise. On another hand, the CSOs and research think-tanks may fail to recognise the political nature of EWS and see them as purely academic exercise. Some EWS are operated by under-funded academic institutions, without research in the field and they can be detached from the realities in specific minority conflicts situations.

Much of the delay between warning and action can be reduced by bridging the gap in attitudes. **Trust has to be built between analysts, policy makers and advocates through ongoing relationship-building, use of forums, expansion of networks, and even institutionalisation of regional structures**.

Building trust is a long process, whereas losing trust can happen quickly, in particular when the early warning represents a false alarm. CSOs, and also other early warning actors, should be careful not to experience the so-called 'crying wolves' situations, where the exaggeration of alarms or the sending of signals without substantiated evidence make them lose trust with governments or with humanitarian actors that would, otherwise, be willing to engage in reducing minority tensions. False alarms in situations when nothing dramatic happened, could be as detrimental to the establishment of trust and cooperation, as is the lack of alarm, when serious deterioration of minority conditions occur.

The detachment and gap between early warning and response/action therefore is not always a simple one-way problem. The discrepancy could often occur when the warning is given, but the action is delayed. Alternatively, it could also be in the case when the EWS gives a false alarm, but action is nevertheless strongly advocated and demanded, and consequently found as unnecessary waste of time and efforts; this will reduce the trust and effectiveness of the response next time when the same EWS appeals for action. While this is often not the case, and more dangers are under-estimated rather than over-estimated, it would be fair not always to place directly the blame on the respondents — the early warning may be sent in wrong 'crying wolves' scenario too.

5.2 Multi Stakeholders and Multi-level Approach

It is important for CSOs to develop relationships with all the stakeholders involved — in both the public and private sectors — to enhance their influence on the minority protection policies. Not all early responses can be achieved through official governmental channels. Indeed, the third generation EWS allows a multi-level solution so that the enhancing of minority safety and security is no longer only a state's responsibility. Track II and Track III actors can be directly involved in minority protection alongside the states. In several situations in Asia (e.g. Indonesia) and Europe (e.g. Macedonia) there is a constant low-intensity tension that does not escalate into conflict. The explanation is first of all that a strong economic imperative exists to take quick action, as the private sector is involved. And second, that the presence of strong charismatic leaders and the satisfaction of basic rights may act as a means of arresting the escalation of minority conflicts. Such practices need further analysis and encouragement, such as through granting funds for research institutes to develop projects on the role of the various actors.

Indeed, the role of charismatic leaders, or regional champions would support the task of establishing of a regional framework that can feed the implementation of measures to reduce minority tensions. It would help to have annual meetings of highly recognised eminent persons that can speak against minority discrimination and xenophobic appearances. Such forum in Asia could be, for example, the International Conference of the Asian Political Parties (ICAPP) — a unique organisation that brings together both the members of the ruling parties and the opposition (minority) parties.

The private sector and the public sector can be partners in minority protection — a lot of businesses operate in areas where various minorities live, and if they engage constructively, applying due care for the communities and with due Corporate Social Responsibility (CSR), they can be strong partners for governmental and non-governmental organisations in a truly cooperative multi-stakeholder process.

Successful response measures and strategies depend on sensible divisions of labour among those actors who are best placed to alleviate threats and provide security for the minorities. Complex threat scenarios and equally complex, multi-dimensional and sequenced response strategies must be built on thoughtful and sensible task-sharing. Not every actor is equally suitable to provide a particular response strategy. Each measure to prevent, reduce or alleviate threats should ideally be taken by those actors that possess comparative advantages vis-à-vis others: Non-governmental and governmental actors, development agencies and security sector institutions, internal and external agencies — all have specific competencies that put them in the unique position to fulfil very specific security tasks. The greater the pool from which to select the most suited and best placed actors, the greater the chances for overall success, effectiveness and efficiency. **A regional approach will automatically increase such multi-stakeholder pools**.

Following a thorough actor assessment, a **'comparative advantage-assessment'** will identify the actors or group of actors, possibly from different parts of the region, who have the best chance of addressing a particular threat scenario. Moreover, as is already done by many regional arrangements including ASEAN, the members of the organisations invest in developing specially trained and equipped stand-by capacities to be deployed or otherwise utilised in managing potential or actual crisis situations. In addition to building the capacities, such regional approaches require the readiness and willingness of all involved parties to participate in the cooperation and coordination of joint activities, which puts to test the endurance of regional neighbours' friendship and confidence in each other's abilities. Yet, joint efforts in facing and averting common threats, crises and insecurities also contribute to regional confidence building. A region that jointly and successfully overcomes traditional as well as non-traditional crises will inevitably emerge as a stronger community.

5.3 Capacity and Scenario Building for Early Warning

Advocating a successful regional framework of an EWS for minority conflicts requires building capacities at all levels — local, national, bilateral, regional, international. While their constituencies may differ, there is a need for different actors at each level to be able to monitor minority conflict situations as they develop.

Early warning could be very labour intensive and complex in a multi-level context, and the lack of enhanced training can jeopardise efforts. Therefore systematic capacity building aimed at strengthening various actors, becomes crucial, so that they are fully oriented and prepared for early warning and early action. Capacity building can be expensive and the lack of available funding can limit the potential for many actors to be actively involved in the early warning and early response process. Very often, there is a competition for resources between the actors involved. Therefore there is a need for a long-term strategy to develop coordination and synergies between the various stakeholders for the common benefit of all.
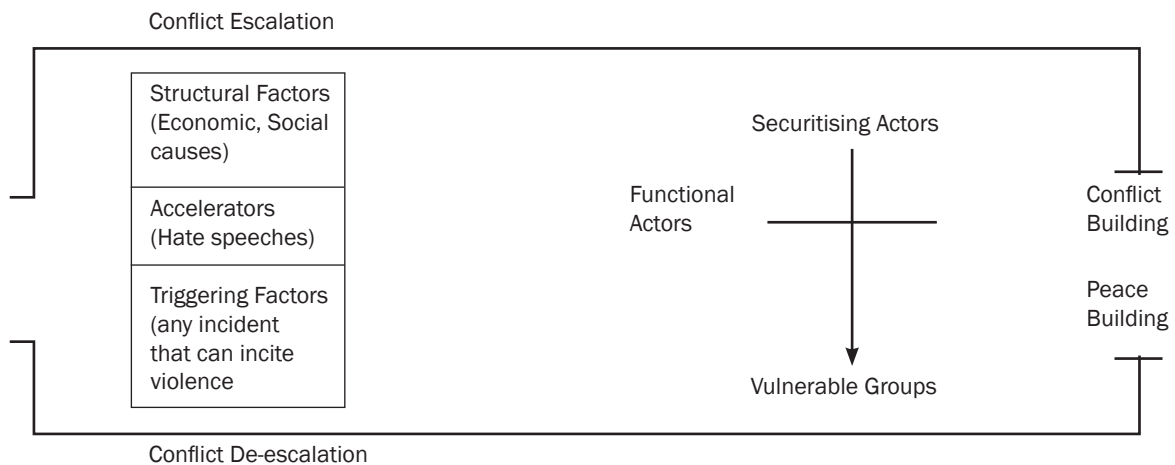
In addition to capacity building, scenario building exercises could help towards developing the trends and indicators for an early warning regional framework. A good model that scenario building could be based on is the Mont Fleur scenario-building process, which was first undertaken in South Africa during 1991–92 to encourage people from both private and public sector organisations to think creatively about their country's future. Indicators of this model are mapped by analysing past experience; present development trends; and possible future developments. In the original model, participants narrowed down from 40 scenarios in the first year to four models in the fourth year. The government used these scenarios to guide itself during the development of different trends to act in a way that reduced tension and arrive to the best-case scenario.

5.4 Applying Existent Early Warning Mechanisms

To focus on preventing minority conflict as one sub-set of the general conflict prevention, more attention should be given to utilise existent EWS that have relevance to minority tensions. Particular attention should be address to frequent occurrence of xenophobic hatred speech, incitement of ethnic and religious intolerance, acts of extremism and discrimination against particular ethnic or religious groups, demonstrations of superiority over otherness, etc.

In Europe, early warning and early responses have already been major tasks of the High Commissioner on National Minorities (HCNM) in regard to tensions, involving national minority issues. However, these have not yet developed beyond warning of situations that have the potential to escalate into a conflict within the OSCE area. The HCNM's efforts to try to contain and reduce tensions and to alert OSCE participating states whenever such tensions threaten to explode needs to be analysed taking into consideration other models and mechanisms that could be applicable.

In Asia, when it comes to developing frameworks at regional level, there has been only a relative success in terms of demonstrating best practices. One such example is the Titian Perdamaian framework as it was applied by the Institut Titian Perdamaian in Ambon, Indonesia — its applicability as one of the possible networked mechanisms that can be used to approach EWS for ethnic conflict at different levels of analysis (e.g. sub-national, national, regional). The Titian Perdamaian Framework[52] TPF (Indonesia) serves as a good example of a networked structure that can be developed:

Conflict Escalation

	Securitising Actors	
Structural Factors (Economic, Social causes)		Conflict Building
Accelerators (Hate speeches)	Functional Actors	
Triggering Factors (any incident that can incite violence	Vulnerable Groups	Peace Building

Conflict De-escalation

The TPF can be understood diagrammatically as follows:

The TPF favours gradual crisis management using dialogue over rapid reaction intervention and can be used as a bottom-up model of minority tensions reduction. It works on the premise that all actors involved in conflict escalation can be involved equally in conflict reduction. It seeks to convert the securitising actors who are conflict agitators to desecuritising actors as peace builders.

The framework favours crisis management over rapid reaction and uses both dialogue and education in its peace building efforts. At local level, it utilises a multiple-effect approach and addresses the structural factors of conflict. Where economic discrimination is the root cause, it recommends the creation of credit and trade unions by the vulnerable group as a sustainable means for raising funds for itself. With regard to the involvement of multiple stakeholders, at the very outset of the action, it recommends a forum of stakeholders where it is determined who will be involved at what stage in what role. In this manner, the framework utilises a capacity-building process as opposed to direct intervention of actors in conflict prevention.

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[52] As shared at the 7th AER workshop by Mr. Mohammad Miqdad from the Institut Titian Perdamaian

Participants applied this framework to a European case study — Bosnia-Herzegovina — and agreed that in many instances, the framework processes could be successfully applied. However, certain issues were raised that need to be resolved before applying such a regional framework in Asia.

- The role of mediator — in Europe, regional mediation efforts by bodies such as the HCNM are accepted and welcomed. In Asia, there is a reliance on external mediators who may at times, due to their perceived neutrality, be more acceptable.

- The influence of regional organisations — the EU follows a 'carrot and stick' approach, using both engagement and sanctions as a means to ensure member states comply with regional guidelines. In Asia, sanctions are very rarely used or implemented. 'Spoilers' of conflict prevention are often accommodated as part of peace building activities.
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- The use of structural funds — in Europe, structural funds can be used as a conflict prevention tool to address structural causes of conflict. ASEAN does have a structural fund, but it is limited in its use for only development purposes.

- While there has to be a division of labour between different stakeholders; and a distinction between peace building activities and conflict prevention activities, these activities are part of overall conflict management — they cannot be organised sequentially but should play complementary roles to each other.

5.5 Collaboration and Coordination

The practice indicates that multi-stakeholder solutions are not often successful in coordination — there are difficulties in coordinating warnings and responses, there may be a confused division of labour and the whole process might not be necessarily linear.

Therefore a very important element will be a continuous collaboration and coordination with various regional projects and initiatives. For example, useful synergies can be established within the work of the **ASEAN Political Security Community** (APSC). The APSC Blueprint (June 2009) states as one of its planned actions the development of EWS based on existing mechanisms within ASEAN to prevent occurrence and escalation of conflicts.

Some coordination mechanisms that can be utilised or created include:

- Joint inter-governmental commissions/forums

- Reconciliation forums (especially in those conflict-sensitive communities where there is a history of inter-communal grievance)

- Public awareness forums

- Projects to prepare common history textbooks for all schools, including minority schools

- Freedom to use minority languages everywhere

When it comes to prevention of atrocity crimes, some specific issues to look at more carefully would for example be: (1) lack of control over irregular forces, militia, (2) small arms smuggling, (3) military training and whether it is aimed at reducing war crimes, (4) incitement of hatred and racism. If looking at what has generated the atrocities in Rwanda, Former Yugoslavia and Darfur, one can think of such and other concrete areas of monitoring and reporting. Instead of pointing to concrete areas, the 2009 R2P Report talks generally about conflict resolution, mediation, development assistance, it incorporates too many additional and already developed spheres, rather than create its own coherent scope of attention. Due attention should also be paid to the prevention of atrocities outside wartime. It would be good to design specific machinery for early warning regarding atrocity prevention, not just duplicating the machinery of general conflict prevention.

5.6 Entry Points for Creating Regional Early Warning Structures

Faced with these challenges, possible entry points for early warning mechanisms to prevent minority conflicts can start at domestic level — capacity building for civil society organisations, developing information materials and creating access to them. A further and more strategic task would be to build a knowledge community at a regional level that would include the involvement of decision makers and eminent persons, think-tanks, academic networks (e.g. NTS Asia) and media networks such as the Southeast Asian Press Alliance (SEAPA). Furthermore, by linking EWS to existing human rights and human security frameworks, the idea for a regional framework may gain greater acceptance. The Human Rights Council Universal Periodic Review is a possible entry point for promoting the idea of participatory regionalism by which there can be a greater 'opening' of mindsets towards a regional EWS. Yet there will still be a need to include CSOs in that process, if the EWS are indeed to be efficient.

Engaging institutions involved in — but not limited to — peace building and conflict prevention can contribute to a regional structural network in numerous ways. Their value addition could be in information collection and analysis, mediation and advocacy efforts, preventive diplomacy and public outreach, amongst others.

With regard to the actual establishment of a regional network, some of the following avenues could be explored further:

1) Work within pre-existing forums and identified networks — ASEM Inter-Parliamentarian Association; Bali Democracy Forum; Shangri-La Dialogue

2) Implement the framework wherever there might be the possibility of an 'open door' — Aceh Peace Process; promoting the framework to the 2011 ASEAN Chairmanship

3) Advocate the structural network through a media training/awareness programme

6. Next Steps

To support the establishment and implementation of a regional framework for minority protection, the following recommendations can become practical next steps:

- Encourage direct meetings on Early Warning component in Asia and Europe, e.g. with HCNM (OSCE)

- Promote the framework to ASEAN's Eminent Expert Persons (EEP) group and promote exchanges between the HCNM and the EEP. Similarly, encourage linkages between ARF and OSCE

- Start dialogue for a regional framework with a track II approach first, (avoiding sensitive issues and allowing government officials to participate in a private capacity)

Some of the specific policy recommendations that can be taken up by regional institutions in Asia (such as ASEAN) can be the following:

- Compile ASEAN's experiences and best practices in early warning and response to minority conflicts in a 'library' that could be of use to both researchers and policy makers and that will inspire extension of the best practices
- Analyse the best practices and the lessons learned from them and undertake further research with the view to enhance and promote EWS

- Establish and strengthen cooperation among regional CSOs, using them as source of knowledge, as source for warning signals, and as local actors in conflict prevention;

- Organise practitioners' workshops and ask them to summarise their expertise and experiences in manuals and engage directly in training of volunteers for EWS. Identify additional EWS experts and engage them in exchange of experiences as resource persons to assist governments and NGOs and engage them for capacity building

- Share knowledge among academic institutions, think-tanks, utilise bilateral relations in practical training and capacity development with institutions from other regions, utilising the strong tradition of EU-ASEAN engagement in diverse fields

- Engage with UN agencies and other international inter-governmental organisations working on conflict prevention;

- Promote more gender mainstreaming in conflict prevention and think of gender specificity when it comes to EWS — a very important and yet under-valued asset

- Develop capacity and expertise on particularly vulnerable minority groups and tensions in specific country situations. Search for engagement with development and humanitarian agencies, UNHCR, UNICEF and other agencies that focus on vulnerable groups and seek their assistance to spot rising tensions

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Annexe 2 – List of Workshop Participants

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Annexe 3 – Conflict Indicators

Using the matrix from the 4th AER and some of the factors listed in a knowledge base essay on 'Early Warning' written by Eric Brahm (2005) for the Beyond Intractability organisation (http://www.beyondintractability.org/essay/early_warning/), the following indicators were discussed:

Dimensions of Signals	Warning Signals	
	Common Indicators Listed	**Details to Consider**
Territorial	▪ Sign of latent instability: historic territorial division of ethnic groups ▪ Heightened refugee movements across borders ▪ Sudden demographic changes and population displacement (Beyond Intractability essay)	Territorial movement of groups should also include displacement and emigration resettlements of different groups from natural disasters.
Ethno-religious	▪ Perceived pervasiveness of cultural symbols of dominant group in public space: e.g. education system, use of language ▪ Destruction or desecration of religious sites (Beyond Intractability essay)	The destruction of the symbols and sites associated with a minority group need not always be religious, but also cultural sites which have some significance to the group's history/identity.
Social	▪ A rise of 'societal' intolerance and prejudice (Beyond Intractability essay)	Societal intolerance and prejudice would include signs of: Hate speech Negative media coverage (use of 'enemy images') Projection of stereotypes Apartheid/segregation practices A sudden breakdown of community relations
Governance	▪ Escalation of incidents of police and/or military repression ▪ Deterioration of rule of law, particularly perpetrated by the judiciary and police/military ▪ Discrimination or legislation favoring one group over another (Beyond Intractability essay) ▪ Government "clamp-downs" (Beyond Intractability essay)	Legal provisions for the protection or promotions of minority rights may not always be sufficient. The lack of/ or insufficient legislation should be taken into consideration. Asymmetry in governance patterns should also be viewed – the demographic details of the police force (the domination of one particular group – or the absence of one); if the army is situated in any particular area.

Dimensions of Signals	Warning Signals	
	Common Indicators Listed	**Details to Consider**
Economy	- Sign of latent instability: long-standing disparity in economic benefits - Abrupt distinctive and obvious economic disparity between dominant group and dominated group - Rising unemployment rates (Beyond Intractability essay) - Economic shocks or financial crises (Beyond Intractability essay)	While economic reasons are often part of the structural causes for minority conflict, they are difficult to measure – social and economic deprivations and disparities may be more visible than others. Unemployment rates are difficult to measure for the informal sector. ILO figures may provide reliable data but it remains difficult to determine the rates by ethnicity.
Political	- Events raise expectations for positive change but eventual lack of expected outcome sparks deep frustration - Government further centralises access to power - Rise in nationalist sentiment of dominant group in its action/inaction and rhetoric, particularly its portrayal in the media - Destabilising referenda or elections (Beyond Intractability essay) - An increase in numbers of demonstrations or rallies (Beyond Intractability essay)	An increase in the number of demonstrations could quite possibly indicate a change in position of the minority group - they could have become more confident of vocalising their demands. Another alternative could be that there is an increase in the causes of agitation (eg – cutting of water supplies in a particular area dominated by an ethnic group) Irredentist/Separatist movements should also be monitored – the growth of, or increase in the movement.
External	- Increased tension with bordering countries - Foreign intervention (Beyond Intractability essay)	Foreign intervention is an important consideration when ethnic activism is involved. Conflict cannot be measured solely through increased tensions with neighbouring countries but also tensions between internal territories.

Annexe 4 – About the Organisers

The **Asia-Europe Foundation (ASEF)** promotes greater mutual understanding between Asia and Europe through intellectual, cultural and people-to-people exchanges. Through ASEF, civil society concerns are included as a vital component of deliberations of the Asia-Europe Meeting (ASEM)*. ASEF was established in February 1997 by the participating governments of ASEM and has since implemented over 500 projects, engaging over 15,000 direct participants as well as reaching out to a much wider audience in Asia and Europe. www.asef.org.

The **Friedrich-Ebert-Stiftung (FES)** was founded in 1925 as a political legacy of Germany´s first democratically elected president, Friedrich Ebert. Since the beginning of the foundation's work in South, Southeast and East Asia the focus has been the promotion of democracy and the strengthening   of the social dimension of economic development. In the past few years, the international dialogue within Asia as well as between Asia and Europe, and the issue of crisis prevention have gained important stakes in the work of the foundation. In its work the foundation co-operates with a number of governmental institutions, trade unions, political parties, social movements, NGOs, media and scientific institutions, as well as international organizations.

The role of the Office for Regional Cooperation in Asia based in Singapore is to support the social dimension of Southeast and East Asian co-operation and integration, the Asia-Europe dialogue and partnership activities in the ASEAN member states Cambodia and Laos where there are no FES offices. The office's activities include dialogue programmes, international and regional conferences (e.g. on economic and social policy, regional integration and comprehensive security), Asia-Europe exchanges, research, as well as programmes with trade unions. For more information, please visit www.fes-asia.org

The **Singapore Institute of International Affairs (SIIA)** is an independent organization dedicated to the research, analysis and discussion of regional and international issues. We aim to make Singapore a more cosmopolitan and global society through research, policy work and public education on international affairs. Founded in 1961 and registered as a membership-based society, we are Singapore's oldest think tank.

As a founding member of the ASEAN-Institutes for Strategic and International Studies (ASEAN-ISIS) network, we work with our partner think-tanks to organize regional and international workshops and conferences to seek new thoughts and ideas. Accompanied by research and analysis, we share our political, economic and security insights with politicians, policy-makers, business leaders, and opinion-leaders. www.siiaonline.org

The **Europe-Asia Policy Forum (EUforAsia)** is designed to target relevant stakeholders in Asia-Europe affairs and policy-making with information on contemporary issues regarding EU-Asia. The briefing series is part of the EU-Asia Policy Forum that aims to enhance EU-Asia cooperation and awareness on issues of mutual interest such as sustainable development, regional integration, governance and other hot topics. Main partners are the International Institute of Asian Studies (IIAS), the Asia Europe Foundation (ASEF) and the Singapore Institute for International Affairs (SIIA), in cooperation with the European Policy Center (EPC).

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* ASEM now brings together 46 member states (Australia, Austria, Belgium, Brunei Darussalam, Bulgaria, Cambodia, China, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Indonesia, India, Ireland, Italy, Japan, Korea, Laos, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Myanmar, the Netherlands, New Zealand, Pakistan, the Philippines, Poland, Portugal, Romania, Russia, Singapore, Slovakia, Slovenia, Spain, Sweden, Thailand, United Kingdom, Vietnam) plus the European Commission and the ASEAN Secretariat. www.aseminfoboard.org

About the Asia-Europe Roundtable

The Asia-Europe Roundtable is a series that aims to examine the nature of Asia and Europe, focusing on international relations issues, with a view to understanding both better and to identify and share best practices on solutions to common or contrasting problems. Since 2000 the following activities have been organised:

1st AER "Regions in Transition"
August 2000 | Singapore

2nd AER "Trans-National Problem-Solving in a Global Era: Towards Multi-Level Governance?"
September 2001 | Oxford, United Kingdom
Co-hosted by the Centre for Globalisation and Regionalisation Studies, Warwick University, and Corpus Christi College, Oxford University

3rd AER "Peace and Reconciliation: Success Stories and Lessons from Asia and Europe"
October 2003 | Hanoi, Vietnam
Hosted by the Institute for International Relations (IIR) of the Ministry of Foreign Affairs, Vietnam

4th AER "Conflict Prevention: Actors, Institutions and Mechanisms"
April 2005 | Berlin, Germany

5th AER "Sustaining the Peace through Post-Conflict Reconstruction"
May 2007 | Singapore

6th AER "Minority Conflicts – Towards an ASEM Framework for Conflict Management"
June 2009 I Derry, Northern Ireland & Letterkenny, Ireland

7th AER Workshop "Early Warning Systems in Minority Conflicts"
May 2010 I Singapore

The series is organised by the Asia-Europe Foundation, the Friedrich-Ebert-Stiftung, and the Singapore Institute of International Affairs.

The inaugural AER was launched in Singapore in 2000, to present a broad overview of the transitions in the two regions. The 2nd AER was held in Oxford, UK, in 2001, and focused on the issue of global and regional governance and transnational problem-solving. The roundtable shifted from broader regional issues to a more specific focus on peace and security. The 3rd AER in Hanoi (2003) and the 4th AER in Berlin (2005) deepened bi-regional dialogue and promoted networking in the areas of conflict prevention as well as peace and reconciliation. The 5th AER focused on "Sustaining Peace through Post-Conflict Reconstruction" and the 6th AER looked at different types of minority conflicts and the potential to design possible political solutions & a framework for sustainable peace. The 7th AER Workshop focussed on Early Warning Systems in Minority Conflicts.

On 20-21 May 2010, experts from the field of early warning systems and minority conflict issues, met at the Asia-Europe Foundation for a workshop which was held under the auspices of the Asia-Europe Roundtable (AER) series. Following up upon recommendations from previous AER meetings to monitor warning signals for minority conflicts, this workshop was on the topic of 'Early Warning Systems in Minority Conflicts'.

Based on the background paper and the discussions from the 7th Asia Europe Roundtable workshop, Early Warning Systems in Minority Conflict: A Framework for Developing Regional Responses' studies the manner by which minority conflicts are prevented and contained through early warning systems; by analysing the gaps within the current mechanisms, it presents a framework by which regional early warning structures and responses can be better integrated and enhanced.

More specifically, this publication will:

• Map the international legal framework for minority conflict prevention and make an inventory of various existing mechanisms for conflict prevention;

• Illustrate how regional actors have acted to prevent minority conflict and what preventive efforts have been organised at regional level;

• Present various approaches to minority conflict prevention in the context of early warning systems;

• Identify potential and criteria for creating regional multi-level structures for minority conflict prevention, methods to build capacity, trust and coordination between the stakeholders.