

Strengthening the Responsibility to Protect Norm: Need for African Governments to support the norm at the forthcoming United Nations General Assembly debate

(Arusha, 19 March 2009 and Accra, 25 March 2009) On 12 January 2009, the Secretary General of the United Nations Ban Ki-moon issued his report on implementing the Responsibility to Protect (RtoP). The report is the first comprehensive UN document on the Responsibility to Protect, following Ban's stated commitment to turn the concept into policy.

The RtoP norm is derived from Paragraphs 138 and 139 of the 2005 World Summit Outcome Document and should be understood as a solemn promise made by leaders of every country to protect populations from the most heinous of humanitarian and human rights violations: genocide, war crimes, ethnic cleansing, and crimes against humanity. The norm stipulates, first, that states have an obligation to protect their citizens from these crimes; second, that the international community should assist them in doing so; and, third, that, if the state in question fails to act appropriately, the responsibility to do so falls to that larger community of states.

It is expected that the UN General Assembly (GA) will formally meet to debate the report in the first half of 2009. NGOs have begun preparing for the upcoming GA debate, which is expected to provide an opportunity to reaffirm the commitments made in 2005 and advance towards implementing the RtoP. The report is already being circulated among member states and NGOs.

The African Governments who have supported the norm in 2005 must again rise up to the challenge of supporting and moving the norm to the next level of consolidation at the forthcoming GA debate on the RtoP, the International Coalition for the Responsibility to Protect (ICRtoP) said today.

The International Coalition for the Responsibility to Protect (ICRtoP), which was established on 28 January 2009 to promote, accelerate and strengthen the Responsibility to Protect norm, believes that by supporting the RtoP norm, African Governments would be giving life to article 4(h) of the Constitutive Act of the African Union which expressly states the willingness and determination of the Union to intervene in any member state of the AU in pursuant to a decision of the assembly over the breach of the crime of genocide, war crimes and crimes against humanity. Furthermore, ICRtoP believes that strengthening the RtoP in Africa will help enhance early warning capabilities.

toP in practice is often unheralded as it usually requires efforts that do not gain the attention of the international media, such as the mediation role played by the ECOWAS in mitigating the tensions in Togo and Guinea in 2004 and 2007 respectively. The task therefore is to repackage or demystify the norm to make it relevant to all sides. We believe that regional organizations and national governments should also play critical roles in this process, by discussing the norm in the context of regional realities and challenges said Thelma Ekiyor, Executive Director of the West African Civil Society Institute (WACSI) a member organisation and chair of the ICRtoP.

The RtoP, when fully adopted and implemented by the AU member states, will assist the continent in preventing and accelerating the resolution of conflicts involving mass atrocities in a

sustainable manner and further promote good governance.

he Responsibility to Protect is an internationally agreed norm that is very relevant to East Africans. It is not an abstract notion. Had we implemented it earlier, it would have stopped or at least minimized the death, injury and destruction that occurred in Kenya last year. It is also needed to accelerate the Burundi peace process in a sustainable manner. It is finally crucial for the EAC peace and security architecture that is currently being developed. The East Africa Law Society (EALS), which is a member of the Steering Committee of the Coalition, is committed to playing an active role for the utmost respect of this norm in East Africa and beyond said Mr. Donald Deya, Chief Executive Officer (CEO) of the EALS.

The Coalition believes that African Governments have sent a very strong statement to the rest of the world on the importance of collective response, as evident in the adoption in 2002 of the Constitutive Act of the African Union. In this regard, supporting the forthcoming GA debate and the UN Secretary Generals effort in implementing the RtoP will a go a long way in demonstrating their commitment to ensuring collective responses to the gravest challenges to peace and security not only in Africa, but the entire world.

e know too well the consequences of failing to act together as a civilized world in responding to the many atrocities that we have witnessed and those that are still around. Taken on board by the world, the norm of Responsibility to Protect gives us hope of collective response to end such atrocities, said Dismas Nkunda, Co-Director of the International Refugee Rights Initiative, which is a member of ICRtoPs steering committee.

do believe that the Responsibility to Protect, which provides a wide range of options from prevention to reaction and the use of force only as a last resort acting under the UN charter will promote multilateralism instead of unilateralism which in my view will make the world a better place. I hope the African leaders understand this and support the forthcoming GA debate said Mr. Voke Ighorodje, Project Consultant in Africa for the ICRtoP.

As the General Assembly considers the report of the Secretary General on the Responsibility to Protect, we, the members of the ICRtoP call on African leaders, as a matter of priority, to:

-

Support the effort of the UN Secretary General in transforming the Responsibility to Protect norm from policy to action;

-

Help develop the early warning capabilities as a prerequisite for enhancing the effectiveness of the norm in Africa;

-

Stand up and speak out in support of the norm at the forth coming GA debate on the norm.

For further information, please contact:

In Lagos, Voke Ighorodje, International Coalition for the Responsibility to Protect (ICRtoP):
+234-803-346-5161

In Accra, Thelma Ekiyor, Executive Director of the West African Civil Society Institute
(WACSI): +233-21-778917

In Arusha, Mr. Donald Deya, Chief Executive Officer of The East Africa Law Society (EALS):
+255 27-250-3135

In Kampala, Dismas Nkunda, Co-Director of the International Refugee Rights Initiative (IRRI):
+256 41-434-0274

In New York, Sapna Chhatpar Considine, International Coalition for the Responsibility to
Protect (ICRtoP): +1 212-599-1320