R2PC Listserv
22 February 2008
Responsibility to Protect Engaging Civil Society
Web: www.responsibilitytoprotect.org
Email: info@responsibilitytoprotect.org

In this issue:
[Edward Luck Appointed as Special Advisor with a Focus on R2P, R2P in the News, Kenya and R2P, Darfur in the News, Relevant Reports, Upcoming Events]

I. Edward Luck Appointed as Special Advisor with a Focus on R2P

II. R2P in the News
1. A CHANGE TO BELIEVE IN
2. JAVIER SOLANA, EU HIGH REPRESENTATIVE FOR THE CFSP, WELCOMES TODAYS LAUNCH OF THE GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT

III. Kenya and R2P
1. DESMOND TUTU: TAKING THE RESPONSIBILITY TO PROTECT

IV. Darfur in the News
1. THE BLAME GAMES
2. SPIELBERG QUITS AS ADVISER TO OLYMPICS OVER DARFUR
3. JOINT STATEMENT ON THE CRISIS IN CHAD

V. Relevant Reports
1. NEW INTERNATIONAL CRISIS GROUP REPORT: ENYA IN CRISI
2. NEW INTERNATIONAL CRISIS GROUP REPORT: RI LANKAS RETURN TO WAR: LIMITING THE DAMAGE

VI. Upcoming Events
1. THE RESPONSIBILITY TO PROTECT: A FRAMEWORK FOR CONFRONTING IDENTITY-BASED ATROCITIES
I. Edward Luck Appointed as Special Advisor with a Focus on R2P

At the end of August 2007, UN Secretary-General Ban Ki Moon sent a letter to the UN Security Council President, Mr. Pascal Guyama, proposing the creation of the position of Special Advisor on the Responsibility to Protect. This position, acknowledged on 11 December 2007 by the Security Council, is part-time and at the level of Assistant Secretary-General. February 21, 2008 the Spokesperson for Secretary-General announced that Edward Luck was appointed as Special Adviser, with a focus on the Responsibility to Protect, as set out by the General Assembly in paragraphs 138 and 139 of the 2005 Summit Outcome Document. Mr. Luck's primary role will be to develop conceptual clarity and consensus for the evolving norm.

Secretary-General Appoints Special Adviser on the Responsibility to Protect
UN News Centre
21 February 2008

Secretary-General Ban Ki-moon has appointed Edward Luck of the United States as his Special Adviser with a focus on the responsibility to protect populations from genocide, ethnic cleansing, war crimes and crimes against humanity.

Currently Vice President and Director of Studies of the International Peace Academy and Director of Columbia University's Center on International Organizations, Mr. Luck will serve at the Assistant Secretary-General level on a part-time basis.

Mr. Luck's primary role will be conceptual development and consensus building, to assist the General Assembly to continue consideration of this crucial issue, UN Spokesperson Michele Montas said at a press briefing in New York.

Towards this end, the Secretary-General has asked Mr. Luck to help him develop proposals, through a broad consultative process, to be considered by the UN membership.

In his new role, Mr. Luck will be working closely with Mr. Ban's [Special Adviser on the Prevention of Genocide], Francis Deng, given the complementary nature of their work.

[Mr. Luck has] played a key role in the UN reform process and served as head of the UN Association of the USA.

Source:

For more information, please go to:

Full biography of Edward Luck available at:
http://www.ipacademy.org/about-ipa/people/edward-luck
II. R2P in the News

1. A Change to Believe in
The New York Times
By Roger Cohen
21 February 2008

(...) After the cold war's end, and close to one million dead in the genocides of Bosnia (1992) and Rwanda (1994), and the digitally-induced dissolution of barriers and distances and hierarchies, some governments thought everything could remain the same.

They thought wrong, and not just in Havana and Pyongyang. They believed that in the age of globalization the principles of the Treaties of Westphalia, dating back to 1648, would be enough. In places like Moscow and Beijing and Belgrade, they clung to the idea that state sovereignty - the unfettered power of a state within its own jurisdiction - was the inviolable basis of international law.

Sovereignty, after Bosnia, after Rwanda, in a globalized world, was more than authority over territory and people. It was also responsibility.

When that responsibility to protect was flouted, when a government abused the basic rights of its citizens through slaughter or ethnic cleansing, sovereignty could in effect be suspended. As Kofi Annan, the former UN secretary general, put it: "State sovereignty, in its most basic sense, is being redefined." For Annan, as Weiss has noted, "Human rights transcended narrow claims of state sovereignty."

Which brings us to "R2P." That's not a rock band or a chemical compound.

In 2005, the World Summit adopted the responsibility to protect, known by that acronym. R2P formalized the notion that when a state proves unable or unwilling to protect its people, and crimes against humanity are perpetrated, the international community has an obligation to intervene - if necessary, and as a last resort, with military force.

Member states declared that, with Security Council approval, they were prepared "to take collective action in a timely and decisive manner" when "national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity."

An independent Kosovo, recognized by major Western powers, is in effect the first major fruit of the ideas behind R2P. It could not have happened if the rights of human beings were not catching up at last with the rights of states.

 Appropriately, Kosovo's emergence coincided with the establishment in New York of the Global Center for the Responsibility to Protect, directed by Weiss. Backed by the Canadian, British and Dutch governments, among others, and with support from Ban Ki Moon, Annan's successor, the organization's mission is the
spread of R2P principles.

They need bolstering. The Iraq war has revived a 21st century sovereignty fetish exploited by Sudan to stall UN efforts to stop genocide in Darfur, where the government has failed utterly in its "responsibility to protect" without provoking "timely and decisive" international action.

Interventionism is increasingly seen in the Middle East and Africa as a camouflage for Western interests.

But I believe the tide will eventually turn. R2P will be a reference. It is part of what Lawrence Weschler has called "the decades-long, at times maddeningly halting, vexed, and compromised effort to expand the territory of law itself."

The "territory of law" is now also the universal territory on which human life is protected. Westphalian principles meet R2P. An R2P generation is coming. The prising open of the world is slow work, but from Kosovo to Cuba it continues.

Full text: http://www.nytimes.com/2008/02/21/opinion/21cohen.html?ex=1204261200&en=bcdec6320fa8ef0f&ei=5070&emc=eta1

2. Javier Solana, EU High Representative for the CFSP, Welcomes Todays Launch of the Global Centre for the Responsibility to Protect
Council of the European Union
14 February 2008

"I welcome the launch today of the Global Centre for the Responsibility to Protect. The Centre will help to ensure that the concept of the Responsibility to Protect, which was adopted at the 2005 World Summit, is further developed and applied by the international community.

The Responsibility to Protect means that all States must exercise their sovereignty with responsibility and that the international community will not stand by and allow other States to inflict harm on their own populations. The Centre's mission to promote and catalyze international action to prevent and halt crimes against humanity is shared by the EU.

"It is not enough for the international community merely to say "never again" when atrocities are committed. We have to fulfil our Responsibility to Protect with action to prevent crimes against humanity."

Link to Javier Solana's statement:
III. Kenya and R2P

1. Taking the Responsibility to Protect

International Herald Tribune
By Desmond Tutu
19 February 2008

What is to be done when a government is unwilling or unable to stop mass atrocities being committed within its borders? That question has been asked far too many times in Africa - from Rwanda to Eastern Congo, from Somalia to Darfur.

The horrors of conflict in Africa continue today, but there is also a sign of how rapid response, with support from neighbors and the international community, can save lives and bring hope. In contrast to the crises in Rwanda in 1994 and Darfur in 2003, we see today in Kenya the formation of an international consensus that it is unacceptable to ignore violence of the kind that has occurred in recent months or to consider the crisis as purely an internal matter of the state.

What has brought about this change in attitude? We can't underestimate the importance of the leadership and people of Kenya committing themselves to finding a just and equitable way forward. But it should also be acknowledged that the international community has moved far faster in addressing this conflict than it has in similar situations elsewhere. The United Nations has engaged at the highest political levels, the Security Council has issued a statement deploiring the violence, and the secretary general and the leadership of human rights offices have been mobilized. African leaders have provided invaluable mediation. This now centers on the work being done by Kofi Annan, Graa Machel and Benjamin M'Kapa, at the request of the African Union.

I believe what we are seeing in Kenya is action on a fundamental principle - the Responsibility to Protect. At the UN World Summit in September 2005, government leaders pledged that states must protect their populations from mass atrocities and, if they fail, the international community must take action.

(...) [The Responsibility to Protect] is not a justification of military intervention. It simply requires states to protect their own people and help other states to build the capacity to do the same. It means that international organizations like the UN have a responsibility to warn, to generate effective preventive strategies, and when necessary, to mobilize effective responses. The crisis in Kenya illustrates this: The primary role for outside actors is to protect civilians - not least by helping governments to improve security and protect human rights.
Despite some encouraging signs, little progress has been made towards implementing R2P, as it is often called, at the UN or at the national level. One response that I particularly welcome took place in November when women leaders from around the world convened a summit on global security and pledged to promote international support for the Responsibility to Protect and ensure that women’s views and involvement are included in peace and security initiatives. Think how different the situations in the Eastern Congo or Darfur could be if women were fully involved in seeking solutions.

More must be done to bring R2P to life. Last week in New York, a Global Center on the Responsibility to Protect was launched. Its aims are to build greater acceptance of the R2P norm and to work with others to call attention to how it must be applied in real-world crises. The Elders (...) have declared February as Responsibility to Protect month as part of our Every Human Has Rights campaign to mark the 60th anniversary of the Universal Declaration of Human Rights.

(...) We all share a responsibility to do whatever we can to help prevent and protect one another from such violence.

The place to start is with prevention: through measures aimed in particular at building state capacity, remedying grievances, and ensuring the rule of law. My hope is that in the future, the Responsibility to Protect will be exercised not after the murder and rape of innocent people, but when community tensions and political unrest begin. It is by preventing, rather than reacting, that we can truly fulfill our shared responsibility to end the worst forms of human rights abuses.

Desmond Tutu's op-ed: http://www.iht.com/articles/2008/02/19/opinion/edtutu.php

To see the Message to Kenyans by the The Elders Chair, Desmond Tutu, please go to: http://ia341042.us.archive.org/1/items/MessageToKenyansByTheEldersChairDesmondTutu/MessageToKenyans4Feb.pdf

IV. Darfur in the News

1. The Blame Games
Sunday Herald
(...) Over three days last weekend, a series of villages in northwest Darfur were bombarded by Sudanese forces. (...)

It was one of the most violent military offensives in Darfur since 2004. Around 200 people were killed and some 200,000 were displaced. As the week progressed and the threat of further attacks grew, entire villages across West Darfur began to empty.

It was the sort of attack that would have once brought condemnation from world leaders. A Blair or a Rice would express outrage, criticise the Sudanese government, and urge the international community to do something.

(...) It is now almost five years since the conflict in Darfur began. And it doesn't look like ending any time soon. The rebel groups are split more than a dozen ways. Khartoum continues to divide and rule, arming this group one week, that group the next. The international community, meanwhile, has run out of ideas.

(...) Darfur has been the first major test of a new international doctrine: the Responsibility to Protect. Signed by more than 140 countries at a special UN conference in 2005, the Responsibility to Protect, for the first time, put the issue of human rights above national sovereignty. In short, if a government is failing to protect its own civilians the international community has a responsibility to ensure their protection.

Signing a document, of course, is not the same as implementing it. Sudan, for example, signed it. The doctrine has been trumpeted by leaders in the US, UK and across the EU as an example of their compassion, but no major power has shown much interest in making it work.

(...) As the attacks in Darfur continue - and aid workers are predicting many more in the coming weeks - the international community has little idea what to do next. Criticism of China, though valid, has let others off the hook. The US, Britain and France are all culpable.

Shortly after Nicolas Sarkozy was elected president of France last year he called for a conference in Paris on Darfur. It was, like so many initiatives by Western powers, designed to give the impression that "something" was being done. The African Union wasn't even invited.

(...) As George Bush tours Africa this week he will talk about Darfur. Gordon Brown will probably soon come out with a statement condemning the new attacks. They will both agree something must be done. But as the three million Darfuris displaced across Sudan and Chad know all too well, there is a big difference between words and action. For now, the only action they are
seeing is from Khartoum.

To view the full article, please go to: http://www.sundayherald.com/international/shinternational/display.var.2050621.0.0.php

Statement by UNAMID Joint Special Representative and UN Humanitarian Coordinator on renewed violence and the need to protect Civilians in Jebel Muun, Darfur:

2. Spielberg Quits as Adviser to Olympics over Darfur
China Aid Association
13 February 2008

(...) Oscar-winning film director Steven Spielberg withdrew Tuesday as an artistic adviser to the 2008 Summer Olympics in Beijing over Chinas policy on the conflict in Sudans Darfur region. (...

(...) Earlier Tuesday, nine Nobel Peace Prize laureates - including Archbishop Desmond Tutu, Elie Wiesel and Jody Williams - sent a letter to Hu urging China to uphold Olympic ideals by pressing Sudan to stop atrocities in Darfur.

s the primary economic, military and political partner of the Government of Sudan, and as a permanent member of the United Nations Security Council, China has both the opportunity and the responsibility to contribute to a just peace in Darfur, said the letter.

ongoing failure to rise to this responsibility amounts, in our view, to support for a government that continues to carry out atrocities against its own people, said the letter, released on a day of events by the Save Darfur Coalition.

The letter was also signed by U.S. politicians, Olympic medalists and entertainers and delivered to Chinese embassies and missions as part of events in the United States and Europe staged to mark six months before the Aug. 8-24 Olympics. (...

Full text:
http://chinaaid.org/2008/02/13/spielberg-quits-as-adviser-to-olympics-over-darfur/

More information on renewed violence and spill-over into Chad by Eric Reeves:
http://www.sudanreeves.org/Article205.html

3. Joint Statement on the Crisis in Chad
Enough
11 February 2008

The following is a joint statement on the crisis in Chad from the ENOUGH Project, the Save Darfur Coalition, and the Genocide Intervention Network:

The outcome of the crisis in Chad remains uncertain, but the peril for civilians in Chad and Darfur is enormous. A low-intensity, festering civil conflict between the Chadian government and a disparate group of rebels exploded into violent confrontation in the capital NDjamena. Thousands of refugees fled the city, and the threat of renewed violence continues. The Sudanese government, which is responsible for genocide in Darfur, supports the rebels trying to overthrow Chads government because it wants to block the deployment of European Union peacekeepers to Eastern Chad. Sudans ruling party not only threatens its own citizens, which it has destroyed in great numbers, it is a menace to the entire region. It will remain a menace until the rest of the world makes the cost of doing so too steep.

Therefore, the Save Darfur Coalition, the ENOUGH Project, and the Genocide Intervention Network make the following policy recommendations:

1. The U.S., France and UK should work with China and Russia to introduce immediately a UN Security Council resolution authorizing targeted sanctions on senior Sudanese officials responsible for supporting the overthrow of a neighboring sovereign government, for obstructing the deployment of international protection forces in Chad and Darfur, and for continuing to promote violence in Darfur.

2. The U.S., UK, France, and China, as leading members of the UN Security Council, and in coordination with the UN, the AU, and the broader international community, should work together to ensure that the UNAMID peacekeeping mission in Darfur and the EUFOR and MINURCAT peacekeeping missions in Chad/CAR are immediately and fully deployed.

3. The U.S., France, UK and China should use this opportunity to form an international quartet to work with the UN and AU to promote an end to the interconnected conflicts in Chad and Sudan.

Source of information:
http://hellonearth.wordpress.com/2008/02/11/Enough-2/

V. Relevant Reports

The latest report from the International Crisis Group, enya in Crisis, released on 21 February 2008, examines the multitude of hardships Kenya experiences today in light of the contested
presidential election that took place in December 2007 and instigated a series of events which led to the deaths and displacement of thousands of citizens. The report investigates the election and security crises, the humanitarian and economic consequences, as well as the search for political solutions in Kenya today.

Link to media release:
http://www.crisisgroup.org/home/index.cfm?id=5316&l=1&m=1

To read the ICG report, please visit:


International Crisis Group issued another report on 20 February 2008 entitled Sri Lankas Return to War: Limiting the Damage. It deals with the costs and likely course of the ongoing civil war in Sri Lanka, which currently has no resolution in sight. With Sri Lanka again in war, the international community needs to focus on protecting civilians from the effects of the instability and to work on preventing further deterioration.

To see the media release, please go to:
http://www.crisisgroup.org/home/index.cfm?id=5305&l=1&m=1

Link to the ICG report: :

VI. Upcoming Events

1. The Responsibility to Protect: A Framework For Confronting Identity-based Atrocities

March 10 and 11
Jacob Burns Moot Court Room
Benjamin N. Cardozo School of Law
Yeshiva University
55 Fifth Avenue at 12th Street
New York, NY

"The conference seeks to provide a forum to conceptualize the normative legal and political content of R2P; to examine the R2P framework against identity-based atrocities including
ethnic conflict and genocide and to address the political and operational challenges to the implementation of b".

For more information on speakers, topics and how to attend, please refer to: http://www.responsibilitytoprotect.org/index.php?module=uploads&func=download&fileId=491