

R2PCS Listserv

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Responsibility to Protect Engaging Civil Society

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I. R2P and Zimbabwe

1. The Lesson of Zimbabwe's lesson
Alex Perry
Time Magazine
27 June 2008

Under the watchful eye of the regime's security services, Zimbabweans Friday voted in a single-candidate presidential "runoff" that will almost certainly extend Robert Mugabe's rule until 2014. Despite reports of a low turnout, the decision by opposition leader Morgan Tsvangirai to withdraw last Sunday makes Mugabe's victory inevitable. (...)

This month, the United Nation's Food and Agricultural Organization listed Zimbabwe as one of four countries (the others being Lesotho, Swaziland and Somalia) worst affected by the world food crisis. Relief agencies say close to half the resident population now supplement their diets with food aid and, with an economy that has collapsed, there is little hope of improvement. Running parallel to Zimbabwe's worsening humanitarian crisis in the coming years will be a deepening political one, analysts predict. (...) The army, police and government-sponsored militias have fanned out across the country, killing, beating and displacing opposition supporters, wresting control of the media, electoral bodies and the judiciary and refusing to

cede power even if the second vote were to somehow go against Mugabe. (...)

Facing a future of worsening poverty and harassment, millions more Zimbabweans are expected to flee their homeland. An estimated fifth to a quarter of the original population of 13 million are now refugees.

The world will express outrage at Zimbabweans' fate, and likely draw up stringent economic and diplomatic sanctions. But neither is likely to save Zimbabweans from their government and that is proof of the end of an era. In 1999, the U.N. launched successful military interventions to stem bloodshed in Kosovo, East Timor and Sierra Leone. That was in keeping with a declaration the year before by then U.N. secretary-general Kofi Annan hailing a "new century of human rights." "No government has the right to hide behind national sovereignty in order to violate the human rights or fundamental freedoms of its peoples," he proclaimed. This collective world "**responsibility to protect**," as Annan's vision came to be known, fitted the mood of the age.

But several things happened since that have forced a retreat from those heady days: the U.S. war on terror gave intervention a bad name by associating it with big-power unilateralism; the crises got bigger genocide in Darfur, famine in North Korea, a cyclone in Burma. Global competition also worked against global unity: China, for instance, blocked U.N. Security Council action against Sudan over Darfur to protect its oil concessions. Zimbabwe may have repugnant rulers, but it also has a consistent and grateful ally in South African President Thabo Mbeki and his fight against Western hegemony. Additionally, Harare has the world's second largest deposits of platinum, which assists its friendship with China. Kofi Annan's "**responsibility to protect**" was always a daring and ambitious idea. Six more years for Mugabe suggests it might also be as alive as Zimbabwean democracy.

Source: <http://www.time.com/time/world/article/0,8599,1818527,00.html>

2. The United Nations and Zimbabwe: Crimes against humanity What international bodies can, and cannot, do about Zimbabwe

26 June 2008

The Economist

MORGAN TSVANGIRAI, Zimbabwe's opposition leader, has called for the United Nations to send peacekeepers to his ravaged country. Others, including Jacob Zuma, leader of South Africa's ruling African National Congress, have begun calling on the international community to intervene. (...)

Under the new concept of an international **responsibility to protect**, adopted unanimously by world leaders (including Mr. Mugabe) at a UN world summit in New York in 2005, intervention in a state's internal affairs is permitted in the event of genocide, crimes against humanity, ethnic cleansing and other mass atrocities, if that state is unwilling or unable to protect its own people. Indeed, **R2P**, as it has become known in diplomatic jargon, places an actual obligation on governments, usually acting

through international bodies such as the UN, to intervene in such cases.

Natural disasters and human-rights violations on a less gross scale do not qualify, which is why such an intervention was not possible in Myanmar after Mays cyclone. But it is arguable that Zimbabwe could qualify. Under the ICC's Rome statute, crimes against humanity are defined as inhumane acts, such as torture or murder, that are idespread or systematic intentionally causing great suffering and serious injury to the body or to mental and physical health. That seems to fit the pattern of systematic rape, torture, murder and other atrocities being perpetrated against Mr. Tsvangirais supporters.

But qualifying for **R2P** is only the first (and easiest) step. Any intervention involving sanctions or armed force requires authorisation by the UN Security Council, meaning no opposition from any of the councils five permanent veto-wielding members: Britain, China, France, Russia and the United States. For the council to have issued a statement for the first time condemning Zimbabwes government for the violence and intimidation surrounding its presidential elections is regarded as a tour de force. (...)

But it was once regarded as ludicrous that the council would ever agree to refer Darfur to the ICC for investigation it did. Almost everyone said that China, with its close ties to Sudan, would never agree to send UN peacekeepers to Darfuret it did. More recently, it was assumed that the Security Council, on which South Africa holds a two-year seat, would never say boo to Zimbabwe over the conduct of its elections, surely an internal matter if there ever was one. Yet it has.

So the residential statement issued by the Security Council on June 23rd was something of a triumph, given South Africas presence and Chinas and Russias traditional reluctance ever to intervene in a states internal affairs. For, unlike council resolutions, such non-binding presidential statements can be adopted only unanimously. And, though it was a watered-down version of a British draft reportedly calling for Mr. Tsvangirai to be regarded as Zimbabwes legitimate president, it contained some tough language, squarely blaming Zimbabwes government for the humanitarian and political crisis at a time when Thabo Mbeki, South Africas president, was still refusing to do so. (...)

Unlike its discredited predecessor, the Commission on Human Rights, [the Human Rights Council] has the power to call for an emergency session to address a particularly egregious violation of human rights, for example in Zimbabwe. All that is required is for one-third of the councils members to back the move. But not a single country, not even Britain, has even suggested putting forward such a motion; the United States is not a member. (...)

As for an eventual indictment at The Hague by the ICChich is backed by the UN but independent of ithis, too, is tricky. Though the atrocities being perpetrated by Mr. Mugabe and his army, police and party militias could well be considered crimes against humanity and may therefore fall within the courts jurisdiction, Zimbabwe is not a party to the court. So the UN Security Council would have to refer Zimbabwe to the ICC, a step that China or Russia may be expected to veto. But as the Beijing Olympics draw near, China just may be willing to abstain on such a resolution, as it did over Darfur. And Russia, not wanting to be left out on a limb, may

agree to do the same. So Mr. Mugabe is not out of the courts sights yet.

Source: http://www.economist.com/world/africa/displaystory.cfm?story_id=11636475

3. Mugabe is Frankenstein, says Tutu

25 June 2008

The Sydney Morning Herald

Zimbabwean President Robert Mugabe has become a Frankenstein for his people, Nobel laureate Desmond Tutu says.

But, the Anglican archbishop says, the violence in Zimbabwe may eventually escalate to the extent where the international community needs to consider intervention to protect the nation's people.

Mr Tutu has been at the forefront of African leaders who have spoken out about the brutal regime of Zimbabwean President Robert Mugabe, whose leadership is increasingly being denounced as illegitimate. (...)

"He has mutated into something that is quite unbelievable, he has really turned into a kind of Frankenstein for his people," Mr Tutu told ABC TV.

The United Nations has condemned the violence in Zimbabwe which forced the country's opposition leader, Morgan Tsvangirai, to withdraw from a presidential run-off poll this Friday because of the continuing threat to his supporters.

Mr Tutu indicated the time may come when the world had to consider invoking the UN principle of a "**responsibility to protect**".

The UN recognised in 2005 the "**responsibility to protect**" civilians when their governments could or would not do it, even if this meant violating national sovereignty.

"Many of the leaders of the world have shown a very admirable sensitivity but ultimately we may get to the point where we have to invoke this new doctrine of **responsibility to protect**," Mr Tutu said.

"That is, if a government of a country is unable to provide protection for its people then the international community may step in even when people have tended to use the old doctrine of sovereignty of the state."

Mr Tutu said it was crucial the international community didn't leave any intervention too long. (...)

But Foreign Minister Stephen Smith has doubts the UN would be able to reach agreement on such intervention.

"Certainly we think the United Nations and the Security Council should be increasing its

interest and its activity," he told ABC TV.

The Rudd government wants the UN to have a fully fledged debate on Zimbabwe and has asked its UN mission in New York to promote that view to UN Secretary General Ban Ki-moon. (...)

"One of the problems we've had before the Security Council is the use of the veto, but certainly we want the UN to be playing a more active role, just as we've said for some time we want the Southern African Development Community states and the African Union states to be taking the primary regional responsibility for bringing the brutal Mugabe regime under control."

Mr Smith intends to raise the issue of Zimbabwe when he heads to Japan tomorrow for the Group of Eight (G8) foreign ministers meeting.

"On Zimbabwe I'll be making a range of points, that Australia has been at the forefront as far as sanctions are concerned ... we want to make sure those international sanctions are coordinated," he said.

"We'll be urging a range of countries to contemplate sanctions and also urging further action before the Security Council and making the point that we do have an emerging principle ... of international law which is about the **responsibility to protect**."

Source: <http://www.smh.com.au/news/world/mugabe-is-frankenstein-says-tutu/2008/06/25/1214073280353.html>

Interview with Desmond Tutu: <http://www.abc.net.au/am/content/2008/s2284989.htm>

4. Zimbabwean activists call for international intervention to protect the people of Zimbabwe
24 June 2008
African Press Organization

CIDSE, APRODEV and the Ecumenical Zimbabwe Network (EZN) welcome the UN Security Council statement condemning the campaign of violence against Zimbabwe's opposition party. However, diplomatic efforts are clearly failing to provide adequate protection to the people of Zimbabwe or to guarantee a democratic electoral process. CIDSE, APRODEV, and EZN reiterate their call for the United Nations (UN) to conform with its own Security Council resolution 1674, which confirms the **Responsibility to Protect** populations from genocide, war crimes, ethnic cleansing, and crimes against humanity as a fundamental international norm.

With no possibility for a legitimate Presidential election on 27 June, the international community should act immediately to ensure that ballots are not replaced by bullets. That is needed said John Stewart, Director of NOVASC, a Zimbabwean human rights NGO. International intervention. The direct intervention of an international, African led presence to guarantee security and the protection and safety of the people is necessary. Militias have to be disarmed, disbanded, demobilised; the state security agencies must be reined in and kept under

scrutiny, to prevent them continuing with their campaign of violence and terror, and to prepare the processes of a return to the rule of law and extensive security sector reform. Concerted international action is needed to encourage and accompany a determined process to protect and assist the Zimbabwean people, while creating the conditions for legitimate elections in as short a time as possible. (...)

Source: <http://appablog.wordpress.com/2008/06/24/zimbabwe-with-no-legitimate-election-possible-zimbabwean-activists-call-for-international-intervention-to-protect-the-people-of-zimbabwe/>

5. UK Democrat Leader Nick Clegg puts case for intervention
BBC News
23 June 2008

Britain must be prepared to intervene to prevent foreign states' "malicious negligence" of their own people, says Liberal Democrat leader Nick Clegg.

The "unjustified invasion of Iraq" should not weaken support for "liberal interventionism", he said in a speech.

He said the concept needed revisiting and expanding to cover non-conflict disasters like the Burma cyclone.

And the UK should push development of the **Responsibility to Protect** doctrine in the United Nations, he added. (...)

In a keynote foreign policy speech at Chatham House, Mr Clegg said the UN should keep developing it, to make it "the first port of call to sanction an errant state" - so long as certain conditions are met.

I do not believe that it is morally right to abandon other citizens to the lethal and malicious negligence of their governments

He said the "messy reality" of its military commitments, notably the war in Iraq, had put UK on "the back foot" when it came to humanitarian interventions.

"Exactly at a time when we should be strengthening the doctrine of liberal interventionism, the legacy of New Labour's disastrous intervention in Iraq has weakened our political and moral authority to do so," he said. (...)

Zimbabwe pressure:

And while its priority should remain the security of the British people, it should be prepared to take a leading role in Europe's humanitarian deployments and to develop the **Responsibility to Protect** doctrine.

He said there should be strict rules governing military interventions - that it be based on a just cause, have the right intention, always be a last resort, sanctioned by a legitimate authority, be "proportional" and "must have a reasonable chance of success".

While there was a "moral case" for intervening in Zimbabwe - he said the fact there was no regional support for military intervention meant there was little chance it would be successful.

Instead pressure should be put on the Mugabe regime in other ways, he said, such as cutting off access to foreign currency.

But the case of Burma, where some foreign aid workers were blocked in the wake of Cyclone Nargis, showed the need to revisit the rules around **Responsibility to Protect**, he said.

"If we are willing to take action to protect innocent citizens from state persecution I do not believe that it is morally right to abandon other citizens to the lethal and malicious negligence of their governments," said Mr Clegg.

He said the international community should intervene "when a state intentionally permits extreme and unnecessary suffering that it has the power to stop". (...)

Source: http://news.bbc.co.uk/2/hi/uk_news/politics/7469471.stm

6. UN Security Council Discusses Action on Zimbabwe
Khaleej Times Online
23 June 2008

The UN Security Council discussed Monday holding President Robert Mugabe responsible for the worsening political and humanitarian situation in Zimbabwe and condemning him and his government for it, diplomats said.

They said the 15-nation would consider the March 29 election results legitimate if the runoff ballot planned for Friday cannot take place because of violence against the opposition.

Opposition leader Morgan Tsvangirai won the first vote, but failed to achieve the required 50-per-cent majority vote, prompting a runoff election.

US Ambassador Zalmay Khalilzad, who is serving as council president in June, and his counterpart from France, Jean-Maurice Ripert, said following a closed-door meeting of the council that a presidential statement expected to be issued Monday would say the violence in Zimbabwe would make it impossible for the runoff election to be free and fair.

The draft statement under discussion would say "until there is a clearly free and fair second round of presidential election, the only legitimate basis for a government of Zimbabwe is the outcome of the 29 March, 2008, election."

The draft would condemn the violence "conducted" by the government and sections of Zimbabwe's armed forces against political opponents, which have killed "scores of opposition activists and the beating and displacement of thousands of people, including many women and children."

The draft would condemn the government of Zimbabwe's actions, including political intimidation, suppression of the right of assembly, detention of political leaders and abuse of state- controlled media, which denied the opposition the chance to campaign freely.

It would call on Zimbabwean authorities to hold talks with envoys from the African Union and the UN "to find a peaceful way forward that allows a legitimate government to be formed that reflects the will of the Zimbabwean people." (...)

Both Khalilzad and Ripert said at least one council member opposed the issuance of the statement.

"The situation in Zimbabwe is not the result of an act of nature, like the natural disaster in Burma (Myanmar)," Khalilzad said. "The government of Zimbabwe caused the problems, and in my view, we have to assign the blame and take action."

When Cyclone Nargis struck Myanmar in early May, China strongly opposed the council's involvement in humanitarian assistance to that impoverished Southeast Asian nation. Western nations in the council invoked the UN **responsibility to protect** civilians, but China said that responsibility does not cover natural disasters.

Khalilzad and Ripert said one country also opposed the UN **responsibility to protect** the civilian population in the case of Zimbabwe's humanitarian situation, which they said is man-made. The diplomats did not name that country. (...)

Source: [http://www.khaleejtimes.com/DisplayArticleNew.asp?col=\\$ion=theworld&xfile=ata/theworld/2008/June/theworld_June1444.xml](http://www.khaleejtimes.com/DisplayArticleNew.asp?col=$ion=theworld&xfile=ata/theworld/2008/June/theworld_June1444.xml)

United Nations Security Council Statement: <http://www.un.org/News/Press/docs/2008/sc9369.doc.htm>

II. Crisis in Burma and R2P

1. Disasters and the Right to Interfere

Francoise Bouchet-Saulnier

27 June 2008

Gulf News

When natural disasters hit countries that are ruled by authoritarian regimes, the system of humanitarian help is also hit by an inherent contradiction: must we force a country into accepting both help and foreigners on its territory? The question which humanitarian law is struggling to find a clear answer to is related to national sovereignty, standing in the way of

protection of victims. This important issue is brought into focus these days because of the refusal of the Burmese (Myanmarese) authorities to accept any foreign humanitarian aid despite the magnitude of losses the country has seen.

Although the UN resolution of 1988 recognises that the interference of Non-Governmental Organisations (NGOs) in situations of natural disasters is necessary to help save lives, it does not allow them to impose it on countries that would refuse this help. It is only in situations of conflict that humanitarian law would recognise NGOs' right to interfere in some countries to save victims, without the government's consent, and this is not the case with Burma (Myanmar). On the contrary, the UN resolution 62/92, passed on February 1, 2008, and which deals with natural disasters, emphasises the fact that the responsibility of organising, coordinating, and carrying out humanitarian aid activities rests upon the disaster-stricken country. The latter may accept assistance from other countries; still, nothing obliges it to receive foreign rescue teams or assign to them the task of organising rescues.

This kind of refusal, together with the dilemma of entrusting the international aid to a dictatorial government, makes some people refer to the possibility of imposing aid, on the basis of the international concept of the '**responsibility to protect**', adopted by the UN in 2005. This concept may be applied in situations where genocide, crimes against humanity, or war crimes... take place. This obviously implies that the UN can impose its resolutions to make use of its power against, not only countries which present threats to international peace, but also those where genocide and mass killing take place. However, this idea remains only a solution, which heavily depends on the consent of the five permanent members of the Security Council. Thus we cannot really speak about a law for the populations.

Furthermore, this concept does not cover natural disasters. A legal debate imposes itself if we want to find out whether deliberately refusing humanitarian assistance to a population can be considered as a crime against humanity. This would hopefully lead us to restart the debate on the issue of the '**responsibility to protect**', and possible sanctions to be imposed by the International Criminal Court. (...)

Myanmar has not ratified the status of the International Criminal Court (ICC), which means that the Security Council is the only body entitled to make appeal to ICC, assuming the agreement of all its members. Moreover the violence that may be caused cannot be concealed by the principle of the '**responsibility to protect**', since we are faced with a problem of imposing military presence on a country which is opposed to it. We are thus obliged to make use of all the necessary military and political means and should be ready to take on the consequences of such a situation, while being able to anticipate deadlines and the real impact on the disaster victims. Above all, it should be clear that this principle is void of any legal and practical effectiveness, as long as it is not accepted by the Security Council, and this is exactly what happened in the case of Myanmar. (...)

The problem in Myanmar is related to help coming from Western countries because the authoritarian government has willingly accepted help from Asian countries. Indeed, the opening up on Asian countries marks a turning point in humanitarian action. This is also the case in the earthquake-stricken China, which accepts help but not foreign rescuers. It is good to hear that some Asian countries have the means and are willing to develop aid methods, while showing empathy and compassion, which are not limited to Westerners. Humanitarian interference, however, can be seen as a form of violence exercised on a country's leadership, since it may lead to aggressive acts with bad consequences, such as those that occurred in Iraq and Somalia. Military interventions of this kind arouse more fear as natural disasters related to

climate change are predictably increasing. Humanitarian action is expanding in the world. Western diplomacies are thus required to think about the best way to get involved while preserving solidarity and humanity values.

Source: <http://gulfnews.com/opinions/columnists/disasters-and-the-right-to-interfere-1.113853>

2. Sein Win Seeks Talks With China, India

Lalit K Jha

24 June 2008

The Irrawaddy

The Burmese prime minister in exile, Dr Sein Win, wants to visit leaders in India and China to seek their help in resolving the current political impasse in Burma. The two countries are allies of the military government and play an important role in finding a peaceful solution to the current political crisis, Dr Sein Win told The Irrawaddy.

Dr Sein Win has approached both India and China in this regard, but without any success so far.

"We want solutions. We need help from China and India," he said. (...)

Despite his efforts, he said, "They [India and China] are very elusive because they are afraid any contact with us could jeopardize their relationship with the military. (...)

Regarding the humanitarian situation in Burma in the aftermath of Cyclone Nargis, he said he was dismayed that the junta discouraged people from helping the refugees and arresting many volunteers who tried. (...)

Meanwhile, US Secretary of State Condoleezza Rice said China and other neighboring countries of Burma are not putting enough pressure on the military government to move quicker and more inclusively to a democratic system.

In an interview on CNN, Secretary Rice said China has consistently blocked resolutions on Burma at the UN Security Council.

"They [China] blocked the ability to get it [Burma] to the Security Council, she said. We were never able to get a strong resolution to deal with it." (...)

However, she acknowledged a positive role played by China and other neighboring countries during the cyclone disaster.

"I will say that I think the rather limited progress that we made was because China and a couple of others did intercede with the junta to allow some aid in," she said.

Expressing her frustration with the response of the international community on issues related to Burma, she said: "The truth of the matter is that the international community has not responded as it should have. This is, sometimes, one of the frustrations with the Security

Council."

When the UN General Assembly took up the issue of the **responsibility to protect** principle a few years ago, she said the US was skeptical at that time. That was, Rice said, "because we said if you take on something like the

responsibility to protect

, and then you don't do it, what does it say about the credibility of the Security Council in the international community."

That's precisely what's come true now in Burma, she said.

In another interview with the CNN editorial board, Rice said the international community has not done a good job in the case of Burma, in particular in the aftermath of the Cyclone Nargis, which killed more than 130,000 people.

will tell you I think the international community has not done a good job in this case because if the **responsibility to protect** is going to mean anything, it will have meant something in this case.

But we couldn't even get Burma on the Security Council agenda because of China, Rice said. (...)

So, the US took of position of pressing China to use its influence to get some aid in, she said. "Much of what you see and the ability to get some aid in, is because a lot of representations and tough efforts were made with the Burmese by their neighbors," Rice said.

Source: <http://www.state.gov/secretary/rm/2008/06/106128.htm>

3. Burma and the **Responsibility to protect**: first, do more good than harm

Ramesh Thakur

20 June 2008

e-International Relations

Paranoid and mistrustful of the outside world, Burmas generals were criminally tardy in permitting emergency humanitarian supplies and personnel to come into the country after a devastating cyclone in early May. (...)

In the immediate aftermath, the rising tide of anger, outrage and frustration led Frances Foreign Minister Bernard Kouchner to suggest invoking the **Responsibility to protect (R2P)** in the UN Security Council as the legal means to prise open Burmas borders to outside help. The call, later retracted by Kouchner as being inappropriate in a non-conflict situation, generated an intense debate in policy, advocacy and media circles that is worth parsing into moral, conceptual, legal, political and practical components.

R2P was a creative and innovative reformulation of the old humanitarian intervention debate by a Canadian-sponsored but independent international commission. With singularly bad timing,

we published our report at the end of 2001. Yet less than four years later a uniquely rapid timeframe for such a landmark normative shift it was adopted without a dissenting vote by world leaders at the UN summit. In paragraphs 138 and 139 of the summits outcome document, the prime ministers and presidents of the world affirmed that every state bears the **Responsibility to protect**

its population. They further declared that they were prepared to take collective action, in timely and decisive manner, through the Security Council and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations.

There is no morally significant difference between large numbers of people being killed by soldiers firing into crowds or the government blocking help being delivered to the victims of natural disasters.

Conceptually, the shift from the crime of mass killings by acts of commission like shooting people and acts of omission like preventing them from getting food and medical attention is a difference of degree, not kind.

Legally, the four categories where **R2P** apply are genocide, war crimes, ethnic cleansing, and crimes against humanity. In our original report, we had explicitly included overwhelming natural or environmental catastrophes causing significant loss of life as triggering

R2P

if the state was unable or unwilling to cope, or rebuffed assistance. This was dropped by 2005. But crimes against humanity was included and prima facie would seem to apply to the Burmese generals actions in blocking outside aid.

Politically, however, we cannot ignore the significance of the exclusion of natural and environmental disasters in 2005. Clearly, the normative consensus on the new global norm did not extend beyond the acts of commission of atrocity crimes by delinquent governments. To attempt to reintroduce it by the back door today would strengthen suspicion of Western motivations and reinforce cynicism of Western tactics. The UN must base its decisions on the collectively expressed will of its member states, not on that of an independent commission or individual member states. Unlike previous decades, the new unity of the global South, led by Brazil, China, India and South Africa, is based in a position of strength, not weakness. The West can no longer set or control the agenda of international policy discourse and action. (...)

(...) Any effort to invoke **R2P** formally in the Security Council would have the counter-productive effect of damaging **R2P** permanently across Asia and more widely in developing countries.

(...) It would be short-sighted to rule out the relevance and application of **R2P** should the situation not improve and people start dying in large numbers from the after-effects of Cyclone Nargis. Victims have the right to receive all available assistance; governments, host as well as foreign, have a duty to provide and facilitate it. We should not rule out laying charges of crimes against humanity against the top leaders in due course after the emergency has passed.

In the meantime, though, it bears emphasizing that **R2P** is much more fundamentally about building state capacity than undermining state sovereignty. The scope for military intervention under its provenance is narrow and tight. The instruments for implementing its prevention and reconstruction responsibilities on a broad front are plentiful. While the reconstruction agenda for Burma is self-evident, it is worth returning to the tsunami of Boxing Day 2004 to illustrate the prevention agenda. The responsibility to prevent would have meant, firstly, installing an early detection and warning system for earthquakes and tsunamis around the Indian Ocean along the lines of that already in place around the Pacific. Second, it would have required such preventive measures as strengthening instead of eroding natural barriers like mangrove swamps that absorb and dilute the destructive power of tsunamis. And third, it would have meant advance training and stockpiling of supplies for effective civil defence measures like food, medicines and paramedical personnel. In other words, capacity, capacity and capacity that strengthen sovereignty and help state authorities to exercise it more responsibly.

Finally, there is also the question of which is more damaging to **R2P** in the longer term: invoking or ignoring it in the context of natural disasters like Cyclone Nargis. If the invocation does not help in the immediate emergency and may indeed cause even more determined opposition; and if it causes the growing backlash against

R2P

to gather pace; then the painfully forged consensus on the

R2P

norm will fracture without any material help being provided to the displaced and distressed. And that means that help will be less forthcoming to the next group of victims of large-scale killings. The correct equation thus is that invoking

R2P

in Burma would have endangered lives elsewhere tomorrow without saving any and possibly even delaying help for the Nargis victims today. Feeling good about ones own moral superiority by accusing others of privileging a norm over saving lives is a peculiar form of self-indulgence that perpetuates the killing fields without alleviating anyones suffering.

Source: <http://www.e-ir.info/?p=493>