

21 July 2009 News Update

RtoP Listserv Web: www.responsibilitytoprotect.com E-mail: info@responsibilitytoprotect.org

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I. Summary of Events:
ICRtoP's Civil Society Dialogue & SG's presentation of report

20 July 2009: Responsibility to Protect: A Dialogue with Civil Society in Advance of the UN General Assembly Debate UN Church Centre The International Coalition for the Responsibility to Protect held an event entitled “

[Responsibility to Protect: A Dialogue with Civil Society in Advance of the UN General Assembly Debate](#)

” at the UN Church Centre yesterday. More than a hundred individuals attended the civil society dialogue session, with representatives from over a dozen missions, various NGOs, the press and members of the public.

William Pace, Executive Director of WFM-Institute for Global Policy, moderated the dialogue session. To start the discussion, he briefed the audience on the Responsibility to Protect as well as the bios of the panelists. Mr. Pace, in his personal capacity, also commented on Father D'Escoto's inappropriate use of his position as PGA to undermine the debate of the RtoP.

Dr. Edward Luck, Special Advisor with a focus on the Responsibility to Protect, gave introductory remarks for the event and expressed his appreciation for the role of NGOs in advocacy, research and operational aspects. His statement mainly focused on the need for the UN to find a strategy to implement RtoP and what he foresees in the upcoming General Assembly debate, he stated that it is "a report not to end the conversation; it's to begin the conversation." He stressed that "the only option is not the military option, it is morally irresponsible to wait for the bodies to pile up. We need early prevention and reaction."

Ms. Jacqueline Murekatete, a fellow at Miracle Corners of the World and Program Director at Jacqueline's Human Rights Corner, drew from her personal experience as a victim and survivor of the Rwandan genocide in 1994 to highlight how crucial it is for the Responsibility to Protect to be fully implemented. She also articulated her belief that Rwanda was a "preventable genocide" and highlighted the need for the relevant preventive mechanisms and political will. She stressed that despite experiencing the horrors of the genocide, her and other victims, at that time had pinned their hopes on the aid of the international community to put an end to the genocide, of which she gave a moving account; "All of us believed that the world would not stand by, but in that 100 days more and more women were raped, men were killed and children thrown into trees. There was simply no political will in 1994 to stop what was going on in Rwanda and there were no mechanisms that were in place to prevent the genocide or end it once it has begun."

Mr. Nkunda, co-director of the International Refugees Rights Initiative and member of the International Coalition for RtoP, focused on how the African countries have advanced the RtoP norm and highlighted how it is already institutionalized within the AU. He highlighted that Sudan's ratification of the protocol of the International Conference on the Great Lakes meant that President Bashir could be physically removed from his country and trialed. Mr. Nkunda emphasized the need to ensure that African countries speak with one voice.

Ms. Reindorp, director of advocacy at the Global Centre for the Responsibility to Protect, spoke about the political context for the debate. She expressed her hope that the debate would generate a reiteration of political will, to build capacities to prevent and halt mass atrocities. She reminded that sovereignty is not a barricade that gives States the right to abuse their citizens but rather that sovereignty brings responsibility, and this is what the debate should be about this week. Ms. Reindorp said there was a need to remind Member States that it is their request to continue the consideration of this issue.

After the panelists presented their speeches, it was followed by a Q&A session.

For statements made at the event:

[Click here](#)

21 July 2009: Presentation by the Secretary-General on “Implementing the Responsibility to Protect” UN General Assembly, 10 a.m. In his brief overview of the report, Secretary-General Ban Ki-moon highlighted that “sovereignty and responsibility as mutually enforcing principles” and emphasized upon the importance of the prevention of genocide, war crimes, ethnic cleansing, and crimes against humanity.

Secretary-General Ban Ki-moon highlighted 3 main points from the report:

1. He explained that “the report seeks to **situate the Responsibility to Protect squarely under the UN's roof and within our Charter**, where it belongs.” He also added that developing UN strategies, standards and processes for the implementation of R2P will discourage states or groups of states from misusing these principles.
2. The report conveys that prevention based on practical and moral reasons should be most important. It seeks a balanced, nuanced approach to prevention and protection, by using the full inventory of tools available to the UN and its partners. It proposes thinking and policy development for ways the international community can support states in meeting obligations in this area.
3. The report tries to engage Member States to strengthen capacity in early warning and prevention. There should be an early and flexible response, tailored to circumstances of each case.
Military action should be the last resort, and should only be undertaken under the relevant provisions of the Charter

Addressing the Member States directly, he asked of them to do 3 things:

1. He called on them to “resist those who try to change the subject or turn our common effort to curb the worst atrocities in human history into a struggle over ideology, geography or economics.

What do they offer to the victims of mass violence? Rancor instead of substance; rhetoric instead of policy; despair instead of hope. We can, and must, do better.

”

2. To let the Assembly do what it does best – provide the venue for a continuing search for common ground, a multilateral strategy that works. Secretary-General Ban Ki-moon stated that he

“

signs of convergence on the first two pillars of strategy: on state responsibility and international assistance. But, as everyone expected, differences persist on some aspects of the third pillar: on response.

” Ban told the GA that the UN cannot expect to resolve all outstanding issues this week or the next, but can agree on keeping the dialogue going.

3. He reminded to “never forget the victims of atrocities and crimes. They number in the millions. Those losses have permanently stained the history of the 20th century. Together, the United Nations can chart a different course in this century. We must never give into the complacency and cynicism that have kept this organization from acting in the past.”

Ban concluded by warning the GA that “they will rightfully judge us harshly if we treat these deliberations as politics as usual.”

The Q&A session ended abruptly; it was expected for the Q&A session to last for an hour and for Dr. Edward Luck, Special Advisor with a focus on RtoP, to respond to questions that were raised after the Secretary-General left for his other scheduled appointment. However, Dr. Edward Luck did not speak; only Chile, Morocco, Guinea-Bissau, Egypt and Sweden asked questions to which the Secretary-General responded very briefly. Bosnia Herzegovina also made a comment.

To read a UN News article on the presentation of the report:

[Click here](#)

For transcript of his speech:

[Click here](#)

For ICRtoP’s unofficial notes on the presentation + Q&A session:

[Click here](#)

2. Upcoming Events

To read transcript of briefing and Q&A session by the Spokesperson for the GA President for upcoming events on RtoP at the UN:

[Click here](#)

A plenary meeting of the General Assembly will be convened to consider the matter under agenda items 44 entitled "Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields" and 107 entitled "Follow-up to the outcome of the Millennium Summit".

The debate is expected to continue into 24 July 2009, Friday

**III. Eminent Persons send Open Letter to Member States of the United Nations
(Global Centre for R2P)**

Letter to urge constructive participation in the General
Assembly debate on RtoP
Responsibility to Protect
2009

The Global Centre for the

20 July

Open Letter to Member States of the United Nations

We are writing to urge your constructive participation in the 23 July 2009 General Assembly debate on the Report of the UN Secretary-General, Implementing the Responsibility to Protect.

Whether as ministers, mediators, diplomats, or scholars, each of us has witnessed unspeakable violence perpetrated against innocent civilians in times of war, and persecution and extermination in times of so-called peace.

In September 2005, during the World Summit, more than 170 heads of state and governments agreed to build a better future for human kind: they agreed that it is the state's responsibility to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing. And if a state cannot, or will not, prevent or end these crimes, then the international community must – collectively – take timely and decisive action by assisting willing States that are unable to protect their population, or by protecting vulnerable peoples when States are unwilling to do so. This is the responsibility to protect.

We are aware of misperceptions about the responsibility to protect: that this is a western-imposed norm, that it sanctions unwarranted military intervention in violation of sovereignty. We know, too, there are fears that this principle will be misused to justify action by those whose goals are political and not the protection of populations at grave risk. In his report, the Secretary-General carefully details how the doctrine as adopted in 2005 addresses these concerns.

We are aware of questions about how to make this abstract goal a reality. But this is precisely why the General Assembly debate has been convened. The Secretary-General's report gives concrete examples and asks specific questions about how states can do better internally, how

they can do better helping one another, and finally, the many ways in which the international community might respond in a timely way, if prevention fails.

This is a moment to boldly confront these challenges: how will your national systems meet the challenge of protecting people from mass violence and abuse? What assistance do you require or are you willing to provide to other states? What institutions and agencies within your government, in your region, or globally must be strengthened or created?

We hope you will welcome the Secretary-General's report as a first step for opening this dialogue within the General Assembly. The victims and survivors of Rwanda, Srebrenica, Cambodia and the Holocaust deserve nothing less.

Sincerely,

Desmond Tutu

, Founder, The Elders, former chair, South African Truth and Reconciliation Commission, and Patron of the Global Centre for the Responsibility to Protect

Lee Hamilton

, President and Director, Woodrow Wilson International Center for Scholars, and Patron of the Global Centre for the Responsibility to Protect

Jan Eliasson

, Former Special Envoy of the UN Secretary-General for Darfur, and Patron of the Global Centre for the Responsibility to Protect

Roméo Dallaire

, Senior Fellow, Montreal Institute for Genocide and Human Rights Studies, and Patron of the Global Centre for the Responsibility to Protect

Lloyd Axworthy

, President, University of Winnipeg, former Canadian Foreign Minister, and Patron of the Global Centre for the Responsibility to Protect

Gareth Evans

, President Emeritus, International Crisis Group, former Australian Foreign Minister, and co-chair of the International Advisory Board of the Global Centre for the Responsibility to

Protect

Mohamed Sahnoun

, Former UN Secretary-General's Special Adviser, and co-chair of the International Advisory Board of the Global Centre for the Responsibility to Protect

Kwesi Aning

, Head, Conflict Prevention Management and Resolution Department of the Kofi Annan International Peacekeeping Training Centre, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Kenneth Bacon

, President, Refugees International, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Jan Egeland

, Director, Norwegian Institute of International Affairs, former UN Under-Secretary- General for Humanitarian Affairs and Emergency Relief Coordinator, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Thelma Ekiyor

, Executive Director, West Africa Civil Society Institute, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Rama Mani

, Councilor, World Future Council, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Mónica Serrano

, Executive Director, Global Centre for the Responsibility to Protect

Juan Méndez

, Former UN Secretary-General's Special Adviser on the Prevention of Genocide, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Ramesh Thakur

, Distinguished Fellow, Centre for International Governance Innovation, former Senior

Vice-Rector of the UN, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

Thomas G. Weiss

, Presidential Professor of Political Science, CUNY Graduate Center, Director, Ralph Bunche Institute for International Studies, and member of the International Advisory Board, Global Centre for the Responsibility to Protect

To download PDF version of the letter:

[click here](#)

IV. Africa: Uphold the Responsibility to Protect – Op-ed by Mohamed Sahnoun

1. Africa: Uphold Continent's Contribution to Human Rights

AllAfrica.com

Mohamed Sahnoun, Guest Columnist

21 July 2009

Mohamed Sahnoun was co-chair of the International Commission on Intervention and State Sovereignty, a body which developed the concept of the Responsibility to Protect. Among many international appointments, he has served as Algerian ambassador to the United States, France, Germany and Morocco and as Deputy Secretary-General of the OAU and of the League of Arab States. This week the United Nations General Assembly is to debate the responsibility of nations and the international community to protect people around the world from crimes such as genocide, ethnic cleansing and war crimes.

This relatively new principle in international relations is in many ways an African contribution to human rights, writes Mohamed Sahnoun, an Algerian diplomat who has served in top posts in the Organization of African Unity (OAU), the League of Arab States and the United Nations. But, he warns, there is a danger that some leaders could either call into question or try to limit the reach of their commitment to protect, jeopardizing one of the most significant human rights achievements of recent years.(...)

(...) It is my hope, and that of survivors, advocates and ordinary citizens all over Africa, that our leaders will use the debate to turn their magnificent pledge of four years ago into a means of effective action.

The responsibility to protect makes it clear that each state is under an obligation to protect its own people from these forms of crime and that they and the international community also have an obligation to help others to do so. They must in the first instance use peaceful measures to protect people, and only when a state is manifestly failing in its obligations, and peaceful means are no longer appropriate, can they use coercive measures to halt atrocities.

For Africans, the vow to which our leaders subscribed in 2005 was not new. Five years earlier they had already adopted the norm of non-indifference to mass atrocities in the African Union's Constitutive Act. The idea itself of "sovereignty as responsibility" was developed by the Sudanese scholar and diplomat, Francis Deng. And, unlike other regions, our legal systems have long acknowledged that in addition to individuals, groups and leaders having rights, they also have reciprocal duties. So the responsibility to protect is in many ways an African contribution to human rights.

Yet even though the concept has such indigenous roots for Africans, and many of our states champion the responsibility to protect, it remains poorly understood in some parts of the continent. Although I hope this week's debate will offer an opportunity to dispel some of the misconceptions about the principle, there is reason for concern that there are those, including some from within Africa, who will use the debate as an opportunity either to call into question or to limit the reach of their commitment to protect. This would jeopardize one of the most significant human rights achievements of recent years.

What does the responsibility to protect mean in practice for Africa? From my own experience as the UN's Special Representative to Somalia, and the UN/OAU's Special Representative for the Great Lakes Region, I have seen some of the worst things that people are capable of doing to one another; but I have also, at times, seen regional organizations and the UN use both diplomacy and force to prevent the threat of mass atrocities.

When violence exploded in the aftermath of the disputed election in Kenya in December 2007, the country faced the real possibility of mass ethnic violence, with 1,500 murdered and 300,000 displaced. Former Secretary-General of the UN Kofi Annan helped mediate, along with diplomats from around the region and the world, a political settlement that prevented further bloodshed. Much remains to be done, but the prospect of imminent violence has significantly receded.

Kenya shows that the responsibility to protect is not, as some have asserted, an excuse for military intervention. That concern is understandable. But the responsibility to protect is fundamentally about acting preventively, rather than intervening after the atrocities have begun. And preventive action will often be peaceful and consensual, as it was in Kenya. The responsibility to protect will have become truly effective when states, as well as regional and global bodies, heed these early warnings and act before violence spirals into mass slaughter.

There will, however, be cases where coercive action is unavoidable, especially where either the state or its proxies are chiefly responsible for atrocities. Here, too, a range of measures is available to the international community, from the threat of sanctions or international criminal prosecution up to and including military intervention. Statesmen and scholars have come to agree, in retrospect, that such an intervention could have saved hundreds of thousands of lives in Rwanda.

The "responsibility to protect" norm seeks to ensure that such actions will be undertaken only in the face of the most heinous crimes, and only when peaceful means are no longer appropriate. Moreover, coercive measures, whether military or not, will not be carried out unilaterally, or by a "coalition of the willing," but rather will be authorized by the Security Council and thus express the will of the international community.

Still, as I know all too well from my work, even the clearest and strongest formulations of the responsibility to protect are not enough to guarantee action at moments of threat. The responsibility to protect, like other human rights norms, will be given life insofar as states embrace its core principles and take it from word to deed.

The 2005 World Summit was a demonstration of remarkable unity among the world's governments. This week's General Assembly debate must serve not as a means to question past commitments. It must be a forum for Africans, and the world, to reaffirm existing commitments and advance our understanding of what the world can do to ensure that we never again abandon people in the face of unspeakable crimes.

Link:

<http://allafrica.com/stories/200907210549.html>

V. Australia Supports the Responsibility to Protect
support to advance the Responsibility to Protect

1. \$4.5 million package of

Media Release

The Hon Stephen Smith MP

Australian Minister for Foreign Affairs

21 July 2009

Australia will advance the Responsibility to Protect (R2P) principle at the regional, global and civil society levels with a \$4.5 million package of support over four financial years.

Endorsed by world leaders at the 2005 World Summit and in 2006 by the UN Security Council, the R2P principle holds that states are responsible for the protection of their own civilians from grave mass crimes such as genocide, war crimes, ethnic cleansing and crimes against humanity.

Under the principle, the international community assists states to exercise this responsibility, with the international community having a responsibility to respond through diplomatic, humanitarian and other peaceful means when a state is manifestly unable to provide protection to its civilians.

Australia is committed to supporting important project and research work on R2P that will contribute to making it an international norm in crisis prevention and resolution.

As part of this package, Australia will provide \$1.8 million to the Asia-Pacific Centre for the Responsibility to Protect, based at the University of Queensland. This will assist the Asia-Pacific Centre's work to further support R2P within the Asia-Pacific region.

The Asia-Pacific Centre for the Responsibility to Protect conducts research and policy work, and engages in advocacy and outreach on R2P.

This support builds on my announcement in August 2008 of \$2 million to establish the Australian Responsibility to Protect Fund to advance the R2P concept and help states build capacity to protect their own civilians.

Australia has entered into a joint initiative with the Asia-Pacific Centre for R2P to implement the Fund.

Applications to the Fund are currently being assessed by a selection committee chaired by the Special Adviser to the UN Secretary-General on R2P, Edward Luck. Grants will be awarded

from late 2009 through an open competitive process managed by the centre.

Link:

<http://www.foreignminister.gov.au/releases/2009/fa-s090721b.html>

Thanks to Lan Shiow Tsai for compiling this listserv