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I. Syria: UN General Assembly criticizes Security Council's failure to reach consensus as refugee crisis drastically worsens *Government and opposition accused of violations*

amid escalating violence and refugee crisis

aling up of violence

by Syrian and rebel

The [sc](#)

forces

, mostly centralized in the city of Aleppo, has seen both sides allegedly

[use heavy weapons](#)

and commit

[human rights violations](#)

, including torture and summary killings. Amnesty International on 3 August

[called](#)

on the UN Commission of Inquiry in Syria to investigate reports of the Free Syrian Army (FSA)

summarily killing 14 members of a pro-regime clan on 31 July. Following accusations of violations, rebel leaders

[signed](#)

a “code of conduct” on 8 August vowing to refrain from human rights abuses. Although more than two-dozen FSA officials have signed the document, it is unclear how widespread or binding the agreement will be.

The UN Refugee Agency (UNHCR)

[reported](#)

129,240 registered refugees in surrounding countries, as of 31 July. By 3 August, UNHCR

[stated](#)

that as many as 1.5 million people could be internally displaced in with little or no access to aid.

Meanwhile, on 4 August the International Committee of the Red Cross

[urged](#)

all sides in the conflict to abide by international humanitarian law and allow for the provision of aid.

UN General Assembly increases pressure on warring parties and Security Council as Kofi Annan resigns

On 2 August, Secretary-General Ban Ki-moon

[announced](#)

the resignation of Kofi Annan from his position as UN-Arab League Joint-Special Envoy to Syria.

Annan chose not to renew his mandate, which expires at the end of August 2012. In a

[press statement](#)

, Annan stated that he was stepping down due to increasing militarization, lack of unity in the Security Council, and the refusal of the Syrian regime to implement the six-point plan. In particular, he noted that the Council should have readily endorsed the

[Final Communiqué](#)

proposed during the 30 June Action Group meeting, which called for the creation of a transitional government.

On 3 August, the General Assembly

[adopted](#)

a

[Resolution](#)

, drafted by Saudi Arabia, calling for the creation of a transitional government as put forth in the Action Group's

[Final Communiqué](#)

and on the Syrian regime to halt the use of heavy weapons and refrain from using chemical weapons. The Resolution also criticized the Security Council's failure to react to increased violence. 133 countries voted in favor of the Resolution with 12 against and 33 abstentions.

1. Annan and On and On

James Traub

Foreign Policy

3 August 2012

James Traub is a fellow of the Center on International Cooperation and the Global Centre for the Responsibility to Protect.

Kofi Annan has finally, belatedly, admitted that his peace mission to Syria has failed. And since the international community has been unable to agree on any other effort to stop the killing in Syria, there's no prospect of anything happening in Syria -- save more bloodshed, more ethnic fragmentation, and the blurring of all moral distinctions between the two sides, as the rebels, their ranks swelled by foreign and home-grown jihadists, carry out atrocities of their own, such as the recent executions in Aleppo. (...)

(...)Peace-brokering diplomacy without the threat of meaningful consequences, whether in the Balkans or Sudan or Syria, is a futile act. (...)

The failure is thus in the nature of things, that is, in the tragic nature of statecraft, in the limits of outside powers to stop evil. But what then? The United States is a signatory, as are all other states, to the doctrine of "the

responsibility to protect

," which stipulates that states have an affirmative obligation to prevent and halt atrocities both within their borders and elsewhere. Obama has very publicly committed himself to

R2P

, as the doctrine is known. How can you accept the tragic limitations of statecraft when you have embraced so sweeping a doctrine? In repudiating the cynicism of indifference, has he chosen instead the hypocrisy of fine words and no action?

(...) There can be no moral obligation to act when action might magnify the evil one seeks to end. And yet to accept that states have moral obligations beyond their borders is to accept the need to act effectively, rather than, for example, to say that the responsibility lies with the neighbors. If something won't work, you try something else.

Read the
[full article](#)

2. My departing advice on how to save Syria

Kofi Annan

Financial Times

2 August 2012

(...) While the Security Council is trapped in stalemate, so too is Syria. The government has attempted to suppress, through extreme violence, a popular and widespread movement that, after 40 years of dictatorship, has decided it can no longer be intimidated. The result has been an increasing loss of control on the ground, and the opposition has turned to its own military campaign to fight back. Yet, it remains unclear how the government can be brought down through force alone. (...)

Military means alone will not end the crisis. Similarly, a political agenda that is neither inclusive nor comprehensive will fail. The distribution of force and the divisions in Syrian society are such that only a serious negotiated political transition can hope to end the repressive rule of the past and avoid a future descent into a vengeful sectarian war.

For a challenge as great as this, only a united international community can compel both sides to engage in a peaceful political transition. But a political process is difficult, if not impossible, while all sides – within and without Syria – see opportunity to advance their narrow agendas by military means. (...)

There are clear common interests among the regional and international powers in a managed political transition. (...) But it takes leadership to compromise to overcome the destructive lure of national rivalries. Joint action requires bilateral and collective efforts by all countries with influence over the actors on the ground in Syria, to press upon the parties that a political solution is essential. (...)

For Russia, China and Iran this means they must take concerted efforts to persuade Syria's

leadership to change course and embrace a political transition, realising the current government has lost all legitimacy. (...) For the US, UK, France, Turkey Saudi Arabia and Qatar this means pressing the opposition to embrace a fully inclusive political process – that will include communities and institutions currently associated with the government. (...)

It is clear that President Bashar al-Assad must leave office. The greater focus, however, must be on measures and structures to secure a peaceful long-term transition to avoid a chaotic collapse. This is the most serious issue. The international community must shoulder its share of responsibility. (...)

Read the
[full article](#)

3. Peace Versus Justice in Syria's Civil War

Simon Adams

Huffington Post

2 August 2012

Simon Adams is Executive Director of the Global Centre for the Responsibility to Protect.

(...) It is shameful that after seventeen months of relentless bloodshed and an estimated 20,000 dead, the UN Security Council's response has amounted to nothing more than a few tersely worded press statements and a crippled observer mission. On three separate occasions Russia and China have vetoed attempts by the Council to hold accountable those responsible for mass atrocities in Syria. Each time President al-Assad has taken this as a renewal of his licence to commit crimes against humanity. (...)

Faced with political deadlock at the UN Security Council, a number of Arab states have chosen instead to fund the armed opposition groups battling the Syrian security forces. (...)

Meanwhile Iran allegedly continues to provide the Syrian regime with crucial support and the Russians have sent the bullets, guns, tanks and attack helicopters that enable the killing. (...)

In the absence of a united UN Security Council willing to act to end the killing, members of

Assad's inner circle still believe they can militarily crush all those who have risen against them. For the Alawite elite who control the army, the stakes could not be higher. Victory means they continue to rule over a broken country. Defeat means the end of the Alawite dictatorship.

(...) First, the international community needs to continue to impress upon the Syrian opposition that outside support (political or otherwise) is dependent upon actively preventing reprisals against Alawites as Alawites. The ongoing fracturing of Syria along sectarian lines, with targeting of suspect communities on both sides, will only deepen Syria's misery and lead to further atrocities. Secondly, it remains essential to hold accountable those responsible for crimes against humanity. (...) If we have learned anything from the various "peace processes" of the last twenty years it is that without justice there can be no lasting peace. If the international community is unwilling to hold Assad, his ministers and his senior security officers accountable, then there is no incentive for those who eventually replace him (whether they be rebels, defectors or Assad loyalists) to act any differently.

Although the UN is locked out of finding a solution to this crisis for the moment, it should still deploy the necessary resources to monitor, investigate and accumulate evidence. Having failed to prevent a civil war in Syria, having abdicated its

responsibility to protect

the Syrian people from crimes against humanity, the very least the UN Security Council can do now is ensure that one way or another Assad and his generals eventually find their way to The Hague.

Read the [full article](#)

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4. Syria: How R2P Might Still Work

Drew Christiansen

America Magazine

2 August 2012

Drew Christiansen is editor-in-chief of America Magazine.

The

Responsibility to Protect

, the innovative international law doctrine that establishes a framework for international intervention in the domestic life of countries where significant numbers of people are subject to

violence or grave deprivation, seems tailor-made for the current civil war in Syria. But the United Nations has hesitated to do more than commission former Secretary General Kofi Annan to undertake two failed peace missions to the region. While there is ample reason to hesitate before intervening in Syria, evidence of indiscriminate government attacks on its citizens is sufficient to warrant an array of measures under the

R2P

doctrine short of all out force to protect Syrians from their murderous leaders.

Commentators lay the blame for the failure to intervene on the opposition of Russia and China, veto-wielding members of the Security Council. Even if no vetoes blocked international action, of course, there are lots of reasons to hesitate to intervene militarily. (...)

There are essentially two obstacles to intervention, one political, the other, ethical. The political barrier to action, of course, is the lack of consensus on the UN Security Council. The ethical barrier is the uncertainty, one might even say the excessive difficulty, of reaching a peaceful settlement by armed intervention. The framers of the

R2P

doctrine did anticipate situations in which the Security Council might be deadlocked and allowed that it would be “unrealistic to expect that concerned states will rule out other means and forms of action to meet the gravity and urgency of these situations.” The political barrier is not insuperable. For example, a coalition of states, like “the Friends of Syria” or the Arab League, might undertake a ‘legitimate,’ though not formally legal, intervention as in Kosovo in 1999. So, the need for action could be met in other ways than through an all-out military intervention under the authority of the Security Council. Those other means ought to be aimed at reducing the obstacles to international execution of the

responsibility to protect

and at facilitating conditions for a just peace in post-bellum Syria. (...)

A particularly thorny problem in regime-changing conflicts like that in Syria is the question of transitional justice, that is, how to hold those responsible for atrocities accountable for their crimes. It is particularly vexing because often to wind down the conflict a choice must be made between exacting full accountability and advancing the end of armed conflict by extending amnesty to some of the perpetrators. (...)

Read the
[full article](#)

II. Myanmar/Burma: Sectarian violence in Rakhine State triggers claims of “ethnic cleansing”

In June 2012, sectarian violence

[flared](#)

in the Rakhine State of western Myanmar/Burma when clashes erupted between Rohingya Muslims and Rakhine Buddhists,

[resulting](#)

in the death of at least 78 people and the displacement of thousands. Tensions had escalated following reports that a Rakhine Buddhist woman was raped and killed by three Muslim men on 28 May. Human Rights Watch

[reported](#)

on 1 August that Burmese authorities had not only failed to implement measures to halt and prevent violence in the Rakhine state but had opened fire on civilians, beat people with sticks, and stood by watching violence unfold such as killings, beatings and the destroying or burning of buildings. On July 12, the nation's President Thein Sein said the "only solution" to the crisis was to expel the Rohingya from Myanmar/Burma to other countries or to UN refugee camps. Current laws in the country deny citizenship to the Rohingya population, an estimated 800,000 to 1 million people. The humanitarian situation only continued to worsen as government restrictions on humanitarian access to the Rohingya community left more than 80,000 people displaced and in need of assistance,

[according to](#)

the UN Refugee Agency as of 27 June 2012. By 8 August 2012,

[media reports](#)

from Al Jazeera claimed that local sources and interviews had found that Rakhine Buddhists had been practicing a policy of "non-engagement" with the Rohingya Muslims, banning them from businesses and controlling access to food, medicine, travel and communication.

On 28 July, UN High Commissioner for Human Rights Navi Pillay

[called](#)

for an inquiry into the situation. Tomás Ojea Quintana, Special Rapporteur on the Situation of Human Rights in Myanmar, released a

[statement](#)

on 4 August calling for investigations into allegations of serious human rights abuses in Rakhine. On 7 August, Saudi Arabia

[claimed](#)

that ethnic cleansing had been committed against the Rohingya and urged the "international community to take up its responsibilities by providing needed protection and quality of life to Muslims in Myanmar and preventing further loss of life." Similarly, Secretary General of the Organisation of Islamic Cooperation (OIC) Ekmeleddin Ihsanoglu

[expressed](#)

his concern at the situation during a 5 August meeting and stated that he was disappointed that the international community had not acted to stop "massacres, violations, injustice and ethnic cleansing perpetrated by the Myanmar government against Rohingya Muslims." Ihsanoglu also suggested sending an OIC mission to investigate the "massacres" of Rohingya. The Secretary-General of the Association of Southeast Asian Nations (ASEAN) Surin Pitsuwan

[said](#)

ASEAN should be part of the solution to the crisis in Rakhine State and offer humanitarian assistance. On 9 August, six international Rohingya organizations released an [open letter](#) thanking the international community and Muslim nations for their support of the Rohingya population in Myanmar/Burma and asking for continued humanitarian assistance as well as a fact-finding mission.

1. Muslim Nations Take on Myanmar Over Rohingyas

Shibani Mahtani

Wall Street Journal

7 August 2012

Shibani Mahtani is a freelance journalist and student at the Columbia Graduate School of Journalism in New York.

(...) Since violence between Buddhists and Muslim Rohingyas erupted in Myanmar's Rakhine state in June, leaving at least 78 dead, governments and rights groups have been critical of Myanmar authorities' actions, which they say have not afforded enough protections to the minority group. New York-based Human Rights Watch released a 56-page report last week asserting that authorities failed to prevent initial unrest, and that security forces in some cases killed and raped Rohingyas.

Myanmar officials have defended their treatment of the group and say they have helped re-establish order and cooperated with international aid organizations to bring relief to the area. (...)

Either way, some of the most vocal critics in the past couple of weeks have come from countries that have in the past been more welcoming to Myanmar than the West, including Indonesia, Egypt, Saudi Arabia, Pakistan and Malaysia. Many are concerned that Rohingya Muslims are being discriminated against at least in part because of their religious beliefs—an issue that hits home in their own countries with large Muslim populations. (...)

Diplomats and human-rights organizations have also criticized Bangladesh for their unwillingness to accept more Rohingya refugees to the country, which already houses thousands of Rohingya refugees. (...)

The Rohingya problem remains one of the most challenging for Myanmar at a time when its government is expanding freedoms for most residents, including releasing political prisoners and easing restraints on the Internet after the country's military regime stepped down last year. The Rohingya are widely seen in Myanmar as the country's most unwanted ethnic group, and they are excluded from citizenship laws and restricted in their movements and activities, including marriage and reproduction. (...)

Read the
[full article](#)

2. ASEAN responsibility to protect

Mochammad Faisal Karim

The Jakarta Post

3 August 2012

Mochammad Faisal Karim is a lecturer at Department of International Relations, Binus University.

(...) Until now, the government of Indonesia, the world's largest predominantly Muslim country, has not appeared to be actively engaged in resolving the problem. Within the country, voices from civil society have continued to call out to the government to play a greater role through ASEAN in addressing the humanitarian crisis in Myanmar. Furthermore, calls for Indonesia's initiative to end the Rohingya massacre have been voiced by lawmakers both from the Islamic and nationalist party.

Despite the domestic pressures, the Indonesian government looks reluctant to act further than expressing concern and urging a national consolidation in Myanmar. The government's reluctance to engage in this regard is a consequence of the non-intervention principle which is the core principle of ASEAN norms, as stipulated in the ASEAN Charter. (...)

Thus, the Rohingya massacre has put Indonesia in a dilemma. On the one hand, President Susilo Bambang Yudhoyono and his administration should abide by the non-interference principle of ASEAN. On the other hand, as the largest Muslim majority country, Indonesia has a moral obligation to stop the Rohingya massacre. (...)

Despite the adoption of the **RtoP** principle by ASEAN member states, there has been no significant breakthrough to discuss the principle within the ASEAN mechanism. Hence,

Indonesian diplomacy could be aimed at advancing the discussion on enactment of the **RtoP**

Strong leadership is the main requirement to make ASEAN an organization that adheres to human rights principles, and Indonesia could take the lead here.

One might argue that the **RtoP** principle could not be enacted within the ASEAN mechanism since many ASEAN member states have their own domestic problems regarding minorities. Moreover, for Indonesia, the **RtoP** principle could backfire since Indonesia has many ongoing perceived human rights violations in relation to minorities.

However, this hesitation should not be occurring. The **RtoP** principle in fact could strengthen the ASEAN community in the global community of nations.

First, the **RtoP** should not be seen as the mechanism for ASEAN to interfere in its member states' domestic problems. Instead, the **RtoP** can be directed towards the mechanism of prevention. Second, the **RtoP** principle is a norm that has been adopted by the international community. Hence, ASEAN serves as a regional mechanism to implement the principle with due regard, and in the "ASEAN Way" so that the **RtoP** principle can be contextualized within ASEAN values.

As far as any other ASEAN member states are concerned, no ASEAN member states have expressed their objection to the **RtoP** principle. Therefore, it is a much less difficult task to convince ASEAN member states to agree to implement the **RtoP** principle. Moreover, ASEAN already has existing mechanisms, namely the ASEAN Regional Forum (ARF) and the ASEAN Intergovernmental Commission on Human Rights (AICHR), which deal with, and can be used as mechanisms, to implement the **RtoP** principle.

With mounting domestic pressure to resolve the ongoing issue in Myanmar, and constraint within the ASEAN Charter, Indonesia has the opportunity to make a diplomatic maneuver by bringing the **RtoP** principle to the table within ASEAN. The question is: How eager is the Indonesian government to take the lead in mainstreaming the **RtoP** principle within the ASEAN community? (...)

Read the [full article](#)

