

Sovereignty as Responsibility: Protecting the Rights of Individuals Within States Kevin
Rudd – MP

Before the
Civil-Military Affairs Conference (CMAC), Asia-Pacific Civil-Military Centre of Excellence

25 May 2011

(...) Over the last 10-15 years, there has been more intense global focus on states' responsibilities towards their citizens in general and on the rights those citizens are entitled to expect.

This is a necessary focus.

Because atrocities and conflicts remain bleak realities in far too many parts of the world.

Sometimes, as has been the case in Libya, regimes threaten to unleash atrocities against their own civilians.

In other parts of the world, civil wars and other conflicts continue to rage and, tragically, civilians make up the majority of casualties.

The international community needs the concepts and the tools to protect the safety and the dignity of civilians in these situations.

And that is why it is so significant that two important doctrines — the **Responsibility to Protect** on the one hand, and the Protection of Civilians (in armed combat) — have begun to take root over the past decade or more.

They have begun to crystallise our understanding of the responsibilities of states; they have begun to find expression through the councils of the United Nations.

These doctrines are separate, but they are also linked in the common imperative to ensure the fundamental wellbeing of civilians.

The challenges we face are these:

how do we broaden and deepen the understanding of these concepts?

how do we ensure their legitimacy is universally recognised through the full remit of international law?

and then how do we operationalise them? So they make a tangible difference where it matters most for the hundreds of thousands of civilians — men, women and children — afflicted by atrocities, conflicts or disasters.

These are important challenges for this Centre, important challenges for this and future conferences, and important challenges for the Government of Australia.

When Australia contemplates its foreign policy missions, we conceptualise it in the following terms: like all countries our first and foremost foreign policy objective is the maintenance of our national security and the protection of our political sovereignty.

The second is the advancement of our national economic interests.

The third is advancing the cause of good international citizenship, building up the global and rules-based order — whether that is in the realm of international peace and security, whether it's in the realm of climate change, whether it's in the world of international economic cooperation, whether it's in the world of international human rights or whether it is in the specific sphere of the protection of civilians.

Because the rules-based order — global and regional protects us all. And this concept of good international citizenship, advanced through what we call in this country, 'creative middle power diplomacy', enhancing the spread of this order, and its legitimacy and its operational effectiveness is a core component of Australian foreign policy.

Responsibility to Protect

Let me first consider the
Responsibility to Protect

, or
R2P

.

In this context, I acknowledge the ongoing contribution of my distinguished predecessor as Foreign Minister, Gareth Evans, to the development of

R2P

, including as co-chair of the International Commission on Intervention and State Sovereignty which first enunciated the doctrine.

The actions this year of the Qaddafi regime in Libya have given new urgency to the application of

R2P

And the course of action taken by the Security Council in response to the events in Libya, in invoking the doctrine in resolutions 1970 and 1973, has given new authority to

R2P

Let us not forget that, whatever debate we have about Libya, the responsibility and determination to protect civilians the Security Council expressed, and the no-fly zone it mandated, averted the likely slaughter at the hands of the Qaddafi regime of civilians in Benghazi, a city of some 700 000 people.

This is a world which in recent memory has seen Rwanda, has seen Srebrenica.

R2P

was the right concept to deploy in Libya. Put simply: it saved lives. It saved thousands of lives; it arguably saved tens of thousands of lives.

It is incumbent on all nations of good will to work to strengthen the authority of

R2P

. To make sure none of us backtrack.

Australia for its part will be working hard to encourage nations to embrace

R2P

One way to do this is to spread understanding of the scope of

R2P's

application, and the situations in which it is deployed.

It is important to make clear that

R2P

is only deployed in the context of the occurrence or anticipation of four atrocities: genocide, war crimes, ethnic cleansing, and crimes against humanity.

And it is important to make clear, as Gareth Evans has, that, as was the case in Libya,

R2P

has three pillars.

Most immediately,

R2P

applies to the state in question: that state has the first responsibility to protect its own population from atrocity.

The second pillar is the commitment of the international community to help States protect their own populations through assistance and capacity building, drawing on the cooperation of member states, regional organizations, civil society, the private sector, and UN agencies.

Only on pillar three, and if the state in question is manifestly failing to protect its people, is the wider international community called upon to respond in a timely and decisive fashion by intervening diplomatically, coercively and — as a last resort — militarily.

So the scope of

R2P

is highly limited; this must be widely understood.

Australia and Australians have played a positive and important role in the development of

R2P

— beyond Gareth Evans I am pleased that the Global Centre for

R2P

in New York is to be headed by the distinguished Australian academic Professor Simon Adams.

Australia will pursue an active diplomatic strategy to strengthen the authority of

R2P

around the world and to help ensure we as an international community do not backtrack on the gains we have made, including in recent action on Libya.

Australia will work to broaden global and regional understanding of the lifesaving applications of

R2P

, and of the practical situations in which it might be deployed.

We will pursue outreach in the Asia Pacific, both directly with regional diplomatic partners, and through the Asia-Pacific Centre for the Responsibility to Protect at the University of Queensland, drawing on its extensive network of think tanks and civil society advocates.

To give effect to this diplomatic strategy, we will prosecute a number of specific initiatives.

First, I have appointed within my department a senior official, Ms Deborah Stokes, to serve as Australia's national

R2P

Co-ordinator.

She will work closely with the global network of other

R2P

national Co-ordinators to promote and consolidate the

R2P

global framework.

Second Australia will offer to host the next meeting of national

R2P

contact points, building important international networks in support of this doctrine.

Third, Australia has also offered to assist in the co-chairing of the next ministerial meeting on

R2P

at the time of the UN General Assembly meetings in September 2011.

Fourth, we will provide active, financial support to a range of key bodies doing the vital work of developing and advocating

R2P

globally.

In this context, we will continue to support this important Asia Pacific Civil Military Centre of Excellence.

We also support the Asia Pacific Centre for R2P at the University of Queensland, providing nearly \$4 million over four years from 2008-12.

In addition, in the coming financial year we will provide further financial support to:

the Global Coalition of Civil Society for R2P;

The Global Centre for R2P; and

The United Nations Joint Office for the Prevention of Genocide and the Promotion of the Responsibility to Protect.

Strengthening

R2P's

authority and practical application will be a vital task, and one on which I trust we can count on the support of this centre and these delegates. (...)

(...) Australia is determined that the progress of the past decade in establishing the

Responsibility to Protect

and the Protection of Civilians as important global doctrines is recognised, advanced, and implemented.

Australia will pursue a diplomatic strategy to strengthen the authority of

R2P

and be alert to situations where it should be applied.

And Australia will continue to make the vital contribution it does to peace missions around the world, and work closely with others on concrete steps and actions to enhance protection of civilians in peacekeeping operations.

The challenge we face is how to make a tangible difference where it matters most for the hundreds of thousands of civilians afflicted by atrocities, conflicts and disasters.

But fine words alone will not help them.

We need to be able to move, as the theme of this Conference states, "from policy to practice".

I will leave you to these excellent deliberations conducted through the coordination of this most excellent Centre.

But my challenge to you is this: do not underestimate what we through this Centre and what we through this Conference can do across our region; to make a material difference across the world.

Never underestimate what we in this country are capable of doing in partnership with our friends, our neighbours, our allies, around the world.

The principles of good international citizenship are ones we should be proud of and this concept of the Protection of Civilians and the

Responsibility to Protect

are vital elements of good international citizenship in the 21st century. (...)

See [full speech](#) .