

## **Prioritizing Human Security: Delivering a United Nations That Prevents Atrocities**

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In 1945, following the countless brutalities of the Second World War, 51 countries joined together to form the United Nations. The first of their four goals was to save succeeding generations from the scourge of war. Sixty years later, 191 UN Member States recognized a universal "Responsibility to Protect" among nations. As R2P's 10th anniversary approaches, many will assess its successes and failures. To do so fairly, however, it is necessary to consider the Security Council's role in helping to fulfill -- or not -- the promise of R2P.

R2P recognizes three overarching obligations: the State's primary responsibility to protect its own population, including by preventive action; the international community's responsibility to assist States to develop internal capacity toward this end; and the international community's responsibility to use diplomatic, humanitarian, and, where necessary, collective use of force, in accordance with the UN Charter, to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.

The reality for civilian non-combatants across the globe today is grim. Despite frequent cries of "never again," the world continues to witness high levels of civilian casualties in contexts where States have either failed to protect their populations, lacked the capacity to do so, or indeed have been the primary perpetrators of atrocities. Amnesty International's most recent annual report, issued last month, skewers the international community for failing to uphold its responsibility to protect civilian populations, which, the report states, "bore the brunt in conflicts" this year. In Syria, it is estimated that 76,000 people died in 2014, including 17,790 civilians and more than 3,500 children. In Iraq, approximately 15,000 civilians and security personnel were reported killed in 2014. In Nigeria, the Central African Republic, and South Sudan, it is estimated that the number of civilians killed increased by 30 percent in 2014, exceeding 13,500.

The absence of timely and effective action in the face of proliferating atrocities has caused many to question the relevance and legitimacy of R2P. A closer look at the UN's recent course of conduct, however, reveals that this imperative, while not always adhered to, is already operational, and irreversibly woven into the fabric of the UN. Rather, the failings of the UN's response to atrocities in recent years may speak less to the legitimacy of R2P than to the ability of the Security Council to take effective action to maintain international peace and security, and to protect civilians where individual States fail to do so.

Since the authorization of the UN Assistance Mission in Sierra Leone (UNAMSIL) in 1999, peacekeeping mission mandates have increasingly incorporated protection of civilians and human rights components. As of 2014, the Security Council has authorized 15 peacekeeping and political missions to protect, promote, and monitor human rights. While these mandates have at times fallen short and provided insufficient guidance on the role of peacekeepers, they make it clear that the protection of civilian non-combatants is an essential function of peacekeeping missions today. Thus, when conflict erupted in South Sudan in December 2013,

the UN Mission provided sanctuary and shelter to thousands of civilians fleeing violence, and thus saved many lives. The Security Council subsequently passed a resolution strengthening the mission's mandate to protect civilians. On the other hand, in the 21st century alone, the United States, Russia and China have used the veto power 26 times to thwart Security Council action on issues they found unpalatable. Since 2000, the United States has vetoed a total of 11 resolutions, all relating to the Israeli-Palestinian conflict, effectively blocking any Security Council action on this issue. Russia has vetoed a total of nine resolutions, and China six. These two countries have vetoed four resolutions on Syria, preventing the Council from taking timely and effective action to address an ever-growing number of civilian casualties. And of course, the threat of veto has derailed countless other efforts.

In the context of grave humanitarian crises, the human, financial and security costs of continued inaction are too high. France has taken an important first step to overcome self-serving inaction by the Security Council, proposing a "code of conduct" under which the five permanent members would agree to suspend using their veto power on resolutions involving mass atrocity situations. This obligation would be triggered when at least 50 UN Member States submit a request to the Secretary-General to determine the nature of the crime, but would exclude cases where the "vital national interest" of one of the permanent members was at stake.

Skeptics rightly point out that this proposal contains problematic gaps and loopholes. The "vital national interest" carve out, for example, could render the agreement meaningless, unless it is reasonably defined. Although France's proposal remains a work in progress, it is nevertheless an important step forward. The United States should follow France's lead at this pivotal juncture and help shape this initiative. Having played a critical role in the creation of the UN itself, the U.S. now has a responsibility to ensure that the UN becomes effective in the face of atrocities. President Obama has already created an Atrocities Prevention Board and has declared the prevention of atrocities to be a core national interest. Notably, at a high-level meeting this past September, U.S. Ambassador to the UN Samantha Power said, "[w]e have all seen how the irresponsible use of the veto by Security Council members can deprive this body, and the international community, of some of its most effective tools for preventing and responding to atrocities."

Ambassador Power's urging of States to prevent atrocities and to refrain from using the veto power irresponsibly is promising. But it falls short of making the commitment necessary to break the current pattern of inaction. If the United States is to demonstrate its commitment to preventing atrocities, beyond mere rhetoric, it must lead by example and take decisive action to ensure the elimination of the veto power in atrocity situations. Taking up the cause of France's proposal would be a good next step.

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