

R2PCS Listserv

16 April 2007

Responsibility to Protect Engaging Civil Society

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Special Edition: [R2P Discussion on the Anniversary of the Rwandan Genocide; Inaugural Screening of 'Nuremberg: Reflection and Resonance']

Dear Colleagues,

We would like to inform you of the following two events. The first is a recent event at the United Nations, held on the anniversary of the Rwandan Genocide, in which Gareth Evans and others spoke about the Rwandan Genocide, the similarities and differences between Rwanda and Darfur, and the steps needed to implement R2P. The second is an upcoming conference

*****THE RESPONSIBILITY TO PROTECT: ENSURING EFFECTIVE PROTECTION OF POPULATIONS UNDER THREAT OF GENOCIDE AND CRIMES AGAINST HUMANITY *****

On Friday, April 13, Ambassadors Nsengimana & McNee, of Rwanda and Canada respectively held a panel discussion on R2P. Speakers included Immaculee Ilibagiza, a survivor of the Rwandan genocide, Colin Keating, Fmr. U.N. Ambassador of New Zealand and current Executive Director of the Security Council Report, and Gareth Evans, President of the International Crisis Group. The following is a brief account of what the panelists addressed:

Immaculee Ilibagiza told her story of surviving the 1994 Rwandan Genocide, which she also recounts in her book, *Left to Tell*. A student at the National University when the horror started, Ms. Ilibagiza traveled home for Easter Holiday only to immediately enter hiding in a neighbors bathroom where she remained for three months. She describes her disenchantment with the government and disappointment in the international community for doing nothing during that time. When Ms. Ilibagiza emerged from hiding, she found that she had lost everyone: friends, schoolmates, family. She ended her talk by pleading for the protection of fellow human beings.

The next speaker, **Colin Keating**, was the former Ambassador to the United Nations from New Zealand and was President of the Security Council during the genocide. He spoke about the context at the Security Council during the crisis in Rwanda, highlighting the SCs fixation on the events in Bosnia and the recent engagement in Somalia. He stated that what was needed at that time was a reinforced U.N. force with a robust mandate, notwithstanding lack of consent. Mr. Keating dispelled a commonly held belief that the U.N. lacked experience with complex peacekeeping or the requisite capacity. In contrast to the situation to Darfur, in Rwanda there was a sudden and brief cataclysm, whereas in Darfur, everything is happening in slow motion. But as in Darfur today, there was an approved U.N. mandate that was not deployed due to a lack of consent. Keating ended by highlighting the significance of a recent ruling by the

International Court of Justice, which held that states with reasonable knowledge of a risk of genocide are responsible to take all measures within their power to act to prevent it. And if a state fails to act and genocide takes place, it can be held responsible.

President of the International Crisis Group (ICG), **Gareth Evans**, spoke about the unfinished technical, political and practical business of R2P. He started by saying that R2P is the best starting point at preventing and responding to atrocities and that hard work must now be done to prevent backsliding on the norm. He illuminated one of the common misinterpretations of R2P made by some of its advocates, which is that it focuses only on the use of force rather than the continuum of action which it actually espouses. Conceptually, the question of what circumstances warrant military intervention needs to be agreed upon. To that end, he posited five criteria for the Security Council to adopt when considering when it is appropriate to use force: seriousness of harm, motivation for military action, proportion of response, all peaceful means exhausted and harm vs. benefit.

Mr. Evans also spoke to the practical problems that needed to be addressed, including lack of capacity and an early warning system at the U.N. Additionally; effective diplomatic and coercive measures are needed, including adequate support for the Special Advisor on the Prevention of Genocide, as well as sanctions and military options. Finally, on the question of political will, Mr. Evans spoke to the need to find such will when there is no immediate national interest. What is needed, according to Mr. Evans, is both top-down and bottom-up mobilization. He proposed a new political structure, he Global Coalition R2P to draw together interested NGOs and governments.

During the question and answer session, Sudans ambassador, in response to several speakers equating Rwanda with the current situation in Darfur. He said that the situation in Darfur was not genocide and warned that the U.N. was becoming a place where lies were told. He said that Mr. Keating does not know the definition of genocide and that Darfur is a conflict over drought and resources. The Ambassador accused the ICG of being a destabilizing element in international relations and that it does not address the root causes of Darfur and Rwanda in its work. He asked rhetorically why no one at the U.N. talks about the Iraq genocide or the occupation.

Evans responded by saying that ICG 's work is targeted at overcoming apathy in the international community, especially in situations where governments are doing nothing to defend crimes against humanity. He further discredited the comments by the Ambassador of Sudan by saying that it was unfortunate that he had to defend his government this way.

*****INAUGURAL SCREENING OF UREMBERG: REFLECTION AND RESONANCE*****

Tuesday, April 17, 2007

6:30 8:30 pm

Jacob Burns Moot Court Room

Benjamin N. Cardozo School of Law, Brookdale Center

55 Fifth Avenue @ 12th Street

New York City

Presented by The Benjamin N. Cardozo School Of Law Yeshiva University Program In Holocaust And Human Rights Studies.

The Cardozo-produced documentary highlights the historic Nuremberg Trials and their legacy, featuring recent recollections from prosecutors and others.

Narrated by broadcast journalist Rolland Smith.

Special guests who participated in the trials will be in attendance.

Discussion and reception will follow the screening.

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