

R2PCS Listserv

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Responsibility to Protect Engaging Civil Society

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I. R2P and Darfur

1. HRC RESOLUTION ON DARFUR ADOPTED WITHOUT A VOTE

ReformtheUN.org Latest Development, Issue #184

4 April 2007

The following are excerpts from a report by WFM-IGPs ReformtheUN.org project on the HRC Darfur resolution.

The Human Rights Council's High-level Mission to Darfur presented its report to the Council on 12 March, leading to extensive discussion and disagreement over its contents and validity. On 30 March, the Council adopted a resolution on the human rights situation in Darfur, which did not condemn the government of Sudan or endorse the findings or recommendations of the Mission. The resolution established a new working group to continue monitoring human rights violations in the region.

The Mission's leader, Jody Williams, presented conclusions from the report to the Human Rights Council on 16 March, drawing much more discussion than the few hours worth it was allotted. Much of the discussion was directed at the issue of its validity rather than the human rights violations assessed in the report.

The Mission's report highlights the fact that grave human rights abuses have continued unabated. It states that the government of Sudan has failed to protect civilians by, among other things, restricting access for humanitarian assistance, contributing to the displacement of civilians and failing to hold accountable those responsible for human rights abuses. Using the framework of the **Responsibility to Protect**, the report then analyzes the response of the international community. According to Sudan's delegation, the reports use of the **Responsibility to Protect** framework to assess Darfur's human rights crisis was a result of the influence of Mr. Ramcharan's ideas on the Mission.

A resolution drafted by Germany (on behalf of the European Union) and Algeria (on behalf of the African Group) was adopted on the last day of the Council's Fourth Session (Friday, 30 March). The resolution is a compromise between the positions of the EU and African states. It acknowledges the report of the High-level Mission but does not endorse it or mention making use of it in the future. The report notes regret that the Mission could not enter Sudan. The document does not criticize the government of Sudan for its actions during the Mission's fact-finding trip or hold it responsible for its role in the current human rights situation in Darfur. The resolution calls for full cooperation by Sudan, reiterates the Council's great concern for the human rights situation in the region, and establishes a working group mandated to ensure appropriate follow-up to the resolutions and decisions and to monitor the human rights situation on the ground.

The new working group will consist of six individual experts on various areas of human rights. The Secretary-General's Special Rapporteur of the Situation of Human Rights in the Sudan will act as president. It will work with the African Union and the Sudanese government.

Full text available at: www.reformtheun.org

2. DARFUR AT A CROSSROADS: GLOBAL PUBLIC OPINION AND THE RESPONSIBILITY TO PROTECT

The Brookings Institute
5 April 2007

On April 5, the Brookings-Bern Project on Internal Displacement hosted a discussion to examine the relationship between global public opinion and policy options for Darfur. The following is an excerpt from a transcript of that discussion, moderated by Elizabeth Ferris, Co-Director, Brookings-Bern Project on Internal Displacement; Senior Fellow, The Brookings Institution. The panelists included: Steven Kull, Director, Program on International Policy Attitudes; Editor, [World Public Opinion.org](http://WorldPublicOpinion.org) and Susan E. Rice Senior Fellow, The Brookings Institution Gayle Smith Senior Fellow, Center for American Progress

MR. KULL: () So, putting all this together, you can see that of all these 14 countries plus the Palestinian territories, in every case you have some endorsement of the idea of the U.N. Security Council taking such action, either saying that it has the right or that it has the responsibility

() There's clearly an indication that this is growing, and it's a question now of the kind of how are governments going to, in a sense, follow through on the principles that they, in a sense, have endorsed, such as in the **responsibility to protect** summit, the genocide convention, and so on. Often there's this assumption that oh, publics will only support using military force or taking action when it's related to their national interest, narrowly defined, and that is not really sustained by polling data.

MS. RICE: () It's interesting that Gayle spent a good bit of time examining the gap between U.S. public disposition and opinion and U.S. policy as it relates to the **responsibility to protect**, as well as specifically to Darfur, and noted that something that I want to underscore which I found particularly fascinating, and that is 65 percent of the American public, as validated in multiple surveys, is willing to contemplate the involvement of U.S. military forces in a peacekeeping and in fact it would be a peace enforcement operation in Darfur.

() Now, it's interesting as I said, these were dialogues, but what we found is that what we heard from government former government representatives, from academics about their perceptions of the **responsibility to protect** and in particular whether it would be appropriate for the international community to engage or intervene in a place like Darfur tended to closely track the approach and the policies of the governments from which they came. As he noted but I think is worth reiterating, it's remarkable that, broadly speaking across the globe, the international norm of the **responsibility to protect** is very well ingrained considering how brand new it is really, not even two years old as a matter of international policy or law. But let me just comment specifically on a few cases.

We had a dialogue with Chinese counterparts which was quite interesting, and I'm going to have to oversimplify and try to synthesize the findings, but in the case of China, there was an interesting acceptance in principle of the notion of the **responsibility to protect**. But when it came down to any specific case, most notably Darfur but, frankly, any case that agreement in principle eroded, evaporated into no, we can't possibly agree to that. And so to find the Chinese public having a greater willingness to embrace a responsibility, even in the right, and that number being far larger than any of us might have anticipated, is remarkable indeed. And while given the nature of the system of governance in China, it may not soon translate into changed policy. I think it bodes well for the future, and it certainly if not for Darfur in the short term and it certainly indicates that the Chinese public is, even if as relatively uninformed as the American public about Darfur, really plugging in, in an interesting way, to the broader issues and debates that animate the international community.

So, overall, in the U.S. and around the world there is far greater acceptance of the **responsibility to protect** the role of the Security Council, and even specifically for action in Darfur where people are aware of Darfur, than the policies of either the U.S. government or the other Security Council governments would suggest.

MS. SMITH: () I think your question gets to another point that's important here, and I think the survey gives us reason to be hopeful, which is that there are any number of places in the world today where one could make the case that in order to act on the **responsibility to protect**, we

ought to be up and moving. Darfur is one of them. It's the most dramatic, and I think in many ways the most urgent.

It's, particularly in Europe, a relatively underdeveloped public grassroots movement, a reluctance or refusal on the part of media in some countries to give it the air time that it deserves, although certainly in places like Britain there's much more good coverage of what's gone on in Darfur and indeed in other parts of the world where atrocities are taking place.

Full text available at:

<http://www.brookings.edu/comm/events/20070405.htm>

3. STUDENT HOPES TO SPUR GOVT INTO ACTION TO STOP GENOCIDE

By Kerry Benjoe
The Leader-Post
7 April 2007

One Regina student is doing her part to save those a world away in Darfur .

Leah Herle, a Grade 12 student at Sheldon-Williams Collegiate, is hoping that the names of 100,000 people will be enough to get the attention of both Prime Minister Stephen Harper and Stephen Lewis, a former Canadian ambassador to the UN.

Herle hopes to collect 100,000 signatures on a petition by the end of May, when she'll take it to a scheduled speaking engagement Lewis is scheduled to make in Calgary . The petition is to raise awareness about Darfur, an area of Sudan where all non-Arab Africans are being targeted and killed in another ethnic cleansing.

() Her ultimate goal is to get Canada to follow through with its commitment to support the **Responsibility to Protect**

initiative that is aimed at saving populations from genocide, ethnic cleansing, war crimes and crimes against humanity. In 2005 world leaders agreed it was their responsibility to protect their own populations and populations around the world as a way of preventing another Rwanda . ()

Full text is available at:

http://www.canada.com/reginaleaderpost/news/city_province/story.html?id=5eae98a-3433-455f-b021-225c73137927

4. FROM RWANDA TO DARFUR : EVER AGAIN OR EVER SAY NEVER AGAIN?r By Yav Katshung Joseph

7 April 2007

Yav Katshung Joseph is a Congolese (RDC) Human Rights Lawyer.

April marks the 13th anniversary of the start of the genocide in Rwanda during which approximately 800,000 Tutsis and moderate Hutus were killed in 100 days. When celebrating the anniversary of this horrific tragedy lets take a moment of our time not only to remember

those who were slaughtered so unmercifully, more attention should be focused on how to prevent future heinous crimes to occur in Africa and elsewhere.

ever Again An international commitment or a rhetorical sound bite?

() Even if there is controversy on the notion of genocide in Darfur, one could reasonably argue that, there is little doubt that despite the hair-splitting of the proper description of the unfolding tragedy, there is a developing genocide in Darfur with a similar reaction or lack of action from the world community.

Equally, the current situation in Zimbabwe - where the state is oppressing its own people - is another case to put on the agenda of actions to end this cycle and move us to finally realize the call ever again. As April 7 has been designated by the UN as international day of reflection on the genocide in Rwanda, the profound sense of the ever Again phrase should be reflected in how to prevent heinous crimes and other violations of human rights and how to act should such violations occur. Prevention of such crimes through swift and effective action will send us a clear message and maybe, thus inspired, we can someday make ever Again! more than a mere slogan.

In so doing, the responses to protect civilians would immensely benefit from President Paul Kagame's sagacious words: Never again should the international community's response to these crimes be found wanting. Let us resolve to take collective actions in a timely and decisive manner. Let us also commit to put in place early warning mechanisms and ensure that preventive interventions are the rule rather than the exception. To achieve the broad goal expressed in this message, it will certainly take more than mere rhetoric. Political commitment must be expressed, not only in establishing the required mechanisms but also in triggering them to act when action is required. The case of Darfur aptly demonstrates the futility of establishing legal regimes which cannot be effectively utilized. In providing for intervention in internal affairs of member states when massive human rights violations are perpetrated without action from the government concerned, or when the government itself is involved in such atrocities, the Constitutive Act of the African Union has codified an important principle of international law. The principle, as alluded to above holds that while states have the responsibility to protect their citizens in recognition of their sovereignty, the default responsibility falls upon the international community, in this case the AU, which can intervene to forestall the atrocities.

() As the world commemorates the commencement of the tragic events of 1994 in Rwanda, our leadership and those who shape opinion and policy must rethink our commitment to a world and continent free of human suffering, a continent committed to furthering the aspiration to live in a peaceful world, a world in which human life and dignity are embedded in state policy and interactions between nations. This would allow us, when necessary, to discard parochial notions of sovereignty to act accordingly when another Rwanda or Darfur threatens. To achieve this, we must bring the institutions we have established and collective powers to construct a world in which ever Again means what it should.

Full text is available at:

<http://www.responsibilitytoprotect.org/index.php?module=uploads&func=download&fileId=365>

II. R2P and the News

1. THE RESPONSIBILITY TO PROTECT REVISITED

by Ramesh Thakur

The Daily Yomiuri (Tokyo)

12 April 2007

The landmark report on "The **Responsibility to Protect**" was published with exceptionally bad timing in December 2001. Yet the concept has proven remarkably resilient and gained rapid traction in international policy as well as in the humanitarian and scholarly communities, culminating in the adoption of the new norm by world leaders meeting at the United Nations in the autumn of 2005.

At a conference in Berkeley , Calif. , on March 13-15 to discuss the operationalization of the norm ("The **responsibility to protect**: from principle to practice"), the point was made that the "protection" half of the formula has been around for a long time in concept and practice. The international commission that published the report was innovative, people argued, in redefining sovereignty as responsibility.

() Put like this, "**responsibility to protect**" is not merely deradicalized; it is also cross-ideological, embracing liberal humanitarians and right to life conservatives. But acting on the strong convictions of liberal internationalism or right to life alike would see the international community engaged with atrocity crimes--genocide, other mass killings, ethnic cleansing, rape as a deliberate weapon of intergroup war--far more frequently than has been the case. Darfur is the current poster case of critical international action being urgently needed.

The **responsibility to protect** norms is a call to action on prevention, intervention and post conflict reconstruction--not the opening lines of a Socratic dialogue by diplomats.

Full text not available

2. BROAD SUPPORT FOR U.N. INTERVENTION AGAINST GENOCIDE

IPS UN Journal Vol. 15, No. 65, page 5

10 April 2007

WASHINGTON, Apr 9 (IPS) - Less than two years after the heads of the world's governments endorsed "humanitarian intervention" by the United Nations against genocide and other massive abuses of human rights, a new survey released last week has found strong support for the concept among general publics around the world. The survey, which covered a total of 14 countries, plus the Palestinian Territories , found that solid majorities in each of 12 national pools believe that the U.N. Security Council should have the "right" to authorize the use of military force to protect innocent people from genocide and other massive abuses, even against

the will of their own government. And majorities in all but four of 12 national samples, ranging from 51 percent in India to 76 percent in China , went a step further, agreeing with the proposition that the Security Council has the "responsibility" to authorise the use of force under such circumstances. Strong pluralities in the three remaining countries -- Ukraine , Thailand , Russia and Argentina -- also agreed.

"There seems to be a worldwide consensus that the U.N. Security Council has a **responsibility to act to protect**

populations against genocide," said Steeven Kull, director of the University of Maryland 's Programme on International Policy Attitudes and editor of [ww.worldpublicopinion.org](http://www.worldpublicopinion.org), which co-sponsored the poll with the Chicago Council on Global Affairs (CCGA). "What is remarkable is the degree of international agreement -- across countries with very different approaches to human rights issues -- on the need for U.N.-authorised military action," added CCGA's Christopher Whitney.

() The latest report addressed the degree to which national publics support what has come to be called the "**responsibility to protect**" -- the notion that the U.N. or other external powers may have a legal or ethical obligation to intervene militarily in the internal affairs of a sovereign nation to halt or prevent massive human rights violations, such as genocide or other crimes against humanity.

At the U.N. World Summit in September 2005, leaders of the world body's member states endorsed a document that, among other things, affirmed that the U.N. had a "**responsibility to protect** " civilians from "genocide, war crimes, ethnic cleansing and crimes against humanity," should their national governments fail to do so. The survey asked respondents two general questions: whether they thought the Security Council has the right to authorise the use of military force in such circumstances and whether it had the responsibility to do so. Respondents were asked both questions in the U.S. , France , Ukraine , Russia , the Palestinian Territories , Israel , China , India , and Thailand . Respondents in Mexico , Iran , and South Korea were asked only the first question, while respondents in Argentina , Armenia , and Poland were asked only the second question. ()

Full text not available

III. UN Genocide Post Made Permanent

1. U.N. GENOCIDE POST TO FULL TIME
United Press International
9 April 2007

UNITED NATIONS, April 9 (UPI) -- U.N. Secretary-General Ban Ki-moon says he is making the special adviser for the prevention of genocide a full-time post.

() The genocide-prevention post is held by Juan Mendez of Argentina , and the secretary-general said in a message marking the genocide anniversary he will also upgrade the U.N. Advisory Committee on Genocide Prevention.

He said Africa has taken its own steps as well, such as the signing of the Pact on Security, Stability and Development for the Great Lakes Region, which contains measures on genocide prevention and punishment.

"Preventing genocide is a collective and individual responsibility," Ban said. "Everyone has a role to play, governments, the media, civil society organizations, religious groups and each and every one of us." ()

Full text available at: http://www.upi.com/International_Intelligence/Briefing/2007/04/09/un_genocide_prevention_post_to_full_time/

IV. R2P Events

1. EVENT: PANEL DISCUSSION ON THE RESPONSIBILITY TO PROTECT

13 April 2007

United Nations Conference Room 3, 1:00 2:45pm

Title: The Responsibility to Protect: ensuring effective protection of populations under threat of genocide and crimes against humanity

Co-Hosts: Ambassadors Nsengimana & McNee, of Rwanda and Canada respectively.

Panelists: Immaculee Ilibagiza; Bill Berkeley; Gareth Evans; Jan Eliasson (tbc).