

R2PCS Listserv

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**Responsibility to Protect** Engaging Civil Society

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**I. R2P in the News**

*The following two articles discuss a new report calling for Security Council action in North Korea, based on the failure of the state to protect its population from widespread and systematic crimes against humanity. The report argues that crimes against humanity are being committed in North Korea in the form of continued and deliberate failure of the government to provide for the nourishment of its people. These crimes, along with the treatment political prisoners in a "modern-day gulag" form the basis for the authors to invoke the Responsibility to Protect doctrine. They call on the Security Council to fulfil its responsibility to protect the populations of North Korea by adopting a series of non-punitive measures.*

*The report also seeks Security Council action based on a finding that it poses non-traditional threats to peace and security as a result of refugee outflows, drug trafficking, and money laundering. The report calls for a Chapter VI Security Council resolution on North Korea which would call for increased access for humanitarian organizations, the release of all political prisoners, access to the UN Special Rapporteur for Human Rights in North Korea, and greater attention by the Secretary General of the UN. The report calls for the Security Council to consider adopting a binding resolution under Chapter VII should North Korea fail to comply with a Chapter VI resolution.*

To access the report: [www.dlapiper.com/NKReport](http://www.dlapiper.com/NKReport)

## 1) TURN NORTH KOREA INTO A HUMAN RIGHTS ISSUE

New York Times

By Vclav Havel, Kjell Magne Bondevik, and Elie Wiesel

30 October, 2006

() [W]orking with the law firm DLA Piper and the United States Committee for Human Rights in North Korea, we commissioned a report on the failure of the North Korean government to exercise its **responsibility to protect** its own people. The evidence and analysis in this report are deeply disturbing. Indeed, it is clear that North Korea is actively committing crimes against humanity against its own people.

North Korea allowed perhaps one million and possibly many more of its own citizens to die during the famine in the 1990's. This was caused in part by the government's decision to reduce food purchases as international assistance increased so that it could divert resources to its military and nuclear program. ()

Our report recommends that, as a first step, the Council should adopt a non-punitive resolution urging open access to North Korea for humanitarian relief, the release of political prisoners, access for the special rapporteur and engagement by the United Nations.

We also urge the incoming secretary-general, Ban Ki-Moon, to make his first official action a briefing of the Security Council on this dire situation. ()

Vaclav Havel is the former president of the Czech Republic. Kjell Magne Bondevik is the former prime minister of Norway. Elie Wiesel, a professor of humanities at Boston University, was awarded the Nobel Peace Prize in 1986.

Full Text:

[http://www.nytimes.com/2006/10/30/opinion/30havel.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/10/30/opinion/30havel.html?_r=1&oref=slogin)

## 2) REPORT ACCUSES N.KOREA OF CRIMES AGAINST HUMANITY

Reuters

By Arshad Mohammed

30 October 2006

*The following article analyses the possible impact of the report mentioned above, "Failure to Protect:*

*A Call for the UN Security Council to Act in North Korea".*

() An official at the North Korean mission to the United Nations declined comment on the report and repeated North Korea's position that it does not violate human rights.

Foreign policy analysts praised the report for highlighting an issue that often gets short shrift amid concerns about North Korea's nuclear and missile programs but they said the chances of the Security Council acting on it were slim.

Among other reasons, they noted the council has already passed two resolutions imposing sanctions on North Korea in the last four months, the first following its July 5 ballistic missile tests and the second after this month's nuclear test.

They also said China -- which holds a veto -- historically has resisted bringing up human rights at the Security Council for fear that its own practices might be scrutinized. ()

Analysts said the council may not wish to take up the issue because it is already being discussed in the U.N. General Assembly and the Human Rights Council and investigated by a U.N. special rapporteur who has been denied access to the country.

In an interview, Bondevik acknowledged it may be tilting at windmills to expect the Security Council to act but said: "If we do nothing, nothing will happen. If we do this, hopefully something will happen. We have to try."

"We hope this will wake up the world," he added. (Additional reporting by Evelyn Leopold at the United Nations)

Full text: Not available

### 3) EXERT MORE PRESSURE ON MUGABE, LORDS TELL LABOUR GOVERNMENT

Zimbabwe Journalists

By Sandra Nyaira

20 October 2006

Debate on the crisis in Zimbabwe took centre stage in the House of Lords yesterday with Lord Blaker of Blackpool raising the need for the incoming United Nations Secretary General Ban Ki-moon to visit Zimbabwe as soon as he assumes his new post to help deal with problems afflicting the country. ()

During debate various Lords called on their government to take up resolutions from the upper House recommending the UK start a campaign "for the referral of Robert Mugabe to the International Criminal Court for his manifold and monstrous crimes against the people of Zimbabwe." ()

He adds this would mean possible intervention with the approval of the Security Council in the internal affairs of other countries' as the international community would take **"responsibility to protect "**. "The words I have used are distinct from any dealing with military action am not talking about that; it is not relevant to what I am saying. Her Majesty's Government could take a lead with like-minded countries, to work out how to apply this part of the Security Council resolution usefully in the present situation in Zimbabwe. There is no doubting the massive crimes against humanity there," said Lord Blaker. ()

Baroness D'Souza said now was the time to use the full array of legal, diplomatic and other measures open to the UK and the European Union to create a critical mass of international opinion and to support those in Zimbabwe who bear the unspeakable brunt of repression in

Zimbabwe.

In particular, the EU, which passed a resolution condemning human rights abuses in Zimbabwe in September, is due to revisit both official and personal travel sanction in January 2007," she said.

Full Text: [http://www.zimbabwejournalists.com/story.php?art\\_id=1193&cat=1](http://www.zimbabwejournalists.com/story.php?art_id=1193&cat=1)

#### 4) SECRETARY-GENERAL'S MESSAGE IN HONOR OF UN DAY

UN News

24 October 2006

*In his last message for United Nations Day, Secretary-general assesses progress and highlights remaining challenges. Mr. Annan mentions R2P as one of the five most important achievements of the last 10 years.*

()Over the past 10 years, we have made some big steps forward in our common struggle for development, security and human rights.

Aid and debt relief have increased, making the world economy somewhat fairer.

At last, the world is scaling up its response to HIV/AIDS.

There are fewer wars between States than there used to be; and many civil wars have ended.

More Governments are elected by, and accountable to, the people whom they govern.

And all States have acknowledged, at least in words, their **responsibility to protect** people from genocide, war crimes, ethnic cleansing and crimes against humanity.

But, there is so much that still needs doing:

The gap between rich and poor continues to grow.

Very few countries are on track to reach all eight of the Millennium Development Goals by 2015.

Many people still face atrocities, repression and brutal conflicts.

The nuclear non-proliferation regime requires urgent attention.

Terrorism, and the reaction to it, are spreading fear and suspicion. ()

Full text and access to the video of the SG's message:

<http://www.un.org/events/unday/2006/sg-message.html>

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## II. Darfur in the News

### 1) SUDAN HAS 'NO OBJECTION' TO STRENGTHENED AU MANDATE - PRESIDENT

The Ethiopian Herald

26 October, 2006

() AFP reported that Sudan would [] be willing to allow the strengthened AU force to have logistical support from the European Union, the UN or the Arab League, Omar Al-Bashir said. ()

Bashir warned that any UN attempt to impose foreign troops in Darfur could lead to "such troops becoming a target of attacks and part of the conflict, not the solution".

When asked if he would accept 20,000 AU troops in the country, up from the current level of 7,200, he said that Sudan has "no objection to the AU increasing its troops, strengthening its mandate, or receiving logistical support from the EU, the UN, or the Arab League for that matter, but this must of course, be done in consultation with the government of national unity. ()

Denying reports that the Arab League had suggested he accept troops from Arab or Muslim countries outside Africa, he insisted any non-African help for the AU be confined to equipment and logistics.

He also urged the governments of Britain and the United States to stop "applying pressure (on Sudan) the way it is being done now - to the wrong party at the wrong time.

Source: not available.

## 2) CALL FOR ACTION TO STOP FIGHTING IN DARFUR, SUDAN

By Deborah Block

24 October 2006

*Newspaper advertisements appeared in two major American newspapers recently (Washington Post and New York Times) calling on the international community to take strong action against Sudan's government to halt the conflict between the government and rebels in Darfur, Sudan. A private, bi-partisan, U.S. foreign policy group called "Partnership for a Secure America" says it placed the advertisement to encourage policy-makers to act to protect the huge numbers of people affected by the fighting.*

()The newspaper advertisement says if a U.N. force is not deployed, then NATO-led intervention should be considered. It also says it is time to approve a NATO-led no fly zone over Darfur, expand sanctions on the Sudanese government, freeze Sudan's assets, and block its oil exports. ()

Chip Andrae says there has been positive feedback to the advertisement from some members of the U.S. Congress, which he hopes will translate into constructive action against the Sudan government.

Full Text: <http://www.voanews.com/english/2006-10-24-voa58.cfm>

## 3) CANADA SHOULD LEAD IN DARFUR`RESPONSIBILITY TO PROTECT' MORE THAN A SLOGAN

Toronto Star

David Mozersky and Allan Rock

24 October 2006

Last week, Canada's Parliament addressed the continuing tragedy in Darfur. () Canada is the principal architect and advocate of the **"responsibility to protect"** doctrine. It should, therefore, play a key role in galvanizing international action. Canada's efforts, and the world's response, will determine whether responsibility to protect is a living instrument or a dead letter. ()

As Canada's Parliament considers its options, here are five practical steps that the Canadian government can take immediately to signal its commitment and to spark international action.

First, Canada must continue to support the African Union force until a UN mission is deployed. Canada's significant contributions in money and equipment to date have made a real difference. Additional help will be critical, so that the troops now on the ground can provide more effective protection for civilians in the short term.

Second, Canada must continue to contribute to the humanitarian effort. Financial contributions from donor nations lag far behind what the UN has requested, and the World Food Program has had to cut rations on several occasions due to a lack of resources. Canada should increase the levels of support it has provided to date.

Third, Canada should encourage and support the International Criminal Court in its efforts to investigate crimes against humanity in the region. There can be no impunity for those responsible for the atrocities that have taken so many lives in Darfur. Canada should build on the financial support it has already given to the ICC investigation.

Fourth, Canada must call on key allies to put sustained pressure on those countries with influence in Khartoum. The Americans and the EU must get the Chinese and the Russians to use their influence in Sudan. Khartoum must be told that the world is united in insisting that the UN force be granted entry immediately. The Arab League and key African leaders must also be enlisted in this effort. This will require the investment of both time and political capital by Prime Minister Stephen Harper, Foreign Affairs Minister Peter MacKay and their counterparts among our allies. Given what is at stake, the effort is surely justified.

Finally, Canada should marshal support for strong and credible consequences should Khartoum continue to defy world opinion. The list should start with targeted sanctions, such as travel bans and asset freezes (including a freeze on the substantial offshore assets of the ruling party), and should reflect a solid international consensus that Sudan will be denied the presidency of the African Union which it was to have assumed next year. ()

Allan Rock is the former Canadian ambassador to the UN, and participated in the negotiation of the Darfur peace agreement in Abuja. David Mozersky is Horn of Africa project director for the International Crisis Group.

Full Text: <http://www.thestar.com : article>

#### 4) GENOCIDE SURVIVORS URGE EU TO IMPOSE SANCTIONS OVER DARFUR

The News

20 October 2006

()Survivors from the Nazi Holocaust, Cambodia, Bosnia and Rwanda signed an open letter to EU leaders meeting in the Finnish town of Lahti on Friday, urging EU sanctions on the Sudanese government.

"We write to urge you to act now to end the genocide in Darfur," it said. "Through the European Union you have the capacity to put real pressure on the Sudanese Government to stop the killing. But so far the EU has done next to nothing." British Prime Minister Tony Blair's spokesman said Blair urged his fellow EU members to send a strong message to the Sudanese government that it must allow a UN force into Darfur. "We are at a critical time in Darfur," Blair's spokesman said.

"This is an opportunity for the EU to underline the pressure on the Sudanese government." Asked about the possibility of sanctions against Sudan, he said: "Privately, they know very well the consequences in terms of the country but also the leadership."

Full Text: <http://www.thenews.com.pk/print1.asp?id=29134>

#### 5) U.S. MUST CRANK UP THE HEAT ON KHARTOUM

John Prendergast and Colin Thomas-Jensen

Washington Post Online

18 October 2006

() The Bush administration must end its policy of constructive engagement and push for multilateral measures -- either through the Security Council or a "coalition of the willing" -- that will finally change Khartoum's calculations. These include the following:

Apply asset freezes and travel bans to NCP leaders responsible for atrocities in Darfur, as determined by previous UN investigations.

Investigate the offshore accounts of the NCP and its affiliated businesses to facilitate economic sanctions against the regime's commercial entities, the main conduits for NCP revenue used to support the Janjaweed.

Explore possible sanctions against the petroleum sector, including bans on investment and the provision of technical expertise and equipment.

Share intelligence with the International Criminal Court to break the cycle of impunity. ()

*John Prendergast is Senior Advisor to the International Crisis Group ( [www.crisisgroup.org](http://www.crisisgroup.org) ).  
Colin Thomas-Jensen is Crisis Group's Africa Advocacy and Research Manager. Both are based in Washington, D.C.*

Full Text: <http://www.crisisgroup.org/home/index.cfm?id=4454>