

Hello,

Please find below excerpts of two sets of articles on the Responsibility to Protect. The first set comprises speeches and reports that track the development of the R2P norm. The second set comprises articles in which R2P principles are applied to specific situations.

Part I

- UN Secretary General Kofi Annan addresses the Universidade Nova de Lisboa on the Rule of Law;
- A Council on Foreign Relations Meeting, covering the Commission on International Migration, which discusses R2P in the context of migrants;
- Annan addresses UNHCR on how the Summit Outcome effects humanitarian work, and particularly that of UNHCR; and
- A new review of UN peacekeeping.

Part II

- The call by several prominent Southern African Catholic Church leaders for the Security Council to take action on the crisis in Zimbabwe, invoking R2P;
- The effort by the US, China, Russia and Algeria to block UN Special Advisor on the Prevention of Genocide, Juan Mendez, from briefing the UN Security Council on the crisis in Darfur;
- Information from Mendez on the Darfur crisis; and
- Odonga Otto, MP of the Pader District of Uganda, on what R2P means in the context of Northern Uganda.

Regards,

Angela Edman

Part I

UN Secretary-General Address to Universidade Nova de Lisboa

M2 Presswire

October 13, 2005

Secretary-General Kofi Annan:

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For the first time, a global intergovernmental consensus was recorded, at the level of Heads of State and Government, declaring that every State has the responsibility to protect its populations. For the first time, Governments spelled out that where national authorities manifestly fail to do so, the international community, acting through the United Nations, is obliged and empowered to act.

The Summit did not leave this "responsibility to protect" vague and undefined. Rather, it made clear that it includes a range of duties: prevention; action against incitement; the establishment of early warning capabilities; and whatever measures are "appropriate and necessary".

Remarkably, it went even further, specifying means by which the international community, through the United Nations, must act where individual States fail. These include diplomatic, humanitarian and other peaceful means, as well as collective action under Chapter VII of the Charter, in other words use of force as last resort.

Consider that thought. Human life, human dignity, human rights raised above even the entrenched concept of State sovereignty. Global recognition that sovereignty in the twenty-first century entails the responsibility to protect people from fear and want. A global declaration that reinforces the primacy of the rule of law.

[link to full article](#)

Council on Foreign Relations Meeting

Subject: Global Commission On International Migration Presents Its Final Report

Speakers: Mamphela Ramphele, Co-Chair, Global Commission On International Migration; Jan Karlsson, Co-Chair, Global Commission On International Migration

Presenter: Tom Brokaw, Special Correspondent, NBC Nightly News

Federal News Service

October 10, 2005

JUDITH RODIN: () When Kofi Anan helped launch the Global Commission on International Migration nearly two years ago, he observed that migration is as old as humanity, and certainly that's true. At the same time, migration is one of the least understood and maybe, currently, one of the more contentious policy issues facing governments, institutions, communities and neighborhoods. Migration and its many dimensions highlight the fault lines of our increasingly global and interconnected world. Today's unprecedented flows of people across borders, combined with the jobs, the money and the cultural practices that flow with them, raise new questions and new debates around issues of national identity; around notions of economic security; and in our post- 9/11 world, around issues of terrorism and homeland protection.

Given its long history, why is it that international migration is commanding such attention today, as symbolized by the establishment of this commission? I would like to suggest that there are five principal reasons why the issue of international migration is of such current concern.

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The first is the growing scope and scale of international migration.

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The second reason is the increasing complexity of international migration.

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Third, international migration is inextricably linked with other key public policy issues, such as development, trade and aid, state and human security and human rights.

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The fourth reason why international migration is now right at the top of the global public policy agenda is found in its controversial nature.

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The fifth and final reason is, indeed, one of our key findings in that the international community is failing to capitalize on the opportunities and to meet the challenges associated with international migration.

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MARY ROBINSON: Thank you

I would agree with Mamphela when she said that individual heads of agencies are enthusiastic

about a more coherent approach at the global level, but there is a political sensitivity. It will need the support of governments in the context of what's happening now in the U.N. And the next step is there will be a high-level segment of the General Assembly next year, a bit like the segment on the Millennium Development Goals this September, and that would be, probably, around 14th, 15th, 16th of September again. And there will be a resolution shortly, and it will need strong support from all sectors -- from business, from experts on migration issues, from NGOs, the voices we heard of our friends from Latin America -- to say we really want this high-level interagency body now. It might come up on the 28th of this month in the CEB, the overall structure of the U.N. If it did come up there, it would be very good because that would be a necessary step. There isn't much time.

And the report is also very principled on human rights, which haven't really been focused on very much so far in our discussion. Chapter five is on a principled approach, and points out that all migrants, whether they're in a regular situation or whether they're in an irregular situation, have human rights, and that countries have a responsibility to protect and promote those rights. We ask countries to be more explicit and to pool together their obligations under various charters, make them very clear in immigration offices, in various places where the public are and where migrants are. And there are a number of different ways in which we look for responsibility to make further progress ()

[link to full article](#)

UN: Secretary-General to UNHCR executive committee: World Summit made remarkable commitment to humanitarian community
M2 Presswire
October 7, 2005

Following is the address by United Nations Secretary-General Kofi Annan, which he delivered today to the Office of the United Nations High Commissioner for Refugees (UNHCR) Executive Committee at the Palais des Nations in Geneva:

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I think it would be quite appropriate for me to focus my remarks today on what the outcome of last month's World Summit means for the humanitarian community, and for UNHCR in particular

Perhaps the biggest innovation was the agreement to establish a Peacebuilding Commission.

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Another very important step taken by the Summit was the clear acceptance of all UN Members of the responsibility to protect civilian populations against genocide, war crimes, ethnic cleansing and crimes against humanity. Most of the mass displacements of people over the past decade-and-a-half have been sparked by such crimes.

A number of countries had been sceptical of this concept, fearing that it would be used as a fig leaf for unwarranted intervention. But that resistance is lessening, as shown by the clear language endorsed by the Summit. And I recall that when I first raised the issue of responsibility in a General Assembly speech in 1999, there was quite consternation in the room, but six years on there is acceptance of the responsibility to protect, so we do make progress on this issue.

I know that the humanitarian community has had concerns of its own -- that they themselves will be used as a fig leaf, with deliveries of assistance masking Member States' lack of appetite for addressing the real sources of conflict. I know there is also concern that military action taken to exercise the responsibility to protect could somehow taint the impartiality of humanitarian assistance.

We will continue to live with these tensions. But they must not take a backseat to the breakthrough that has been achieved. International inaction has been recognized as unacceptable, especially where national Governments are unwilling or unable to act. Of course, robust action must be a last resort. Our focus should really be on earlier, non-violent ways to prevent conflicts or political upheavals from reaching such a point. At the same time, let us do our utmost to ensure that when we are tested again, as we surely will be, we will honour the solemn pledge made by Heads of State and Government in New York last month.

The Summit also marked a step forward on the question of internally displaced persons. The Summit's recognition of the Guiding Principles on Internal Displacement should help to improve the protection provided to some of the world's most vulnerable people. However, the provision of a more predictable and effective response remains an outstanding humanitarian challenge.

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We should also take note of the Summit's decision to create a new, standing Human Rights Council and strengthen the office of the High Commissioner for Human Rights.

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With the commitment to strengthening the humanitarian system comes the hope that the world will guarantee a swifter and more predictable response to the victims of war and natural calamities.

But let us acknowledge that humanitarian agencies alone, vital as their work may be, will not resolve crises unless States uphold their responsibilities, address root causes of displacement, and do the political work necessary ()

[link to full article](#)

UN Experts Give Mixed Scorecard To Efforts To Improve Peacekeeping

States News Service

October 5, 2005

The following information was released by United Nations:

Five years after a high-level panel made recommendations on how to improve peacekeeping, United Nations experts turned in a mixed scorecard on the results of the measures, which ranged from deploying missions to head off conflicts to maintaining trainers ready to start building capacity at a week's notice.

Under-Secretary-General Lakhdar Brahimi, who chaired the panel in 2000, said it was an important change that the UN Secretariat was telling the Security Council what it needed to know, rather than what governments wanted to hear.

At the same time, he called for more improvements in the area of conflict prevention.

The "Brahimi report" had supported Mr. Annan's more frequent use of fact-finding missions to volatile areas to head off strife.

Mr. Brahimi, a former foreign minister of Algeria, was addressing the third in the series of "Lectures and Conversations," moderated by Under-Secretary-General Shashi Tharoor and sponsored by the Swedish UN Mission to mark the 100th anniversary of the birth of Dag Hammarskjöld, the second Secretary-General of the UN.

One great improvement was that UN Department of Peacekeeping Operations (DPKO) had been expanded, Mr. Brahimi said. On the other hand, since the most important decisions were often made when the situation in a country was bad, there was no time to gather needed information, and the Security Council could still authorize a peacekeeping mission while not knowing enough about the country.

In addition, too many unnecessary experts were being sent in and too few local people employed, while a "religious attitude to elections" meant they were often held too soon, he said.

Mr. Brahimi stressed that a national government had to be put in charge from day one, with the UN representatives acting as advisors, not the other way around. "I don't see the UN as a colonial power," he said, while acknowledging that taking over the administration in Kosovo had been unavoidable in the circumstances.

The UN should go in with a "light footprint," not overwhelming the country, should let people know not to expect miracles and should make clear that "this is your country and you do with it whatever you like. We will help you only so much -- and only as much as you are willing to help yourselves," he said.

The other panelist, Assistant Secretary-General for Peacekeeping Jane Holl Lute, said the enduring legacy of the report included giving the international community an understanding of its responsibilities to keep the peace, since "peace will not keep itself." She also credited the report with helping DPKO build a rapid reaction capacity

[link to full article](#)

Part II

Crime against humanity : the case for urgent action on Zimbabwe

Sokwanele Release :

17 October 2005

The potential for mass starvation in Zimbabwe is now so real and close that Cardinal Wilfred Napier, President of the Southern African Catholic Bishops' Conference, and Archbishop Pius Ncube of Bulawayo have both, separately, called on the United Nations' Security Council to take responsibility for the crisis and act immediately...

Although the international community has continued to drag its heels in this regard, a mechanism by which it can take action is in fact available

The call by church leaders for the United Nations to intervene swiftly to avert a looming tragedy

raises the issue of state sovereignty. Here it is interesting to note that the World Summit held on September 14-16, 2005 in New York adopted the "International Responsibility to Protect" doctrine. In terms of this doctrine the international community has a responsibility to intervene in a country where genocide, ethnic cleansing or crimes against humanity directed at the population of that country are taking place. Accordingly one of the core principles to which all UN Member States are now committed is that "where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect ."

As Namibia's National Society for Human Rights (NSHR) executive director, Phil ya Nangoloh, commented: "Leaders of dictatorial regimes out there can no longer hide behind the so-called principle of non-interference in the affairs of another state in order to get away with murder with impunity."

Furthermore, first among the elements of the "responsibility to protect" enshrined in the UN doctrine is the "responsibility to prevent" - defined as "to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk."

[link to full article](#)

US miffed by UN failure to stop Darfur violence
Agence France Presse -- English
October 11, 2005 Tuesday
By: Herve Couturier

The United States on Monday found an odd way to signal its irritation at the world community's failure to stop violence in Darfur by siding with three UN Security Council members that have blocked any tough stance against Sudan.

US ambassador to the United Nations, John Bolton, an advocate of drastic changes in the way the world body operates, opposed a briefing of the council on Darfur by UN chief Kofi Annan's special adviser for the prevention of genocide, Juan Mendez.

Despite the wishes of the majority of the 15 members of the council to hear Mendez at Annan's request, the adviser was not allowed to speak because permission to do so must be unanimous.

Arguing that the council had already heard another Darfur report by another senior UN official and hinting that the world body's main decision-making body was wasting too much time talking, Bolton told reporters that the council should "consider steps other than talking."

"We were having a briefing about the security situation in Darfur and the briefing is to the effect that the situation has been deteriorating over a six-week period or longer, and we think the council needs to try and consider strategically what should happen next rather than just responding to specific incidents," the US envoy said.

"I think we have to consider whether the sanctions that are in place are working or whether there are other steps that the council should take, steps I should say, other than talking," he added.

With his stand, Bolton paradoxically put himself in the same camp as China, Russia and Algeria, which for months have been derailing any attempt to get tough with Khartoum over the Darfur violence.

His action caused consternation among UN diplomats, since Washington has called for a tough stance against Khartoum.

The United States has been alone in characterizing the abuses committed in Darfur as "genocide."

"The majority of the council wished to hear what Mr. Mendez had to say, but four delegations were opposed to it," French Ambassador Jean-Marc de La Sabliere told reporters. "I deeply regret this situation. It is a matter of principle that a special adviser of the secretary general be heard when the secretary general deems it necessary."

"There are sanctions that have been imposed already, there's questions about their effectiveness... but my concern is we don't react from incident to incident but that the council try and look at the bigger picture and put a more effective a more comprehensive policy in place," Bolton explained.

China, Russia and Algeria have so far blocked all council attempts to impose effective sanctions either against the Khartoum government or against the Khartoum-backed proxy Arab militia Janjaweed, which is accused of staging killings in Darfur, or Darfur rebel groups

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Sudan; Situation in Darfur, Sudan is Worsening, UN Genocide Expert Warns Africa News
October 10, 2005
UN News Service

Just back from the troubled Darfur region of Sudan, the United Nations Special Adviser on the Prevention of Genocide warned today that the situation there is worsening and called for action to protect civilians, facilitate the delivery of humanitarian assistance and bring those responsible before the International Criminal Court (ICC).

Juan Mendez noted that it was not for him to determine whether genocide had taken place, but said "we have not turned the corner" on preventing genocide from either happening or happening again - depending on the perspective - in Darfur.

Mr. Mendez said he had expected that the situation would have stabilized, if only in a status quo that was unacceptable but at least not worsening. "Unfortunately, I have to say that I found the situation much more dangerous and worrisome than I expected it to be," he said, citing renewed

fighting, especially in north and south Darfur, among all factions.

He also pointed to growing lawlessness evidenced by two recent unprecedented attacks on camps for internally displaced persons (IDPs). "In one of them, the attackers went in on horseback, and in the other one apparently trucks of the Sudanese army," he said. Up to 35 civilians were killed, while many huts and houses were destroyed.

He called this "an escalation of violence against civilians that points to how serious the situation is becoming."

The expert called for enhanced protection of civilians as well as the provision of humanitarian assistance, noting that the delivery of relief aid had recently been complicated by violence.

On the issue of accountability, he said "we have to insist that cooperation with the ICC is not a matter of choice for any State."

He pointed out that Sudan said it does not need the ICC and would instead use its own court, but chided the Khartoum Government for dealing ineffectively with the problem

[link to news-source](#)

Uganda; Northern Uganda Disaster Continues: Where's Help?

The Monitor (Kampala)

ANALYSIS

October 7, 2005

By: Odonga Otto

The situation in Northern Uganda is not getting any better with 1000 people dying per week according to WHO report . Notwithstanding, Parliament months ago declared northern Uganda a humanitarian disaster area. This did not receive the usual applause from some members of the House, the Executive, and a cross- section of the public .The response was guided by political other than humanitarian considerations.

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Concept-wise, a humanitarian disaster is a high threshold of suffering; it refers to the threat or actual occurrence of large scale loss of life, massive forced migrations, and widespread abuse of Human Rights acts that shock the conscience and elicit a basic humanitarian impulse. This would warrant intervention from the international community.

Intervention is the application of pressure to a state. This would include conditional support programmes by major international institutions, and delivery of emergency relief assistance. Others would entail coercive action - not just diplomatic and military threats. Whatever the case for Uganda, coercive inducement would suffice. There is no need whatsoever for cabinet to panic as history teaches us.

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The strongest excuse the Executive could have is the principle of sovereignty. However, the

contemporary principle of State sovereignty implies the primary responsibility to protect its people, where a population is suffering serious harm as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of intervention yields to the international community to protect the suffering people.

The notion sovereignty has greatly changed over time; sovereignty implies a dual responsibility, firstly externally - to protect the sovereignty of other states and secondly internally, to respect the dignity and basic Human Rights of all the people within the state.

The UN Secretary General Kofi Annan in his opening remarks in the UN General Assembly 1999 asserted that states which are bent on criminal behaviour should know that frontiers are not the absolute defence. In other words state sovereignty is not the shield to hide under when your people are dying Mr President.

The government of Uganda should just try to be a government in trust for its people for the common good, not a dictatorship. The donor community as separate sovereign states should build friendship with Ugandans and not regime leaders if history is to judge us fairly

[link to full article](#)