

R2PCS Listserv

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Responsibility to Protect Engaging Civil Society

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I. MacArthur Foundation Awards Kofi Annan for Developing the Principle of R2P

*The MacArthur Foundation honored former United Nations Secretary General Kofi A. Annan with the MacArthur Award for International Justice at a 1200-person dinner held at the Waldorf-Astoria Hotel in New York City on March 20. In selecting Mr. Annan, the Foundation's Board cited his role in the establishment of the International Criminal Court and developing the principle of the **Responsibility to Protect**.*

1. Former UN Secretary-General Kofi Annan Receives MacArthur Award for International Justice
21 March 2008

() In accepting the Award, Mr. Annan said, " I am deeply honored to be the first recipient of the MacArthur Foundation Award for International Justice. The Foundation has worked with governments, the UN and other actors of civil society to mobilize support for international justice. These efforts have helped to change our understanding of international law. Sovereignty should no longer be seen as a privilege but as a very heavy responsibility. Every State has to protect its people: it is only when States respect fundamental human rights and uphold the dignity and worth of each person, that sovereignty will be recognized by all as credible and legitimate." (...)

(...) "We celebrate a man who has given his life to making our world more just. We honor Kofi Annan, and through him, all those who have contributed to a world seeking to make good on the pledge 'never again,'" [said MacArthur President Jonathan Fanton, who presented the Award.]

Mr. Annan is the first recipient of the MacArthur Award for International Justice (...)

(...) In selecting Mr. Annan, the Foundation's Board cited his role in the establishment of the International Criminal Court. (...)

The Board also noted Mr. Annan's leadership in developing the principle of the **Responsibility to Protect**. In 1999/2000, he urged UN member states to resolve the conflict between the principles of state sovereignty and the international community's responsibility to respond to human rights violations and ethnic cleansing. Taking up the challenge, the government of Canada convened the International Commission on Intervention and State Sovereignty, whose report laid out the fundamentals of a new way to think about protection of civilians. Later, Mr. Annan's UN reform document, *In Larger Freedom*, recommended that governments endorse the

Responsibility to Protect

. The concept has since been endorsed through General Assembly and Security Council resolutions.

The new Award provides Mr. Annan with \$100,000 for his own work and invites him to suggest an additional \$500,000 in support for an eligible non-profit organization working on international justice issues.

For its 30-year history, the MacArthur Foundation has been committed to advancing human rights and international justice. (...)

(...) MacArthur (...) provides support for activities that advance the international justice system, including the use and further development of human rights courts and tribunals, particularly the regional human rights courts and the International Criminal Court; the alignment of national laws with international human rights treaties; and the advancement of norms related to international justice, such as the **Responsibility to Protect**. (...)

Source of information:

http://www.macfound.org/site/apps/nlnet/content2.aspx?c=IkLXJ8MQKrH&b=1053853&content_id=%7B5D0EC24B-4D09-4E22-8DF2-3B6AA0347D6B%7D¬oc=1

Full text of Mr. Annan's remarks available at:

<http://www.macfound.org>

For Secretary-General Ban Ki-moon's remarks at the MacArthur Foundation International Justice Award dinner, please refer to:

<http://www.un.org/News/Press/docs/2008/sgsm11474.doc.htm>

II. UN Secretary General Report on Genocide Prevention highlights the Responsibility to Protect

1. Report of the Secretary-General on the Implementation of the Five Point Action Plan and the Activities of the Special Adviser on the Prevention of Genocide

Human Rights Council, 7th Session

The Report of the Secretary-General on the Implementation of the Five Point Action Plan and the Activities of the Special Adviser on the Prevention of Genocide (A/HRC/7/37) provides an update on developments related to the United Nations framework for the prevention of genocide, describes the activities of the Special Adviser on the Prevention of Genocide, and addresses the need to strengthen the capacity of his office to more effectively discharge the

mandate. The report also briefly covers the "**Responsibility to protect** populations from genocide, war crimes, ethnic cleansing and crimes against humanity" as stated in the World Summit 2005 Outcome Document. In addition to this, it covers the establishment of the Advisory Committee on the Prevention of Genocide and its contributions to the work of the mandate.

Executive summary available at:

<http://www.reliefweb.int/rw/rwb.nsf/db900SID/KKAA-7CU85Y?OpenDocument&RSS20=18-P>

For full report, please refer to:

[http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7CU85Y-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7CU85Y-full_report.pdf/$File/full_report.pdf)

III. Crisis in Somalia

1. UN Envoy to Somalia References R2P in Statement to Security Council

On 20 March 2008, UN Envoy Ahmedou Ould-Abdallah gave the following comments to the Security Council on the situation in Somalia:

What is needed now is engagement by the international community. I am not asking outside countries to become active for moral or altruistic reasons. They have a clearly mandated responsibility to become involved in a country where there are widespread violations of human rights and humanitarian law. The concept of the **responsibility to protect** was adopted at the 2005 World Summit of leaders and later endorsed by the Security Council ()

The report of the Secretary-General and the interagency fact-finding mission to Somalia (S/2008/178) clearly illustrates that the international community has a clear and unambiguous responsibility towards the people of Somalia. That responsibility obliges the Security Council to look beyond the limitations that the current security situation imposes and to reflect on a possible outcome and come up with ideas as to what is possible - within the constraints already mentioned in the paper by the Department of Peacekeeping Operations - to help create circumstances in which the United Nations can become more fully engaged. We are asking for real engagement by the United Nations and the Security Council.

The Security Council also has the **responsibility to protect** and assist the legitimate Government in Somalia as it does in other conflicts. Silence and lack of action are not viable options at this time. The international community in general, and the Security Council in particular, must participate in a serious manner in a peacebuilding process in Somalia. Such a process would send the right message to the Somali people, to subregional and regional organizations and to international donors. It would help strengthen the ongoing process of national reconciliation and thereby help support the efforts of the Transitional Federal

Government of Somalia to achieve peace and reconciliation in the country.

See link for full statement:

<http://www.responsibilitytoprotect.org/index.php?module=uploads&func=download&fileId=503>

IV. Crisis in Darfur

1. Annan: 'Hypocrisy' in Global Response to Darfur

CNN

21 March 2008

(...) Former U.N. Secretary-General Kofi Annan questioned whether all countries on the Security Council have lived up to their **responsibility to protect** civilians in Darfur from atrocities.

Annan said there was "quite a bit of hypocrisy on all sides" in trying to resolve the five-year conflict in Sudan's Darfur region, especially in encouraging the African Union to take on peacekeeping without sufficient resources.

"It is fair to question whether all of them have yet fully lived up to that responsibility -- notably in Darfur," Annan said.

He did not single out any countries on the council, which unanimously passed a resolution authorizing a joint A.U.-U.N. force last year.

China and Russia, two of the five permanent members of the council, have been reluctant to impose new sanctions on the Sudanese government, which has been accused of atrocities in a conflict that has left more than 200,000 people dead and displaced 2.5 million.

Recently Russia proposed sanctioning the ethnic African rebels fighting the Arab-dominated government. But the other three permanent council members -- the United States, Britain and France -- have stressed that Sudan's leaders must also be targeted.

As secretary-general, Annan promoted the concept of an international "**responsibility to protect**" those caught in conflict that was adopted by world leaders at a 2005 summit. He also played a key role in the establishment of the International Criminal Court, the world's first permanent war crimes tribunal ()

To read the full article, please go to:

<http://www.cnn.com/2008/WORLD/africa/03/21/annan.darfur.ap/index.html>

2. Annan Plays Down Suggestions He Could Mediate Darfur

Reuters

Claudia Parsons

20 March 2008

(...) Former U.N. Secretary General Kofi Annan dismissed suggestions on Thursday [March 20, 2008] he might take on the job of mediating in the Darfur crisis in Sudan.

A Darfur rebel group, the Justice and Equality Movement (JEM), on Sunday demanded direct peace talks with the Sudanese government and said Annan should mediate.

Annan, who recently brokered an end to a crisis in Kenya, told reporters in New York part of the reason for his success there was having a single mediator speaking with one voice for the international community.

(...) U.N. envoy Jan Eliasson and African Union envoy Salim Ahmed Salim are leading efforts to mediate between various rebel groups and the Khartoum government to end a war that began in 2003 when non-Arab rebels took up arms.

Annan said he had talked with Salim and Eliasson about the rebel group's call for him to get involved, and advised the two mediators to carry on doing their jobs.

Salim and Eliasson had hoped to end the conflict with negotiations that started in the Libyan city of Sirte in October. But JEM and other prominent rebel bodies boycotted the talks and they fizzled out.

Eliasson and Salim have been trying to persuade rebel groups to arrange fresh negotiations ever since, but only a handful of factions have agreed.

(...) Annan said the crisis raised doubts about whether the international community, through the United Nations, was living up to its "**responsibility to protect**" -- a principle adopted by U.N. member states officially in 2005. (...)

To read the full article, please visit:

<http://africa.reuters.com/wire/news/usnN20183930.html>

3. EU Turns up Heat on China over Darfur Crisis and Divest from PetroChina

Sudan Tribune

18 March 2008

(...) The European parliament took an unprecedented step to sanction China over its unwillingness to pressure Sudan to halt violence in Darfur.

The Independent newspaper reported that the EU divested the shares it owned in Chinese oil

giant PetroChina.

The latest move by the EU will likely worry policymakers in Beijing who are desperately trying to contain growing criticism for shielding Khartoum from sanctions in the UN Security Council.

(...) Glenys Kinnock, who led the campaign among members of the parliament said that "the sale of the stockholdings in PetroChina sends a very clear signal that the European Parliament abhors that company's links with a regime which does little to end the violent conflict in Darfur".

(...) A divestment campaign from companies that has financial dealings with Sudan has been launched in different parts of the world particularly in the US.

Last December US president George Bush signed into a law a bill overwhelmingly endorsed by the Congress to support divestment activities in Sudan. (...)

For more information, please go to:

<http://www.sudantribune.com/spip.php?article26401>

4. Failure to Protect: International Response to Darfur Genocide

Harvard International Review

By Eric Reeves

Winter 2008

International failure in responding to genocide in Darfur should be occasion for the deepest shame. Inaction has already cost hundreds of thousands of lives and caused untold human suffering - but the catastrophe is far from over. The example of Darfur should prompt considerable reflection on whether the world community feels any "**responsibility to protect**" civilians endangered because of inaction, or indeed deliberate actions, on the part of their own governments and regimes. Have we reached the point in confronting atrocity crimes at which we put civilian lives ahead of expedient claims of national sovereignty? An answer in the abstract was provided by all UN member states in September 2005. At that time, countries declared themselves "prepared to take collective action, in a timely and decisive manner, through the Security Council" when national authorities fail to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

We know - from a staggering number of human rights reports and assessments, and myriad accounts from journalists and humanitarians in the region - the relevance of this clause to events in Darfur. ()

(...) Resolution 1706 was the real moment of decision for accepting a "**responsibility to protect**" in the face of Khartoum's defiant claims of "national sovereignty" - and the international community blinked. Inevitably, this encouraged Khartoum to cleave all the more insistently to the DPA, in which no international guarantors are stipulated as part of security provisions. Further peace talks can

accomplish little if the international community is not willing to press Khartoum for meaningful compliance with previous commitments.

(...) Khartoum will be persuaded that the international community is serious only if deployment of the force recently authorized by resolution 1769 is clearly under UN command, and if it is made plain that obstructionism by the regime will be met with harsh sanctions. It must be understood that military force will be used against any armed elements that impede deployment or operations of the authorized force. Selection of the components of the deploying force must rest squarely with the UN department of Peacekeeping operations (DPKO); Jean-Marie Guehenno, head of UN DPKO, should insist that the African Union have only an advisory role in the selection of troops and civilian police. Critically, the militarily capable western nations that have been scandalously laggard in providing key transport, logistical, and tactical air resources must be urgently forthcoming. Civilian police and military observers should be deployed on a highly expedited basis to the most insecure and volatile areas, with adequate military protection.

On the political front, China must be convinced to cease protecting its client state from real diplomatic pressure. Here advocacy efforts focusing on Beijing's hosting of the 2008 Summer Olympics have been much more effective than those of western governments. European nations must be prepared to suspend diplomatic relations in the event that Khartoum cleaves to its obstructionist ways, and they should be prepared to impose economic sanctions as robust as those of the United States. (...)

*ERIC REEVES is a professor of English Language and Literature at Smith College in Massachusetts. He has spent the past nine years as a Sudan researcher and analyst. He is the author of the recently released *A Long Day's Dying: Critical Moments in the Darfur Genocide*.*

Source:

<http://www.harvardir.org/articles/1715/1/>

V. Crisis in Kenya

1. Report from OHCHR Fact-Finding Mission to Kenya, 6 28 February 2008
United Nations High Commissioner for Human Rights
19 March 2008

The Office of the UN High Commissioner for Human Rights (OHCHR) issued a report on Wednesday based on a three-week mission of a OHCHR fact-finding team that visited Kenya in February to investigate the grave violence which engulfed the country in light of the disputed presidential election of December 27, 2007. The report identifies three "distinct but sometimes concurrent patterns of violence" and makes a number of recommendations related to the commitments made in the context of the power-sharing dialog to carry out reforms. Strong

*emphasis is laid on the importance of accountability for addressing the underlying problems and preventing further outbreaks. OHCHR arrives at the conclusion that while irregularities in the election process were the primary trigger of the violence, a number of underlying causes including discrimination, poverty and disenfranchisement fuelled the Kenyan crisis. The report includes a section on the state **responsibility to protect**.*

To access the OHCHR report, please follow the link:

<http://www.ohchr.org/Documents/Press/OHCHRKenya-report.pdf>

For media release, please refer to:

<http://www.irinnews.org/Report.aspx?ReportId=77360>

2. Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance

Human Rights Watch

March 2008

*Human Rights Watch released in March 2008 an elaborate report on the severe post-election Kenyan crisis. The report, namely Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance, examines the background of the long-term governance crisis in Kenya, puts emphasis on the grave human rights violations in the context of the general election, gives a detailed account of the organized violence that took place in the Rift Valley, and provides the Kenyan and foreign governments with recommendations on accountability, internally displaced people and preservation of human rights. Furthermore, HRW report concludes that the response of the international community to the Kenyan crisis could be considered an example of diplomatic action under the '**Responsibility to Protect**' principles.*

To read HRW report, please visit:

<http://hrw.org/reports/2008/kenya0308/kenya0308webwcover.pdf>

VI. Featured Reports

1. Ninth Periodic Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in the Sudan -- Attacks on Civilians in Saraf Jidad, Sirba, Silea and Abu Suruj in January and February 2008

20 March 2008

The report of the UN High Commissioner for Human Rights contains the findings of the investigation conducted by UNAMID Human Rights into the January and February attacks on the villages of Saraf Jidad, Sirba, Silea and Abu Suruj in West Darfur. It examines the

background and context, provides details of the attacks on Saraf Jidad, Sirba, Abu Suruj and Silea, and gives recommendations to the Government of Sudan, the parties involved in the conflict in Darfur, as well as the international community.

Link to report:

<http://www.ohchr.org/Documents/Press/WestDarfurreport2003.pdf>

Media release available at:

<http://www.irinnews.org/report.aspx?ReportId=77400>

2. Sudan's Comprehensive Peace Agreement: Beyond the Crisis

International Crisis Group

Africa Briefing # 50

13 March 2008

The March 13 Policy Briefing of the International Crisis Group, Sudan's Comprehensive Peace Agreement: Beyond the Crisis, describes that the crisis over the 2005 Comprehensive Peace Agreement (CPA) at the end of 2007 was settled but myriads of underlying problems and factors still pose a threat to the deal. The ICC Africa Briefing # 50 investigates the anatomy of the crisis between the NCP and the SPLM, the visions, strategies and future implications of both parties, as well as the major issues and challenges listed by SPLM as justification for its suspension. The briefing underlines the exigent need for the Sudanese political forces to urgently re-commit to full CPA implementation and for the international community to re-engage robustly in support of the still shaky deal for the purposes of finally achieving peaceful environment in the Darfur region.

To view the ICC Policy Briefing, please go to:

http://www.crisisgroup.org/library/documents/africa/horn_of_africa/b50_sudan_cpa_beyond_the_crisis.pdf

To read the media release, visit:

<http://www.crisisgroup.org/home/index.cfm?l=1&id=5329&m=1>

3. The **Responsibility to Protect (R2P)**: A Way Forward or Rather Part of the Problem?

Foreign Voices 1

By Thelma Ekiyor and Mary Ellen O'Connell

February 2008

*In this issue of Foreign Voices, Thelma Ekiyor from the West Africa Civil Society Institute (WACSI) and Professor Mary Ellen O'Connell from the University of Notre Dame, Indiana, discuss whether the principle of the "**responsibility to protect**" (**R2P**) means a way forward in dealing with atrocity crimes or if it rather causes new problems.*

To view the report, please visit:

<http://wfm-igp.net/exchange/wfmint5@wfm-igp.org/Inbox/next%20LS.EML/foreign-voices-1-2008%5B1%5D.pdf/C58EA28C-18C0-4a97-9AF2-036E93DDAFB3/foreign-voices-1-2008%5B1%5D.pdf?attach=1>