

9 December 2008

Responsibility to Protect-Engaging Civil Society

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I. UN Security Council Working Group on Conflict Prevention and Resolution in Africa holds meeting on the Responsibility to Protect

II. 60 Years since the Convention on the Prevention and Punishment of the Crime of Genocide

1. SECRETARY-GENERAL SAYS GENOCIDE NOT CONSIGNED TO HISTORY; VIGILANCE, WILLINGNESS TO ACT AS IMPORTANT TODAY AS EVER
2. SPEECH BY UNITED NATIONS HIGH COMMISSIONNER FOR HUMAN RIGHTS NAVY PILLAY
3. **GENOCIDE PREVENTION TASK FORCE: ALBRIGHT AND COHEN DELIVER BLUEPRINT FOR U.S. GOVERNMENT TO PREVENT GENOCIDE AND MASS ATROCITIES**

III. Obamas Appointee as U.S. Ambassador to the U.N. Susan Rice

1. NEW YORK TIMES--CHOICE FOR U.N. BACKS ACTION AGAINST MASS KILLINGS

IV. Featured Book Release

1. THE RESPONSIBILITY TO PROTECT THE GLOBAL MORAL COMPACT OF THE 21ST CENTURY

V. R2P and DRC

1. INTERVIEW WITH ALAN DOSS, SECRETARY GENERALS SPECIAL REPRESENTATIVE IN THE DRC
2. MARK BURGESSAVING CONGO: WHITHER THE EU?
3. OPEN LETTER TO GORDON BROWN AND OTHER EU HEADS OF STATES ANTHONY GAMBINO.S. MUST PRESS FOR EXPANDED ON U.N. PEACEKEEPING MANDATE IN CONGO

VI. R2P and Zimbabwe

1. THE TIME COMES FOR INTERVENTION TO REMOVE MUGABE
2. CONDOLEEZA RICE INTERVIEWWOMMENTS ON BURMA, ZIMBABWE
3. AS THE WORLD FUDGES, ZIMBABWEANS SHOULD ACT TO END THEIR NIGHTMARE

VII. R2P in the News

1. GARETH EVANS STRONG AND PRINCIPLED BASIS FOR RESPONSE

VIII. Featured reports

1. PREVENTATIVE STRATEGIES FOR CHILDREN AND ARMED CONFLICT
2. SEMINAR REPORT EXT STEPS FOR CIVIL SOCIETY IN ADVANCING THE RESPONSIBILITY TO PROTECT

I. UNSC Working Group on Conflict Prevention and Resolution in Africa holds meeting on the Responsibility to Protect

On 1 December 2008, the Security Council Working Group on Conflict Prevention and Resolution in Africa held an Arria meeting on the **Responsibility to Protect**. Chaired by South Africa, the group heard from keynote speakers Special Advisor to the Secretary General with a focus on the **Respo**
nsibility to Protect

Edward Luck, A.U. Representative H.E. Mrs. Lila Hanitra Ratsifrandrihamanana, and Nicola Reindorp, director of Advocacy at the Global Centre for the Responsibility to Protect. Human Rights Watch, International Crisis Group, the Security Council Report and the World Federalist Movement-Institute for Global Policy were also invited in the debate with Security Council Member States. It is the hope of the WFM-IGP that this debate contributed to the normative evolution of R2P at the UN, and that it also assisted in preparing governments for a debate in the General Assembly next year.

Some prepared statements have been made available:

Special Representative to the Secretary General Edward Luck: <http://www.responsibilitytoprotect.org/index.php/eupdate/1965>

Director of Advocacy at the Global Centre for R2P Nicola Reindorp:
http://www.responsibilitytoprotect.org/index.php/civil_society_statements/1973

Executive Director of World Federalist Movement William Pace:
http://www.responsibilitytoprotect.org/index.php/civil_society_statements/1971

II. 60 Years since the Convention on the Prevention and Punishment of the Crime of Genocide

1. SECRETARY-GENERAL SAYS GENOCIDE NOT CONSIGNED TO HISTORY; VIGILANCE, WILLINGNESS TO ACT AS IMPORTANT TODAY AS EVER

9 December 2008

Following is UN Secretary-General Ban Ki-moons message on the sixtieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, observed 9 December:

Sixty years ago today, the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide. The Convention was a direct outcome of the attempted extermination of the Jewish people during the Holocaust, and ever since has embodied the aspiration of the United Nations to prevent such a horror from occurring again.

The Convention compels signatory States to prevent and to punish the crime of genocide - to act against those who kill or commit other grave acts with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such. Under the Convention, attempts to commit genocide and public incitement to genocide are punishable acts.

The work of the United Nations to prevent genocide encompasses a wide range of activities. In the broadest sense, we promote human rights, the rule of law and the fundamental equality of all people. Through its global presence, the Organization provides practical assistance to States in building democratic institutions and resolving disputes through peaceful means. We have established an office dedicated to genocide prevention. And in 2005, Member States agreed unanimously on a new, groundbreaking global norm, the **responsibility to protect**, which aims to keep national leaders from hiding abuses behind the false cloak of sovereignty. ()

Despite these efforts, the world has continued to witness appalling acts that violate human dignity. Too often, the international response has been inadequate. Far from being consigned to history, genocide and its ilk remain a serious threat. Not just vigilance, but a willingness to act are as important today as ever.

On this anniversary, I call on those States that have not already done so to accede to the Convention. I urge all States to implement the Convention, and to support our efforts to prevent genocide and other serious human rights violations that may degenerate into genocide. Preventing genocide is a collective and individual responsibility. We must do everything in our power to ensure that our children may live free from the fear of being killed because they belong to an ethnic, national, religious or racial group.

Source: http://7thspace.com/headlines/299527/on_sixtieth_anniversary_of_convention_secretary_general_says_genocide_not_consigned_to_history_vigilance_willingness_to_act_as_important_today_as_ever.html

2. Prevention and punishment are key 60th anniversary of the Genocide Convention
Office of the High Commissioner for Human Rights
10 December 2008

The ultimate responsibility for preventing genocide lies with states, United Nations High Commissioner for Human Rights Navi Pillay says on 9 December, as the world marks the 60th anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention).

The High Commissioner also emphasizes the need to punish genocide perpetrators. () As of today, 140 states have ratified the Genocide Convention. The High Commissioner says that while the international community shares a collective responsibility to prevent genocide, individual states have a primary role and a higher stake in putting a stop to the crime.

he ultimate responsibility for preventing genocide lies with states. The UN has done a great deal to draw attention to this but what states should do, in my view, is to incorporate these serious crimes in their national legislation, to set up human rights organizations, to have independent judiciaries, to promote education and proper values so that individuals will be insulated from propaganda [] that encourages them to kill their neighbours, she stresses. ()

To commemorate the 60th anniversary of the Convention, OHCHR is organizing a seminar next January on the prevention of genocide.

Source: <http://www.ohchr.org/EN/NewsEvents/Pages/GenocideConvention.aspx>

3. Genocide Prevention Task Force Delivers Blueprint for U.S. Government to Prevent Genocide and Mass Atrocities
Genocide Prevention Task Force
8 December 2008

The Genocide Prevention Task Force was launched on November 13, 2007 and released its report to the public on December 8, 2008. It was jointly convened by the U.S. Holocaust Memorial Museum, the American Academy of Diplomacy, and the U.S. Institute of Peace. It was funded by private foundations. Its goals were: (1) To spotlight genocide prevention as a national priority; and; (2) To develop practical policy recommendations to enhance the capacity of the U.S. government to respond to emerging threats of genocide and mass atrocities.

Executive Summary:

The Genocide Prevention Task Force today released its final report on the eve of the 60th anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide. The report makes the case for why genocide and mass atrocities threaten core American values and national interests, and how the U.S. government can prevent these crimes in the future.

Jointly convened by the United States Holocaust Memorial Museum, The American Academy of Diplomacy, and the United States Institute of Peace, the Task Force began its work last November with the goal of generating concrete recommendations to enhance the U.S. governments capacity to recognize and respond to emerging threats of genocide and mass atrocities.

he world agrees that genocide is unacceptable and yet genocide and mass killings continue, said Madeleine K. Albright, former Secretary of State and Co-Chair of the Genocide Prevention Task Force. e believe that preventing genocide is possible, and that striving to do so is imperative both for our national interests and our leadership position in the world.

his report provides a blueprint that can enable the United States to take preventive action, along with international partners, to forestall the specter of future cases of genocide and mass atrocities, said William S. Cohen, former Secretary of Defense and Co-Chair of the Genocide Prevention Task Force. here is a choice for U.S. policymakers between doing nothing and large-scale military intervention. We hope this report will help us utilize those options.

Other Members of the Genocide Prevention Task Force include: John Danforth, Thomas Daschle, Stuart Eizenstat, Michael Gerson, Dan Glickman, Jack Kemp, Gabrielle Kirk McDonald, Thomas R. Pickering, Vin Weber, Anthony Zinni, and Julia Taft who passed away earlier this year.

The report, which is entitled reventing Genocide: A Blueprint for U.S. Policymakers, asserts that genocide is preventable, and that making progress toward doing so begins with leadership and political will. The report provides 34 recommendations, starting with the need for high-level attention, standing institutional mechanisms, and strong international partnerships to respond to

potential genocidal situations when they arise; it lays out a comprehensive approach, recommending improved early warning mechanisms, early action to prevent crises, timely diplomatic responses to emerging crises, greater preparedness to employ military options, and action to strengthen global norms and institutions.

We are keenly aware that the incoming president's agenda will be massive and daunting from day one, Secretaries Albright and Cohen noted. Preventing genocide and mass atrocities is not an idealistic add-on to our core foreign policy agenda. It is a moral and strategic imperative. The Task Force calls for the development of a new government-wide policy on genocide prevention, which would include the following specific actions designed to better equip the U.S. government to prevent genocide and mass atrocities:

Having the president himself demonstrate that preventing genocide is a national priority, for example by an early executive order, and continuing public statements on genocide prevention.

Creating an interagency Atrocities Prevention Committee at the National Security Council to analyze threats of genocide and mass atrocities and consider appropriate preventive action.

Making warning of genocide or mass atrocities an automatic trigger of policy review.

Developing military guidance on genocide prevention and response and incorporating it into doctrine and training.

Preparing interagency genocide prevention and response plans for high-risk situations.

Investing \$250 million in new funds for crisis prevention and response, with a portion of this available for urgent activities to prevent or halt emerging genocidal crises.

Launching a major diplomatic initiative to create an international network for information-sharing and coordinated action to prevent genocide and mass atrocities.

Providing assistance to build capacity of international partners including the UN and regional organizations to prevent genocide and mass atrocities.

The report concludes that the core challenge for American leaders is to persuade others in the U.S. government, across the United States, and around the world, that preventing genocide is more than just a humanitarian aspiration, but a national and global imperative.

More information:

Chapter 6, entitled International Action: Strengthening Norms and Institution, includes a section on advancing normatively and operationally the **Responsibility to Protect**, described as the potentially most important normative advance in relation to the threat of mass atrocities since the 1948 adoption of the Genocide Convention:

http://www.usmmm.org/conscience/taskforce/html_report/chapter6.php

To download the full report: <http://www.usmmm.org/conscience/taskforce/>

III. Obamas Appointee as U.S. Ambassador to the U.N. Susan Rice

1. Choice for U.N. Backs Action against Mass Killings

The New York Times

Peter Baker

30 November 2008

President-elect Barack Obama has chosen his foreign policy adviser, Susan E. Rice, to be ambassador to the United Nations, picking an advocate of dramatic action against genocide as he rounds out his national security team, Democrats close to the transition said Sunday. () The choice of Ms. Rice to represent the United States before the United Nations will make her one of the most visible faces of the Obama administration to the outside world aside from Mrs. Clinton. It will also send to the world organization a prominent and forceful advocate of stronger action, including military force if necessary, to stop mass killings like those in the Darfur region of Sudan in recent years.

To reinforce his intention to work more closely with the United Nations after the tensions of President Bush's tenure, Mr. Obama plans to restore the ambassador's post to cabinet rank, as it was under President Bill Clinton, according to Democrats close to the transition.

While the cabinet consists of 15 department heads, a president can give other positions the same rank for the duration of his administration.

She is obviously one of Obama's closest advisers, so it underscores how much of a priority she is making the position, said Nancy Soderberg, a senior United States diplomat at the United Nations under Mr. Clinton. If you look at the last eight years, we obviously need to be more engaged at the U.N. and realistic about what the U.N. can do. ()

During her first run at the State Department, Ms. Rice was a point person in responding to Al Qaeda's 1998 bombing of United States Embassies in Kenya and Tanzania. But her most searing experience was visiting Rwanda after the 1994 genocide when she was still on the N.S.C. staff. As she later described the scene, the hundreds, if not thousands, of decomposing, hacked up bodies that she saw haunted her and fueled a desire to never let it happen again. She swore to herself that if I ever faced such a crisis again, I would come down on the side of dramatic action, going down in flames if that was required, she told *The Atlantic Monthly* in 2001. She eventually became a sharp critic of the Bush administration's handling of the Darfur killings and last year testified before Congress on behalf of an American-led bombing campaign or naval blockade to force a recalcitrant Sudanese government to stop the slaughter.

Jerry Fowler, president of the Save Darfur Coalition, praised the pending Rice nomination on Sunday, calling it a powerful sign of the new president's interest in the issue. The coalition is urging Mr. Obama to begin a peace surge of sustained diplomacy to address the continuing problems in Sudan. It sends a very strong signal about his approach to the issue of Sudan and Africa in general, Mr. Fowler said. ()

Source: <http://www.nytimes.com/2008/12/01/us/politics/01rice.html?ref=world>

To see some of Mrs. Rice's previous writings on **R2P**, please refer to the following:

1. The Evolution of Humanitarian Intervention and the Responsibility to Protect, July 2007 http://www.brookings.edu/articles/2007/07_human_rights_rice.aspx
2. The escalating crisis in Darfur, Speech given before the House Committee on Foreign Affairs, 8 February 2007: http://www.brookings.edu/testimony/2007/0208africa_rice.aspx
3. The Genocide in Darfur: America Must Do More to Fulfill the Responsibility to Protect, 2007 http://www.brookings.edu/papers/2007/1024darfur_rice_Opp08.aspx

IV. Featured Book Release

1. New Book Release--Responsibility to Protect: The Global Moral Compact for the 21st Century by Richard Cooper and Juliette Voinov Kohler

Richard Cooper is the Convenor of the Responsibility to Protect Coalition and Founder of General Welfare Group LLC. Juliette Voinov Kohler is a Swiss international lawyer and Deputy Convenor of the **Responsibility to Protect** Coalition in 2006-2007.

Executive Summary:

In 2005, the international community unanimously endorsed a revolutionary norm that has the potential to end genocide and other atrocity crimes in our time. Despite its endorsement at the highest political level and the general feeling of the American public that something needs to be done to prevent and stop atrocity crimes, the **Responsibility to Protect (R2P)** is very much absent from public thinking and the political agenda in the United States. Written by a stellar cast of authors, this book informs the public and leadership about

R2P

and its potential. It will also influence the academic, community and political debates by providing crucial insights on how to move

R2P

from rhetoric to action.

RESPONSIBILITY TO PROTECT: The Global Moral Compact for the 21st Century Palgrave MacMillan, 2008

Many leading experts on the R2P have contributed to this book, including Gareth Evans (Executive Director International Crisis Group), Kenneth Roth (Executive Director, Human Rights Watch), Cherif Bassiouni, (President Emeritus, Human Rights Law Institute) William Schulz (previous director of Amnesty International USA), Mary Page (Director of Human Rights and International Justice, MacArthur Foundation), Lee Feinstein (senior fellow at the Council on Foreign Relations) and many others. **R2P-CS has also contributed to the book with a chapter entitled realizing the Responsibility to Protect During Emerging and Acute Crises: A Civil Society Proposal for the United Nations by Bill Pace, Nicole Deller and Sapna Chhatpar**

For more information on the table of contents and on how to obtain the work, please refer to: <http://us.macmillan.com/responsibilitytoprotect#toc>

V. R2P and DRC

1. What Kind of Peace is there to keep in Congo?

Alex Perry

TIME Magazine

24 November 2008

The following interview is with Alan Doss, the Secretary Generals Special Representative in the

DRC. He was formally the director of peacekeeping operations in Liberia, Cote d'Ivoire and Sierra Leone.

[Time] How do you explain the attacks on U.N. compounds in Goma?

[Doss]: It's a combination of things. There is a huge amount of genuine frustration. Then there's the recent outbreak of fresh hostilities. Sometimes the popular frustration is manipulated by political forces to advance their own agenda. The problem is simply practical. There are 10 million people in North and South Kivu, and we have less than 10,000 soldiers there. ()

Congo is the size of Western Europe, without roads. That's the scale of the problem. We cannot be everywhere all of the time. It's not indifference; far from it. We are there as part of a peace process that has collapsed. That's been made worse by the FARDC. It's a very difficult situation to manage. It's not indifference or unwillingness or inability. It's trying to be everywhere at the same time. I think it's also important to remember that the **responsibility to protect** is first and foremost a national responsibility. Armed groups who perpetrate violence need to be held to account. Look at what happened at Kiwanja [on Nov. 5, more than 50 people in that village were massacred in two waves, first by Mai Mai guerrillas, then by opposing soldiers from rebel Tutsi leader Laurent Nkunda's forces.] These are war crimes.

But people living in the area say they just don't see MONUC, that MONUC is almost an irrelevance in their lives.

() I would be less than honest if I said we can guarantee the protection of every civilian. We were brought in as a peacekeeping force, and we have now had to take on some dimensions of peace enforcement. Self-protection is part of the soldiers' motivation and that's the right of every armed force. But [MONUC forces] don't just hunker down in their bases. They are out on patrol. Even so, if something bad is happening in a house a kilometer away, we cannot really prevent that.()

The Responsibility to Protect [or R2P, a concept of humanitarian intervention] was only adopted by the U.N. in 2005. How much is MONUC feeling its way here? Is MONUC an experiment?

R2P is a huge step forward ... But the question remains: How do we actually do it? We have come up against the sharp end of **R2P**. We can claim that responsibility, but actually doing that in North Kivu, with a collapsing army, a resurgence of ethnic groups well, that raises fundamental questions. When we make these statements, we have to be careful that we have the means to match our mandate.

Is peacekeeping a stopgap solution rather than a long term one? If so, does that mean peacekeeping can never have great moments of achievement?

There are a number of peacekeeping missions. We try to be a help to the process of national political accommodation. We can never substitute for that, however; only bolster the forces taking part and help stabilize the nation. We assist the national process, but we do not replace it. We're not NATO. We're not an army of occupation. We're not a colonial army. We're never going to take on points of responsibility that a national power can do. That's our strength, but it also requires you to think: What can we expect of a peacekeeping force?

Source: <http://www.time.com/time/world/article/0,8599,1861498,00.html>

2. Saving Congo: Whither the EU?

Foreign Policy in Focus

Mark Burgess

4 December 2008

Mark Burgess is the Director of the World Security Institute in Brussels.

The conflict in the DRC notionally ended in 2003 but continues to smolder. On occasion the violence erupts to levels sufficient to grab world headlines, even in a West otherwise obsessed with the incoming U.S. administration and the ongoing economic crisis. The DRC has suffered an estimated 5.4 million war-related deaths since 1998. It also has seen the deployment of the UN's largest peacekeeping operation, MONUC. However, as current developments show, this force is all but impotent in a place where there is often little peace to keep. Meanwhile, as before, the fighting in DRC is drawing in combatants from neighboring countries.

Underlying this is the lack of a robust mandate, rules of engagement, capabilities, and unified mindset for MONUC. Its a force patently underprepared for the task at hand, even if reasonably equipped for most other UN missions. The UN recently voted to increase the number of peacekeepers in DRC by 3,000, to just over 20,000 troops. However, it remains unclear where these troops will come from and how long it will take them to deploy. Its also far from certain that even an enlarged and empowered MONUC would prove up to the task at hand.

The EU's Added Value

() Two battle groups are maintained on rotation at any one time. Currently the on-call groups are French, German, and British. Deploying one of these on-call groups could greatly bolster MONUC, providing much needed protection for civilians and ensuring aid gets to those who need it. Such a dispatch of troops would also breathe life into the **Responsibility to Protect** Doctrine, endorsed by world leaders at a UN summit in 2005. This use of force would not solve the DRC's problems by any stretch. But it would save lives and buy time while diplomats address the political dimension, where the EU could also play a leading role.

That the EU has such a **responsibility to protect** is beyond argument. All its members signed on to the concept three years ago. Indeed, given their colonial history in Central Africa, EU members such as Belgium and France arguably have a greater moral responsibility than most to do something about the DRC's ongoing agonies. In fairness, both countries, together with Spain, have expressed some willingness to provide troops for any such action. The UK also suggested that EU military intervention (if not British) is a possibility. French Foreign Minister Bernard Kouchner, meanwhile, led calls for such a move and for strengthening MONUC's mandate, rules of engagement, and troop levels.

Beyond the EU

Other countries, such as the United States, can and should play a part. Indeed, with people like Susan Rice and Gayle Smith, strong advocates for an increased U.S. role in halting such atrocities, playing key roles in the incoming Obama administration, Washington will likely

increase its engagement on the subject. () The EU's security strategy proclaims grandly that "Europe should be ready to share in the responsibility for global security and in building a better world." This noble sentiment rings false in the face of the continued failure to dispatch an EU battle group to the DRC. A Europe that will not act decisively to help ameliorate crises such as the one currently underway in Central Africa may encounter significant obstacles to being a major actor in international affairs. Conversely, a Europe that acts can burnish its credentials in this regard. If the moral imperative to intervene is insufficient on its own, perhaps this second consideration will force the matter. Those suffering and displaced in the DRC are unlikely to take exception to such impure motives.

Source: <http://www.fpif.org/fpiftxt/5715>

3. Open Letter to Gordon Brown and European Heads of State
Group of High Profile Signatories
27 November 2008

Former Presidents, Prime Ministers, Diplomats, Nobel Peace Prize winners, religious leaders, and Military Commanders wrote an Open Letter to UK Prime Minister Gordon Brown and other European heads of State calling for an EU force to be deployed to the Eastern DRC.

Dear Prime Minister,

As you will be aware, the situation in the Eastern DRC is a clear humanitarian catastrophe. The United Nations has already documented massacres, rape and the forced recruitment of children and the peacekeeping force on the ground is currently unable to protect the hundreds of thousands of civilians at risk.

To those of us who have worked on such issues for some time, current events bring back painful memories of Rwanda and Srebrenica, mass atrocity crimes world leaders promised to prevent when they agreed at the World Summit in 2005 that they had a **responsibility to protect** populations from genocide, ethnic cleansing, war crimes and crimes against humanity.

() We all strongly support an end to impunity; an army that protects its own civilians rather than preys on them and an inclusive political process. It will be critical for President Olusegun Obasanjo in his role as Special Envoy to receive high level support over the coming months if it is to be successful.

But it is also clear that the political track will take time to yield results and would suffer badly from any sudden destabilisation that could take place at any moment. While the UN has authorised an additional 3,000 troops it will likely take between three and six months to deploy them. The Congolese people cannot wait.

The UN Special Representative to the DRC has called for an interim force to deploy immediately to protect civilians and support the UN peacekeepers until reinforcements can arrive. It is increasingly clear that the EU is best placed - through its standing battle groups - to

play this role and deploy now.

We urge you to speedily agree to the temporary deployment of an EU force. In our view this would help protect the lives of hundreds of thousands of civilians currently at risk.

It needs your personal political leadership to make sure this happens and ensure ever again really means never again.

Yours,

Lloyd Axworthy, former Canadian Foreign Minister

Jorge Castaneda, former Mexican Secretary of Foreign Affairs

Lieutenant-General Romo Dallaire (Retired), Canadian Senator and former Force Commander of the United Nations Assistance Mission to Rwanda

Vaclav Havel, writer and former President of the Czech Republic

Frederik Willem de Klerk, Nobel Peace Laureate and former President of South Africa

Jan Egeland, Director of the Norwegian Institute of International Affairs, former UN Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator

Joschka Fisher, former German Foreign Minister and Vice Chancellor

Richard Goldstone, former Chief Prosecutor of the UN International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Juan Mendez, President of the International Center for Transitional Justice, former Special Advisor to the Secretary General on the Prevention of Genocide

Mike Moore, former Director General of the World Trade Organisation, former Prime Minister of New Zealand

Archbishop Njongo Ndungane, former Anglican Archbishop of Cape Town

Bishop Monsengwo Pasinya Laurent, Head of the Catholic Church in Kinshasa

Mary Robinson, President of Realizing Rights, former President of Ireland and UN High Commissioner for Human Rights

George Soros, Chairman of the Open Society Institute

El Hassan bin Talal, Prince, Jordan

Archbishop Emeritus Desmond Tutu, Nobel Peace Laureate

The Rt Reverend Michael Scott-Joynt, Bishop of Winchester

Richard Dowden, Author of Africa: Altered States, Ordinary Miracles

Tom Stoppard, Playwright

Source: <http://www.oxfam.org.uk/applications/blogs/pressoffice/?p=2532>

4. U.S. Must Press for Expanded UN Peacekeeping Mandate in Congo

The Huffington Post

Anthony Gambino

25 November

Anthony Gambino is an independent consultant on international development and author of a recent report for the Council on Foreign Relations called Congo: Securing Peace, Sustaining Progress. Previously, he was the USAID Director for the Congo and other countries in the Great Lakes Region of Central Africa. He monitored elections in the Congo in 2006.

Although Congo is not in the daily news today as much as it was a few weeks ago, make no mistake, eastern Congo continues to descend ever more deeply into a humanitarian hell. Hundreds of thousands of people have been displaced over the last few months, in addition to the more than one million people who had already fled their homes. Rampant sexual violence against girls and women, reportedly the worst in the world, continues unabated.

Insecurity in eastern Congo is a threat to the entire region. If the violence persists, there is very little to prevent it from spilling over volatile borders with Rwanda and Uganda, igniting another conflict that could pull in states from around the continent, as in the late 1990s when African armies from Angola to Zimbabwe fought in the Congo. ()

Eastern Congo is buried in multiple layers of violence. The current displacement and violence is layered on top of the struggle between the Congolese government and the CNDP of Laurent Nkunda. That is on top of the horrific abuses committed over the last fourteen years by a militia group, now called the FDLR, led by Hutus who were involved in the 1994 Rwandan genocide. That layer sits on top of the spillover of the genocide itself into eastern Congo. Under that layer is one of longstanding ethnic enmity and conflict over land and other resources that predates the tragedy in Rwanda.

All these layers of conflict and violence ultimately must be addressed. But how? As I argue in a recent Council on Foreign Relations report, underneath these layers is the longstanding ineptitude and inability of the Congolese army to establish and maintain control over territory in eastern Congo. Reports from Goma and throughout eastern Congo demonstrate that they are closer to a band of looters than an effective fighting force. ()

In 2005, the UN adopted a principle known as the "**responsibility to protect**," which requires the international community to protect a country's citizenry when their government cannot. This is clearly the situation in the Congo today, and the international community must step up and do what is necessary to achieve stability and end the violence raging throughout the region. ()

Just two years ago, the situation was much brighter. MONUC brought this chaos under control in mid-2006 and could do so again. I was an elections monitor in Goma in 2006, traveling throughout North Kivu, which, then as now, was dominated by forces loyal to the rebel Laurent Nkunda. North Kivu, if not completely secure, was calm that summer. Nkunda's troops were not fighting. Instead, many were deserting his movement, which appeared to be getting weaker by the day.

On election day, July 30, 2006, there was not a single incident of violence anywhere in North Kivu because MONUC was given the specific mission to guarantee that the elections succeeded. MONUC soldiers, deployed throughout North Kivu in advance of the election, made it clear to Nkunda and other rebel leaders that interference in the electoral process would not be tolerated. ()

No political agreement will hold as long as eastern Congo, with its rich mineral resources, remains lawless. Once order is re-established, then talks between Nkunda, other militias, and the Congolese government are far more likely to succeed, and the people of eastern Congo,

who thought they were voting for a brighter future when they went to the polls in July 2006, might finally have a chance at the peace they deserve.

Source: http://www.huffingtonpost.com/anthony-w-gambino/us-must-press-for-expande_b_146373.html

More information on violence in the DRC:

Human Rights Watch most recent report focuses on the violent episodes of political repression in Kinshassa and the western province of Bas Congo during the two years after the 2006 elections:

Summary: <http://www.hrw.org/en/node/76188/section/3>

Full Report: http://www.hrw.org/sites/default/files/features/congo_for_launch/resources/pdf/WeWillCrushYou.pdf

VI. Zimbabwe and R2P

1. The time comes for intervention to remove Mugabe
The Age
9 December 2008

Robert Mugabe, who turns 85 in February, is surely on borrowed time. But Zimbabweans who have suffered terrible decline under his misrule since independence in 1980 no longer have the luxury of time to wait for it to end. One in four Zimbabweans has fled. Those left behind are trapped in a nightmare of oppression, disease and starvation as a result of the collapse of governance and the economy. (...)

The disease has crossed borders to South Africa, Botswana and Mozambique. Former UN secretary-general Kofi Annan, of the group known as the Elders who were recently denied entry to Zimbabwe, said on Sunday: "Zimbabwe's people are the greatest victims of their government's mismanagement but the entire region is paying the price." South Africa sent a high-level delegation to Zimbabwe yesterday, while Southern African Economic Development Community health and water ministers are meeting this week. The Elders were yesterday in Paris to meet French President Nicolas Sarkozy, the head of the European Union, which is planning tighter sanctions against Zimbabwe's leaders.

Yet if the total collapse of their country cannot persuade Mr Mugabe and his cronies to surrender power, it is likely nothing will. The question is at what point does the world accept that "enough is enough", as British Prime Minister Gordon Brown said on Sunday.

African voices have begun to break a long and shameful silence on Zimbabwe. Kenyan Prime Minister Raila Odinga, who last month declared "there is no legitimate government in Zimbabwe", is calling for an African Union emergency meeting to send troops. "If no troops are available, then the AU must allow the UN to send its forces into Zimbabwe with immediate effect to take over control of the country and ensure urgent humanitarian assistance." South African Archbishop Desmond Tutu has come to the same conclusion: "If (African leaders) say to him 'step down' and he refuses, they must do so militarily." (...)

South Africa holds the key to an African intervention, but its record does not inspire confidence that it will lead such decisive action. That leaves the international community to take up the

challenge raised by Mr Odinga and Mr Brown, who said: "This is now an international rather than a national emergency because the systems of government in Zimbabwe are now broken. There is no state capable or willing of protecting its people." His words pointedly lay the ground for invoking the **responsibility to protect** populations from crimes against humanity, a doctrine unanimously adopted by the 2005 UN summit. The Mugabe regime's actions have caused the deaths of tens of thousands and put the lives of millions at risk. "Mugabe's case deserves no less than investigations by the International Criminal Court at The Hague," Mr Odinga said. That, though, is a matter for the future. Zimbabwean lives take priority. Australia, and all other nations in a position to help, must provide food and medical aid as quickly as possible. At the same time, Australia and like-minded nations should exert maximum diplomatic pressure to bring the matter to the UN Security Council in order to authorise intervention in accord with the **responsibility to protect** populations from crimes against humanity.

As Mr Annan said before leaving the UN in 2006, "Such doctrines remain pure rhetoric unless those with the power to intervene effectively by exerting political, economic or, in the last resort, military muscle are prepared to take the lead." The vow "never again" will ring more hollow than ever if the world cannot act against a failing dictatorship that is so clearly unwilling and unable to end the death and suffering of its own people.

Source: <http://www.theage.com.au/opinion/editorial/the-time-comes-for-intervention-to-remove-mugabe-20081208-6tzi.html?page=-1>

2. CQ Transcript from ABC News Interview with Secretary of State Condoleezza Rice

ABC News

7 December 2008

The following unofficial question and comment was taken from an interview shown on ABC news with outgoing Secretary of State Condoleezza Rice interviewed by political commentator George Stephanopoulos. The video can be viewed online here: <http://abcnews.go.com/Video/payerIndex?id=6411231>

()STEPHANOPOULOS: President Bush said this week that his greatest regret was the failure of the intelligence in Iraq.

Would you -- is that at the top of your list, as well?

RICE: Well, its high on my list, because we, and intelligence agencies around the world, thought we were dealing with something that turns out to have been a different kind of threat. But I have other things that I would have hoped would have gone differently. Ill tell you, I am still really appalled at the inability of the international community to deal with tyrants. We saw it in Burma. Were seeing it in Burma.

We are now seeing it, I think, in a very, very sad way in Zimbabwe, where Robert Mugabe should have gone a long time ago. And we cant seem to mobilize the international will to do it.

STEPHANOPOULOS: Is there anything you can do between now and January 20th to make that happen?

RICE: Well, I am going to continue to try to press in the international community. I even talked with my British colleague, David Miliband, just this morning about trying to see what we can do to get a renewed push to have this solved. They had a sham election. They then had a sham

power-sharing set of talks.

Now you have a cholera outbreak. You have this cholera outbreak that could really endanger Southern Africa, not just Zimbabwe. It seems to me, that when the international community makes a very big deal about the **responsibility to protect**, as we did a couple of years ago, and yet you have the Darfurs and the Zimbabwe, it is a failure of the international community. ()

Source: <http://www.cqpolitics.com/wmspage.cfm?docID=news-000002994129>

3. As the World Fudges, Zimbabweans Should Act to End their Nightmare

The Daily Nation

Wafulu Okumu

8 December 2008

Dr. Wafulu Okumu is a Senior Research Fellow at the African Security Analysis Program and the Institute of Security Studies in South Africa.

While addressing an international press conference in Nairobi at the weekend, Prime Minister Raila Odinga called on the African Union to oust Zimbabwean President Robert Mugabe and end the oppression the Zimbabwean people are being subjected to. Mr Odinga specifically called on the current AU chair Tanzanian President Jakaya Kikwete to take the lead in formulating an urgent solution to save Zimbabwe that is faced by an economic meltdown with a record inflation rate, food shortages, an outbreak of cholera and a political stalemate due to the failure to implement a power sharing deal reached in September.

Zimbabwe is going through what is termed as a complex emergency. According to the United Nations agency OCHA, a complex emergency is humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response. The humanitarian and economic crises in Zimbabwe are linked to the disastrous politics and erratic governance of its leader. Mugabe's politics have led to extensive violence and loss of life, massive displacements of people, widespread damages to social and economic systems, acute food shortages, and overall calamitous threats to the livelihoods of the Zimbabwean people.

Since Zimbabwe is not an isolated island, the consequences of Mr Mugabe's reign of error and terror are reverberating in the Southern Africa region and the African continent. ()

The AU was the only organisation, until September 2005, with the mandate to intervene in member-states where grave circumstances are taking place. The AU Constitutive Act defines grave circumstances as war crimes, genocide and crimes against humanity. The AU can intervene on two grounds: when a state has collapsed and its citizens' livelihoods are gravely threatened or when invited by a state that is too weak to protect the livelihoods of its people. ()

When the AU was called upon to invoke Article 4(h) in September 2004 to stem genocide in Darfur, it hesitated to act on the grounds that it had yet to carry out research to determine that

genocide was taking, or had taken, place. This was a clever way avoiding taking action as the AU lacked the capability and capacity to undertake such a highly technical process. ()

To complicate matters, the AU not only lacked the political will to make far-reaching decisions that would protect the civilian population in Darfur but also lacked the resources, both human and financial, to implement its feeble decisions. In view of the stark realities facing the AU particularly its convoluted decision-making process, lack of resources, and lack of political will it is not likely that it will intervene to protect the livelihoods of Zimbabweans.

To further compound the problem of lack of resources, the capacity of the AU is currently exhausted due to its involvements in Darfur and Somalia. It will be unrealistic to expect it to add on its plate another complex political emergency. ()

Another intervention could be made under the UN mandate by invoking Chapter VII and the principle of **responsibility to protect**. All the criteria for such an intervention exists vis--vis Zimbabwe it has lost its sovereignty by failing to protect its civilians from loss of lives and livelihoods; the calamity is rising; and all peaceful efforts to end the suffering of the Zimbabwean people seem to have been exhausted. Force will have to be used as a last resort, as long as it is proportional, and would lead to a restoration of human security in the country.

Nevertheless, SADC and the AU must legitimise such an intervention. However, both these organisations would be reluctant to set such a precedent and could insist on applying the cliché of African solutions to African problems. This would unnecessarily postpone the suffering of Zimbabwean people and would by default prolong Mugabes misrule.

The question to ask is: if the AU allows a military take-over in Zimbabwe, would that set a precedent and contradict its policy against such means of changing governments? All things considered, and as the international community fudges and gets mired in indecision paralysis, it is upon the people of Zimbabwe to take to the streets, and to use other means, to end the nightmare they are experiencing. It is only the Zimbabwean people who can liberate themselves from their liberator.

Source: <http://www.nation.co.ke/News/africa/-/1066/499836/-/147itr1z/-/index.html>

VII. R2P in the News

1. A Strong and Principled Basis for Response

Globe and Mail

Gareth Evans

29 November 2008

Gareth Evans, Executive Director of the International Crisis Group, participated in the Munk Debates on Humanitarian Intervention on 1 December 2008, along with Mia Farrow, John Bolton, and Rick Hillier. Mia Farrow and Gareth Evans argument in favour of humanitarian intervention won over Rick Hillier and John

Boltons argument against intervention by a count of 68% to 32%. For media coverage, see [htt](#)

[p://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20081202/farrowhillier_debate_081202/20081202?hub=Canada](http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20081202/farrowhillier_debate_081202/20081202?hub=Canada)

There are many good arguments against the over-exuberant use of coercive military force for human protection purposes. "Humanitarian intervention" was a wonderful rallying cry in the global North in response to the terrible sequence of mass atrocity crimes that unfolded during the 1990s in Rwanda, Bosnia and Kosovo. But it utterly failed to produce global consensus on when, where and how it would be right to intervene militarily. ()

Does anybody now believe it was right not to deploy the 5,000 troops who could have saved 800,000 lives in Rwanda? Or for United Nations troops to allow 8,000 Muslim men and boys to be taken to their deaths from the Srebrenica "safe area"? Wasn't the North Atlantic Treaty Organization's defence of Kosovo against Slobodan Milosevic in 1999 at least morally legitimate, even if not defensible legally in the absence of Security Council approval? Would the fire there - or in Rwanda - really have burned itself out without huge further loss of life?

What was needed was an answer to the problem of humanitarian intervention that took what needed to be preserved from the doctrine, but reshaped it in a way capable of producing real North-South consensus. That finally came with the concept of "**the responsibility to protect**" (**R2P**

), introduced by a Canadian-sponsored international commission in 2001, and adopted unanimously by the United Nations General Assembly at the 2005 World Summit.

The new doctrine turned old ideas upside-down. It wasn't a matter of the "right" of the big players to throw their weight around, but the "responsibility" of everyone to protect those at risk of mass-atrocity crimes. And the key response now was not "intervention" but "protection" - the emphasis was to be on prevention and assistance, rather than intrusion and coercion. If prevention failed and reaction was necessary, military force was not excluded, but it was the last thing to be considered. State sovereignty was still the starting point, but under the UN system, sovereignty was not and could not be absolute: If a state manifestly failed to protect its people, through incapacity or ill will, then it was legitimate for other states to take appropriate action.

The **R2P** doctrine, as articulated in the reports leading up to the 2005 Summit (but not yet by the UN itself), spells out detailed criteria for the use of military force: The harm to individuals has to be serious, and currently occurring or immediately apprehended; the primary purpose has to be stopping that harm, not securing oil supplies or anything else; force has to be a last resort, with lesser measures clearly bound to fail; it has to be proportional to the harm; and its application has to do more overall good than harm.

Properly understood and applied, **R2P** does meet all the familiar criticisms - some of them, again, well made - hurled against the "humanitarian intervention" doctrine it replaced. The situation in Kenya early this year was a perfect example of its application - with diplomacy, rather than force, being applied in the face of explosive ethnic violence. Since 1994, Burundi has been a clear example of **R2P** principles being applied to prevent such violence. ()

Nobody pretends that the new **R2P** norm is yet universally understood, that it has yet won universal acceptance, or that it is yet fully operationally effective, as the unhappy case of Darfur continues to show. But it is a strong and principled basis for a properly graduated response by the international community to man-made human-rights disasters in countries that have failed to act as sovereign states should. Maybe the indifference and cynicism that have greeted mass-atrocity crimes for centuries are at last becoming a thing of the past.

Source:

<http://www.theglobeandmail.com/servlet/story/RTGAM.20081128.wcoevans29/BNStory/specialComment/home>

VIII. Featured Reports

1. Preventative Strategies for Children and Armed Conflict: Implementation of Security Council Resolution 1612 and Other Policies

The Canadian Peace building Network: Forum on Children and Armed Conflict

Kathy Vandergrift

25 November 2008

Kathy Vandergrift is the Policy Director of World Vision Canada. World Vision is a Christian relief, developmental, and advocacy organization dedicated to working with families, communities and children to fight poverty and injustice worldwide.

Abstract:

In the last ten years, international norms and policy statements on child protection have become much stronger. () On February 12, 2008, the most recent Security Council Presidential Statement on Children and Armed Conflict included the following statement: the Security Council stresses, in this regard, the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner, in order to enhance the protection of children on a long-term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, rule of law, and respect for and protection of human rights. (S/PRST/2008/6) Protection starts and ends with prevention, and it includes both preventing harm to children and conflict prevention.

The concept of **Responsibility to Protect**, endorsed by the UN General Assembly in 2005, gives a high priority to prevention. he

to Protect

Responsibility

states the report by that name, implies an accompanying Responsibility to Prevent. But here remains a gap between the rhetoric and financial and political support for prevention. The purpose of this initiative is to focus attention on that gap and propose preventive strategies for inclusion in international programs of action on Children and Armed Conflict. The goal is twofold: (1) Strengthen the preventive impact of measures being taken to implement Security Council Resolution 1612 on children and armed conflict; and (2) Strengthen the focus on children in other policies and programs that have potential for preventing harm to children and preventing violent conflict.

Abstract: <http://www.humansecuritygateway.com/showRecord.php?RecordId=27326>

Full Report: http://www.humansecuritygateway.info/documents/PEACEBUILD_ChildrenAndArmedConflict_PreventativeStrategies.pdf

2. Next Steps for Civil Society in Advancing the Responsibility to Protect

WFM Canada

Seminar Report

On October 24, 2008 (United Nations Day) the University of Winnipeg hosted a one-day seminar on, "Next steps for civil society to advance the **Responsibility to Protect.**" The seminar was co-sponsored by the World Federalist Movement - Canada, Rights and Democracy, the Santa Barbara Family Foundation, as well as the University Of Winnipegs Faculty Of Theology And Ridd Institute.

The Seminar examined recent developments and progress in building international support for the **Responsibility to Protect (R2P)**; the need to promote wider acceptance of the norm; and generated suggestions for future actions by international organizations, governments and civil society networks, in Canada and internationally.

Seminar Report: http://www.responsibilitytoprotect.org/index.php/civil_society_statements/1970

Thank you to Emily Cody for compiling this listserv.