

14 May 2009 News Update

**RtoP Listserv**

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Asia-Pacific Centre for the Responsibility to Protect

The Asia-Pacific Centre for the **Responsibility to Protect** is calling for applications for support under the Australian Responsibility to Protect Fund from research institutions and non-governmental organisations that have a demonstrated capacity to produce high quality research or programs of work. ()

Applications should focus on either one of two Priority Themes:

1. Advancing the Responsibility to Protect concept.
2. Supporting States to build capacity to protect populations and prevent genocide and mass atrocities.

The Australian Responsibility to Protect Fund will accept proposals for up to two years of

funding. Applicants can apply for funding between \$25,000 and \$100,000 per year over the course of the research project or program of work. Applications outside these limits may be considered.

More Information: [http://www.r2pasiapacific.org/index.php?option=com\\_content&task=view&id=91&Itemid=98](http://www.r2pasiapacific.org/index.php?option=com_content&task=view&id=91&Itemid=98)

## I. NGO Responses and Advocacy Outreach in face of ongoing crisis in Sri Lanka

1. Letter from Human Rights Watch, Amnesty International, International Crisis Group, and the Global Centre for the R2P Urging Action by Japan to Alleviate the Crisis in Sri Lanka  
AI, HRW, GCR2P, and ICG  
11 May 2009

*The letter below was sent to Japanese Prime Minister Taro Aso, concerning the crisis in Sri Lanka. The letter was signed by International Crisis Group, Amnesty International, Human Rights Watch, and the Global Centre for the Responsibility to Protect, and encouraged Japan to use its leverage as Sri Lanka's largest donor and a current UNSC member.*

We are writing to you in connection with the grave and worsening humanitarian and human rights situation in northern Sri Lanka. The undersigned nongovernmental organizations call upon Japan to play a more active role in confronting the unfolding catastrophe in what may be the military endgame between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE).

If the world continues to look away from the suffering of civilians in Sri Lanka, as it has largely done until now, it will be a failure of historic proportions. We believe that Japan, a powerful player on the humanitarian stage and the largest international donor to Sri Lanka, has an important role to play in saving countless civilian lives, as well as to implement aid policies that ensure sustainable peace, human rights and development in Sri Lanka. It is time for Japan to show that it is prepared to shoulder its responsibilities. ( )

We urge Japan to take a more robust stance on the continuing suffering of the civilian population in Sri Lanka than has hitherto been the case. We welcome reports that Yasushi Akashi, Representative of the Government of Japan, recently urged Sri Lankan President Mahinda Rajapaksa to make the safety of trapped civilians the top priority, and we welcome government statements reminding all parties to respect international humanitarian law.

However, much more is needed. UN Security Council resolutions have repeatedly emphasized the importance of the protection of civilians. Resolution 1674 reaffirms the **responsibility to protect** populations from genocide, war crimes, ethnic cleansing and crimes against humanity, which heads of state adopted at the 2005 World Summit. The resolution notes that the targeting of civilians and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security.

We call upon Japan to support efforts for the Security Council to keep the situation in Sri Lanka under close and regular review and to consider the situation in Sri Lanka formally at the Security Council. Meetings in recent weeks have been held only informally in basement rooms, deliberately kept out of the Council's main chamber, because of the reluctance of some member states. We believe this must change and formal meetings of the Security Council must be held urgently so that the Council can take the necessary measures to address the humanitarian and human rights crisis.

We urge the Council to call upon the Sri Lankan government to facilitate UN needs assessment, lifting restrictions on the delivery of humanitarian aid, and ensure access for UN agencies to all government reception and screening points. The Council should make clear that both the government and LTTE would be held accountable for their actions, and create a UN commission of inquiry to examine violations of international humanitarian law by both sides.

We urge Japan to support action at the Security Council in New York, and to support prompt consideration of the situation in Sri Lanka by the UN Human Rights Council in Geneva. The need for action is urgent, ahead of a ministerial-level meeting at the Security Council on May 11. Japan needs to find its voice in international diplomacy as a leading rights-respecting democracy. We hope that Japan will rise to the challenge.

International Crisis Group (Gareth Evans)  
Amnesty International (Yvonne Terlingen)  
Human Rights Watch (Kenneth Roth)  
Global Centre for the Responsibility to Protect (Monica Serrano)

Full Letter: <http://www.responsibilitytoprotect.org/index.php/eupdate/2350>  
Press Release: <http://www.responsibilitytoprotect.org/index.php/eupdate/2352>

2. HRW Letter to the IMF  
Human Rights Watch  
11 May 2009

*On 11 May 2009, Asia Director of Human Rights Watch Brad Adams sent a letter to the International Monetary Fund (IMF) urging the IMF to deny Sri Lanka's request for a 1.9 billion emergency relief fund. HRW had previously sent a similar letter last March and takes note that since then conditions in Northern Sri Lanka have deteriorated dramatically. Mr. Adams cited the LTTE's recent actions as inhumane to an extreme and stated that the Sri Lankan government continues to disregard its obligations under international law to protect civilians, despite its repeated claims otherwise.*

*The Sri Lankan government, in its request for an IMF loan, stated that the funds would be used to continue with the resettlement, rehabilitation and reconstruction work in the Northern Province, and with the continued rapid development of the Eastern Province, which it considers essential not only to uplift the living standards of the people in the areas affected by the decades long conflict, but also to successfully implement the government's efforts to bring a sustainable solution to the conflict. For emergency loans of this nature, the IMF requires that preconditions*

*be met prior to receiving monetary conditions. HRW noted that the actions of the government have been contrary so far to these conditions and seriously undermine the possibility of successful post-conflict reconciliation and reconstruction in Sri Lanka. HRW included conditions that the IMF should require the Sri Lankan Government to meet before approving their loan. Top shareholders of the IMF, including the United States, have also exerted pressure over the IMF to delay the loan while in negotiations.*

*Also attached to the letter was a statement issued by four senior UN human rights officials, calling the situation catastrophic and stating that for those who managed to escape the conflict zone, the lack of essential services constituted to n effective death sentence. In early May, the UNs senior Humanitarian Coordinator, John Holmes, had already warned of a loodbath; while this week the UNs spokesperson in Colombo said that the bloodbath had effectively materialized.*

HRW Letter to the IMF and UN Rapporteurs Statement: [http://www.responsibilitytoprotect.org/index.php/civil\\_society\\_statements/2353](http://www.responsibilitytoprotect.org/index.php/civil_society_statements/2353)

## **II. France, UK and Australia Give Joint Statement to Press on Sri Lanka Made after Informal UNSC Briefing**

1. UN Security Council Press Conference on Sri Lanka  
Foreign and Commonwealth Office  
12 May 2009

*UK Foreign Secretary David Miliband, French Foreign Minister Bernard Kouchner, and Austrian Foreign Minister Michael Spindelegger commented on the situation in Sri Lanka following an informal meeting on 11 May between eight UNSC members, humanitarian NGOs, and UN officials. Because of the informality of the meeting, there is no official record or statement.*

UK Foreign Secretary David Miliband:

(...) In respect of the situation in the IDP camps, this remains a major concern, there is enormous strain on the civilians in the IDP camps, there is insufficient access either by humanitarian organisations or by the UN. We were also told about the continuing denial of visas and other permits for access around the country. We believe that access is absolutely vital for the UN and NGOs, but also for journalists if there is to be proper witness to the situation that afflicts the civilians in this country. It is also important to say that there is no doubt in anyone's mind that the LTTE are preventing civilians from leaving the No Fire Zone, consistent with their own murderous behaviour in the past.

I think it is also important that I say, on behalf of myself and the three European colleagues on the Security Council, that we have no doubt at all that the situation, the humanitarian situation, in Sri Lanka is something that the Security Council should address and I am going to invite my two colleagues to say a few words and then we are happy to take some questions.

Austrian Foreign Minister Michael Spindelegger

Just to add what David Miliband said, I think we all are shocked about the news we have heard

today from the NGOs and from OCHA. I think from the Austrian point of view, we are very much concerned about the situation today and I just would like to announce three points:

- first of all, I think we should ask the Government of Sri Lanka just to protect their people because it's an obligation in the framework of United Nations. They have to protect the life of the people and they have to try to get them out from the Fire Zone;

- just a second point is, I think, we have to concentrate in this moment to the situation in the camps. As we have heard, this is really a shocking situation and we should ask the Government of Sri Lanka just to let in the camps independent monitors, just to find out what's going on really in these camps; and

- thirdly, I think we all have to have a look to the future what could be the political solution and I think we should draw the attention also to this point of view because it will not end with military action. We have to think about the situation afterwards.

#### French Foreign Minister Bernard Kouchner

(...) David, he said very clearly the five points and the sixth point was demining. We were ready to help the people there and to help the Sri Lankan Government and the people to demine. Access to this upper part for UN Agencies, for NGOs with projects, giving food, giving medical supplies, yes we were in agreement with the President himself but so what now?

Are we waiting all of us to the end of the bombing, to the end of any life, not only suffering, but any life in this pocket, of siege pocket, I am calling you because you are our friends to drive the attention of the international community to this part of the world. (...)

#### Q & A session

Question: What are your options now, just picking up on that question, are you going to try and force this onto the agenda of the UN Security Council and remind countries they have a **responsibility to protect** ?

Bernard Kouchner: We are ready to talk to other colleagues and there is a special place right now to address them and to tell them what we have seen and what we are suffering of doing nothing against.

Question: Basically, can you explain us, what are the reasons of those who are against any Security Council actions? Who are they and what are they saying?

David Miliband: I think that is something that you'll have to address to others. I think the three of us can speak for ourselves; others can speak for themselves. We are clear that this is an issue that the UN Security Council should address. It involves major civilian loss of life and distress. It does have ramifications for the region and it involves the word of a member of the United Nations not to use heavy weaponry in the pursuit of its goals to suppress a terrorist organisation. Those are fundamental issues that we, as European members of the Security Council, do believe belongs here. (...)

Source: <http://www.fco.gov.uk/en/newsroom/latest-news/?view=PressS&id=17637502>

### III. Editorials and Statements on RtoP in Sri Lanka Reflect Urgent Need for Action

#### 1. Statement by President Obama on the Situation in Sri Lanka

Daily Press Briefing

13 May 2009

() As some of you know, we have a humanitarian crisis that's taking place in Sri Lanka, and I've been increasingly saddened by the desperate news in recent days. Tens of thousands of innocent civilians are trapped between the warring government forces and the Tamil Tigers in Sri Lanka with no means of escape, little access to food, water, shelter and medicine. This has led to widespread suffering and the loss of hundreds if not thousands of lives.

Without urgent action, this humanitarian crisis could turn into a catastrophe. Now is the time, I believe, to put aside some of the political issues that are involved and to put the lives of the men and women and children who are innocently caught in the crossfire, to put them first.

So I urge the Tamil Tigers to lay down their arms and let civilians go. Their forced recruitment of civilians and their use of civilians as human shields is deplorable. These tactics will only serve to alienate all those who carry them out.

I'm also calling on the Sri Lankan government to take several steps to alleviate this humanitarian crisis. First, the government should stop the indiscriminate shelling that has taken hundreds of innocent lives, including several hospitals, and the government should live up to its commitment to not use heavy weapons in the conflict zone.

Second, the government should give United Nations humanitarian teams access to the civilians who are trapped between the warring parties so that they can receive the immediate assistance necessary to save lives. Third, the government should also allow the United Nations and the International Committee of the Red Cross access to nearly 190,000 displaced people within Sri Lanka so that they can receive additional support that they need.

The United States stands ready to work with the international community to support the people of Sri Lanka in this time of suffering. I don't believe that we can delay. Now is the time for all of us to work together to avert further humanitarian suffering. Going forward, Sri Lanka must seek a peace that is secure and lasting, and grounded in respect for all of its citizens. More civilian casualties and inadequate care for those caught in resettlement camps will only make it more difficult to achieve the peace that the people of Sri Lanka deserve. ()

Source: <http://srilanka.usembassy.gov/pr-05-13-09.html>

#### 2. Sri Lanka Puts Obama to the Test and He's Failing

Tlime Magazine

Romesh Ratnesar

12 May 2009

During the campaign, Barack Obama hinted at how his future Administration might act to stop suffering in the world. American foreign policy should focus on more than just killing terrorists; it needs to address "challenges of the 21st century" such as "climate change and poverty, genocide and disease." Obama and his advisers all but called for Robert Mugabe's removal in Zimbabwe and advocated more aggressive U.S. action to halt the genocide in Darfur. "When genocide is happening," said candidate Obama during the second presidential debate, "when ethnic cleansing is happening somewhere around the world and we stand idly by, that diminishes us." The emerging Obama doctrine seemed to signal a new age of liberal interventionism the idea that the U.S. has a right and obligation to intervene, by force if necessary, to protect civilians from war and ethnic violence, even in places where the U.S. has no vital national interests at stake. ()

By the standard unanimously adopted by the U.N. General Assembly in 2005, the targeting of Tamil civilians and the unwillingness of either side to protect them justifies foreign intervention. The **Responsibility to Protect** convention obligates U.N. member-states to step in if "national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity." That's an apt description of what's happening in Sri Lanka.

So why has the situation failed to trigger louder calls to action? Several factors make Sri Lanka an inconvenient place to apply the principles of liberal interventionism. First, the Sri Lankan government has successfully cast its campaign against Tamil separatists as of a piece with the U.S.-led war on terrorism; the Tigers invented suicide bombing and have until recently continued to target civilians in Sri Lanka's capital, Colombo. Second, the civil war between Sri Lanka's Sinhalese majority and the LTTE has lasted 25 years and already claimed 70,000 lives. The world tends to view long-running civil wars as intractable and impervious to foreign intervention; only when both sides exhaust themselves, the thinking goes, can such wars be stopped. But the most vexing problem for interventionists is that in Sri Lanka, atrocities against civilians have manifestly been committed by both government forces and the rebels. There are no good guys.

Liberal interventionism works better in theory than in practice. No sovereign government accedes readily to foreign meddling in its own affairs, and liberals remain more reluctant than neoconservatives to insist on a moral right to intervene. Well-meaning "never again" resolutions like the **Responsibility to Protect** have too often been shown to be empty gestures, since they are so rarely backed up by action. That paralysis has been evident in the Obama Administration's response to Sri Lanka. ()

What more can be done? Plenty, actually. The U.S. could press for a U.N. Security Council resolution demanding that government forces adhere to a cease-fire and allow for the delivery of humanitarian aid. If that doesn't work, Washington can lean on India, the country with the most leverage over Colombo, to pressure the Sri Lankan government to halt its offensive. If that doesn't work, the Administration could impose economic sanctions against Sri Lanka, with whom the U.S. did more than \$2 billion in trade last year. If that doesn't work, the U.S. could push to create safe havens inside the combat zone monitored by U.N. peacekeeping troops, as exists in the Congo.

Wouldn't that amount to taking sides in the conflict? Not really it would merely be balancing the score. The U.S. has already classified the LTTE as a terrorist organization, blocking its assets in the U.S. and making it a crime to provide funds to the group. We don't have much more leverage over terrorists. Targeting the government's interests as well would send the message that so long as the welfare of innocent civilians is ignored by the army and the rebels, both sides will feel pain. By intervening on behalf of Sri Lanka's civilians, Obama would do more than just save lives he could help to save the doctrine of liberal interventionism before it ends up in history's warehouse of good intentions. Because if he doesn't do it, who will?

Source: <http://www.time.com/time/world/article/0,8599,1897632,00.html>

### 3. An Urgent Need for UN Action on Sri Lanka

The Huffington Post

Steve Crawshaw

6 May 2009

*Steve Crawshaw is Human Rights Watch's United Nations Advocacy Director.*

More than 6,000 civilians have died in Sri Lanka in the past few months as government forces seek to end the 25-year-long war with the separatist Tamil Tigers. More than 90 civilians are reported to have died over the weekend in the shelling of a hospital inside the government's tragically misnamed "no-fire zone." And still the killing continues. ()

This failure to react is extraordinary, and culpable. The United Nations and influential governments have known all along that civilians have been used as human shields by the Tigers in their dwindling stronghold, while government forces have repeatedly shelled the area indiscriminately. ()

The Security Council, with responsibility for international peace and security, has made endless commitments to protect civilians, women and children in conflict. Three years ago, a summit of world leaders agreed to share **responsibility for protecting** populations at grave risk of war crimes or crimes against humanity.

And yet, veto-wielding China and Russia insist that it is inappropriate for the Security Council to meet and draw attention to the scale of the unfolding catastrophe. They use their diplomatic muscle to protect sovereignty at the expense of human lives. Japan, Sri Lanka's largest donor, has also opposed Council action. Things have become so twisted that when the UN high commissioner for human rights, Navi Pillay, dared last month to talk about how many had died, some at UN headquarters reproached her for indelicacy. Unlike, say, in Gaza -- where the high civilian death toll was rightly publicized -- the UN continues to treat its own casualty estimates in Sri Lanka as if they were a state secret. ()

The Sri Lankan needs to give humanitarian agencies access to the conflict area. The shelling of areas where civilians are trapped needs to end -- not just with empty promises, but in reality. There should be international monitoring of screening at reception points for fleeing civilians, to prevent the widespread "disappearances" that we have seen in the past (Sri Lanka has one of

the highest numbers of forced disappearances in the world). The Security Council and the Human Rights Council in Geneva should both make clear that crimes on this scale, committed by both sides, will not go unpunished. Even now, despite the obvious urgency, the phrase "let's see how it goes," can repeatedly be heard in New York. That approach could hardly be more wrong. The failures of the past few months are clear, including the naive or cynical ability of politicians to boast of Sri Lankan "reassurances" that all will now be well. There is still time to act, to prevent yet more senseless deaths. But every day and every hour count.

Source: [http://www.huffingtonpost.com/steve-crawshaw/an-urgent-need-for-un-act\\_b\\_197840.html](http://www.huffingtonpost.com/steve-crawshaw/an-urgent-need-for-un-act_b_197840.html)

#### **IV. Debate Continues on the Application of RtoP in Burma**

1. I went to Prison for Telling a Lie. In Burma, people are in prison for telling the truth  
The Telegraph  
Jonathon Aitken  
14 May 2009

*Jonathon Aitken is a former UK Cabinet Minister, and a current Honorary President of Christian Solidarity Worldwide, an international human rights organization.*

Burmas democracy leader Aung San Suu Kyi has suffered a further travesty of justice, on top of the 13 years of house arrest she has already endured. Later this month her current period of detention expires, but now she has been moved to the notorious Insein Prison to stand trial on new charges. Even before today, her detention - according to the United Nations - violates both international and Burmese law, and she remains the worlds only jailed Nobel Laureate. The brutal junta ruling Burma even denied her medical treatment, and arrested her personal doctor. She has committed no crime indeed, it is the regime that is criminal.

But Aung San Suu Kyi is simply the most visible of Burmas prisoners of conscience. At least 2,100 dissidents remain in jail, in conditions far more brutal than her house arrest. A recent report, Burmas Prisons and Labour Camps: Silent Killing Fields, released by the Assistance Association for Political Prisoners (Burma), details systematic and horrific torture, denial of medical treatment and refusal of visits from family. Food is inedible and exercise severely restricted. ()

And it is not only those in jail who are prisoners. Burmas ruling military junta has held the entire nation captive for almost fifty years. It ranks alongside North Korea, Sudan and Zimbabwe in the inhumanity stakes. The regimes callousness was on full display a year ago, when after Cyclone Nargis, the worst natural disaster in years, it initially refused international aid and denied access to aid workers. Over 140,000 people died, with more than 2.5 million left homeless.

As if this catalogue of horrors was not enough, the regime is carrying out a campaign of ethnic cleansing against the Karen, Karenni and Shan peoples in eastern Burma. More than 3,300 villages have been destroyed and a million people driven from their homes into hiding, without food, medicine or shelter. Civilians, including women and children, are shot at point-blank

range. Rape is used as a weapon of war, forced labour is widespread and the use of human minesweepers common. It has the highest number of forcibly conscripted child soldiers in the world. Burma has become Asias Darfur, but without the worlds cameras. ( )

For too long, Burmas plight has been neglected. The time has come to say enough is enough. It is time for the UN to invoke its much-flaunted **Responsibility to Protect** mechanism, to impose an arms embargo on the regime and establish a commission of inquiry to investigate crimes against humanity.

As an immediate step, the UN Secretary-General must hear the appeals of hundreds of thousands of people around the world who have signed a petition calling on him to make the release of political prisoners in Burma a top priority. The UN should send a senior envoy immediately to Burma, to secure the release of Aung San Suu Kyi and other political prisoners and access to medical care. As Aung San Suu Kyi has said, ntil all of our political prisoners are free, none of us can say that Burma is now truly on the road towards democratic change.

In 1997, I went to prison for very different reasons. I was convicted of perjury. I had committed a crime, and paid the price. Since then, I have devoted my time to two causes prison reform and international human rights. I know that I went to prison for telling a lie. It is for that reason that I cannot stay silent when in Burma, over 2,000 people are in prison for telling the truth.

Source: <http://www.telegraph.co.uk/comment/personal-view/5324040/I-went-to-prison-for-telling-a-lie.-In-Burma-people-are-in-prison-for-telling-the-truth.html>

Burmas Prisons and Labour Camps: Silent Killing Fields [http://www.humansecuritygateway.info/documents/AAPP\\_BurmasPrisonsLabourCamps\\_SilentKillingFields.pdf](http://www.humansecuritygateway.info/documents/AAPP_BurmasPrisonsLabourCamps_SilentKillingFields.pdf)

## 2. British MPs Urge UN to invoke R2P in Burma

Mizzima News

8 May 2009

Over 60 British Members of Parliament have called on the United Nations to form a commission of inquiry into crimes against humanity committed by Burmas ruling junta and to invoke the principle of **Responsibility to Protect (R2P)** in relation to the crisis in Burma.

The MPs including the Former Foreign Office Ministers, Ian McCartney and Keith Vaz have signed an Early Day Motion (EDM), which was tabled by MP John Bercow, Co-Chair of the All Party Parliamentary Group for Democracy in Burma, expressing concern at the deteriorating human rights situation in Burma.

The MPs, in the EDM, urged the UN to invoke the principle of **Responsibility to Protect (R2P)** in relation to the Burmese juntas appalling human rights records particularly a military campaign against its ethnic nationalities. The EDM rges Her Majesty's Government, along with other governments, to propose the establishment of a commission of inquiry to investigate allegations of crimes against humanity and war crimes in Burma; and urges the UN to invoke the principle of

**Responsibility to Protect**

in relation to the crisis in Burma.

Rights groups and activists accused Burmas military government of using policies to terrorize its citizens, more severely in remote areas of the country, where ethnic minorities live, in order to maintain its stranglehold on power. The Christian Solidarity Worldwide, a campaign group that has been lobbying for democratic change in Burma, in a statement on Thursday said the Burmese juntas policies include the widespread use of rape as a weapon of war, forced labour, the use of human minesweepers, and child soldiers. ( )

The Early Day Motions are formal motions submitted for debate in the House of Commons in the British Parliament. While very few EDMs are actually debated, they highlight the extent of parliamentary support for a particular cause or view point. Alexa Papadouris, CSW's Advocacy Director said their group calls on he British Government and other Governments to take this call seriously and to initiate a commission of inquiry into the junta's crimes against humanity.r The concept of **R2P** was adopted in 2005 World Summit, where governments and world leaders agreed that they have a **responsibility to protect** when a government is unable or unwilling to protect its civilians from genocide, war crimes, crimes against humanity, and ethnic cleansing.

In implementing **R2P**, first peaceful measures can be adopted through the use of economic, political, diplomatic, and legal tools but if this fails the International community can use collective force through the UN Security Council under Chapter VII of the UN Charter, only as a last resort.

Source: <http://www.mizzima.com/news/world/2098-british-mps-urge-un-to-invoke-r2p-in-burma.html>

### 3. Rangoons Renaissance

The National Interest

Doug Bandow

7 May 2009

*Doug Bandow is a senior fellow at the Cato Institute, and the author of several books, including Foreign Follies: Americas New Global Empire.*

A year ago, Cyclone Nargis wrecked Burma. About one hundred forty thousand people are thought to have died, with another 2.2 million people displaced or otherwise affected. The storm destroyed homes, killed livestock, salted rice paddies, sank fishing boats and shredded what little respect anyone had left for Burmas ruling military junta.

Indeed, to the horror of people around the world, the so-called State Peace and Development Council (SPDC) rejected most outside assistance. Denunciations and even threats of military intervention filled the air. Today Burma is healing, though deep scars from the storm remain. Political progress has been nil: No one expects next years promised elections to be fair. Today, however, some humanitarian groups offer measured words of praise for Burmas government. Looking back, its apparent that attempting coercion would have been disastrous. ( )

The horror was compounded when the junta, remarkable for its brutality, irrationality and inscrutability, refused to freely allow outside aid. The regime kept American and French naval ships offshore, refusing to permit the landing of supplies. Foreign plane shipments of assistance were impounded. Aid workers were denied permission to enter the delta. What little assistance was accepted was distributed by the Burmese military, which even interfered with attempts by Burmese citizens to help those in need. Before the cyclone hit, few people would have imagined that the junta's reputation could fall any lower. But fall it did.

As the misery of the Burmese people increased, so did support for military intervention. The Washington Post's Fred Hiatt pointed to UN Security Council Resolution 1674, passed three years ago, which established the **responsibility to protect** populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The International Commission on Intervention and State Sovereignty, whose report undergirded the resolution, also had called for applying the principle during overwhelming natural or environmental catastrophes, where the state concerned is either unwilling or unable to cope.

French Foreign Minister Bernard Kouchner, among others, invoked the so-called **responsibility to protect** to force aid upon the SPDC. He left unspecified what that would mean beyond a Security Council resolution insisting on cooperation. British Foreign Secretary David Miliband argued that all instruments of the UN should be available, including, apparently, military force. ()

Slate columnist Anne Applebaum called for consideration of alternatives in order to help the Burmese even against the will of their irrational leaders. Ideas on exactly what to do varied from full-scale military intervention to more limited measures: dropping aid from planes, flying food from ships via helicopter, or convoying assistance across the Thai border and daring the junta to shoot. () But more concerted resistance would have threatened the lives of military personnel, aid workers and storm victims alike. Kenneth Bacon of Refugees International boldly declared: forceful efforts to interfere with relief deliveries would turn the responsibility to protect into a right to protect. But that would have required more forthright intervention, including military strikes or boots on the ground. ()

For understandable reasons, then, most policy makers remained unenthusiastic about attempting to coerce Burma. John Holmes, UN Undersecretary-General for Humanitarian Affairs, opined: I'm not sure that invading Burma would be a very sensible option. And the SPDC gradually opened the delta to Western aid even as it tried to profit from the international community's activities. Three months later Holmes reported that the much-feared second wave of deaths from starvation or disease has not happened. He also said that this is now a normal international-relief operation. The Burmese military's turnaround led some NGOs to develop a strange new respect for the SPDC. For instance, one unnamed UN program director told the New York Times that after the Burmese recognized they could not handle the disaster, they did a lot. A huge national response occurred. ()

Of course, no one sugarcoats the regime's human-rights record. But the relationship between the domestic military junta and outside humanitarian agencies has been transformed. Which would not have happened had the West attempted coercion. Forcible intervention would certainly have destroyed the prospect for cooperation over the long-term and likely spread

conflict across Burma, even to areas not directly affected by Cyclone Nargis. ()

Source: <http://www.nationalinterest.org/Article.aspx?id=21442>

#### IV. The University of Denvers Korbel School of International Studieshe R2P Policy Forum

##### 1. Policy Forumhe Responsibility to Protect Human Rights and Human Welfare

###### *Korbel School of International Relations*

*Human Rights and Human Welfare is an international review of books and publications at the University of Denvers Korbel School of International Relations. HRHW periodically publishes thematic essays, as well as Book Notes intended to provide and annotation of recently published material and an assessment of its applicability and contribution to the field. The current issue is a policy forum concerning the Responsibility to Protect. An outline of the contents is reproduced below, followed by separate summaries of the work presented. The Introduction included is by the Chair of HRHW, independent analyst Kathy Gockel.*

##### 1. Introduction

The Responsibility to Protect Policy Forum  
Kathy Gockel

() Even given the ratification by all Member States, tremendous debate continues at the UN and in the international community over the **R2P** paragraphs 138 and 139 in the World Summit Outcome Document. One of the key debates centers on when a situation is a case of humanitarian intervention and when one should invoke

##### **R2P**

. The two are not the same, hence

##### **R2P**

should only be invoked when genocide, war crimes, ethnic cleansing and crimes against humanity occur. A case in point is the debate that arose last year in response to the situation in Burma. In January 2009, UN Secretary General Ban Ki-Moon released a new report, Implementing the Responsibility to Protect, in an effort to advance deliberations and move the paragraphs from concept to application. A statement by US Ambassador to the UN, Susan Rice, sent an early signal of potentially greater US support of the concept and its implementation. ().

Introduction: <http://www.du.edu/korbel/hrhw/booknotes/2009/gockel-2009.html>

##### 2. Prevention without Hard Power: Mission Impossible?

Kyle Matthews

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*2009, W2i will introduce a report in conjunction with Romeo Dallaire on building domestic political will in the U.S. and Canada. The following is a review of The Responsibility to Prevent: A Report to Congress from the Friends Committee on National Legislation.*

The Friends Committee on National Legislation prepared this report with one target audience in mind, the US Congress. The crucial thrust of this policy report is that if concerned citizens want to further integrate regard for human rights into US foreign policy, the most effective way to achieve this goal is through funding. Given that Congress is responsible for enacting legislation and overseeing the approval of finances for government business, both domestically and overseas, it is of strategic importance to convey to these decision-makers their critical role in shifting from a culture of response to a culture of prevention. It is also very important to engage Congress so that it carries out its important democratic role of seeking accountability from the executive branch of the government. The report argues quite assertively that US foreign policy has become too militarized, and as a result, there is presently a dangerous capacity shortfall within the US civilian agencies. The principle recommendation issued in the report is to rightsize the State Department (4). ()

Full Article: <http://www.du.edu/korbel/hrhw/booknotes/2009/matthews-2009.html>

The Responsibility to Prevent: A Report to Congress from the Friends Committee on National Legislation: <http://www.responsibilitytoprotect.org/index.php?module=uploads&func=download&fileId=709>

### 3. Military Action: The Beginning, Not the End Major Jodi Vittori

*Jodi Vitttori is a US Air Force officer, who is currently the Officer in Charge of the Political-Military branch of the Air Force Intelligence Analysis Agency. She has a PhD in International Relations and specializes in Security Studies, with a focus on violent non-state actors. The review below is of the Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations, by Victoria Holt and Tobias Berkman.*

end in the Troops! is a common plea one hears when unspeakable acts of violence such as genocide and ethnic cleansing take place. Even now, as the Sudanese government has expelled crucial humanitarian organizations helping the myriad of refugees and internally displaced persons (IDPs) from the Darfur conflict, many voices rise again to call for protection of those civilians targeted by their own government to be obtained by means of physical force, if necessary. Indeed, once much of the public hears that some troops will be sent, the mere act of ordering military force seems to appease the collective conscience, as if it meant the solution of the problem. But as Victoria Holt and Tobias Berkman have expertly pointed out in the 2006 Stimson Center manuscript *The Impossible Mandate*, sending in the troops represents only the beginning of a commitment and not the solution of the problem in and of itself. ()

Full Article: <http://www.du.edu/korbel/hrhw/booknotes/2009/vittori-2009.html>

Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations: [http://www.stimson.org/fopo/pdf/Complete\\_Document-TheImpossible\\_Mandate-H](http://www.stimson.org/fopo/pdf/Complete_Document-TheImpossible_Mandate-H)

[olt Berkman.pdf](#)

#### 4. Why Political Will is Not Enough

Kathy Gockel

*Kathy Gockel is an independent policy analyst, who was previously a fellow in the U.S.-Muslim Engagement Project at Search for Common Ground. She is reviewing the Genocide Prevention Task Forces Preventing Genocide: a Blueprint for U.S. Policymakers, which is also linked below.*

Preventing Genocide: a Blueprint for U.S. Policymakers states that because genocide equires planning and is carried out systematically then its signs and symptoms can be recognized and addressed. This linkage between planning and systematic action gets to the very heart of the report, reventing genocide is a goal that can be achieved with the right organizational structures, strategies and partnerships in short with the right blueprint. The problem for the U.S. Government? It currently lacks the blueprint. ()

Political will is then linked to the second major challenge: the lack of a coordinated, whole-of-government approach to policy formulation and implementation. The report offers concrete examples of how current aps impact U.S. policy. For example, there is no one person or group in the Administration with responsibility for coordinating genocide prevention efforts. As the report states, reventing genocide appears to be a responsibility held simultaneously by no one and everyone in the U.S. foreign policy apparatus. It goes on to offer specific recommendations as to how this gap can be addressed such as creating a standing interagency mechanism, an Atrocities Prevention Committee, directed from the White House and co-chaired by senior officials from the NSC and State Department.

Why Political Will is Not Enough: <http://www.du.edu/korbel/hrhw/booknotes/index.html>

Preventing Genocide: a Blueprint for U.S. Policymakers: [http://www.usip.org/genocide\\_taskforce/pdf/FINAL%20REPORT.pdf](http://www.usip.org/genocide_taskforce/pdf/FINAL%20REPORT.pdf)