

United Nations Association

Westminster Young Professionals

Campaigning for a strong, credible and effective UN



It's time to reignite the Responsibility to Protect principle within UK policy debate

[This project, started in September 2016 and published May 2018 results from research shared by members of UNA Westminster Young Professionals and Liberal International]

Statement

The UNA YP Westminster urges UN Member States, and especially the United Kingdom, to reassess their policies regarding R2P. In particular, we urge the British government to debate in the House of Commons how R2P can be best implemented in British foreign policy.

The Responsibility to Protect

The Responsibility to Protect (R2P) is a doctrine that has become known for asserting that the international community has the responsibility to protect civilians and halt mass atrocities in individual states. It was initially proposed in 2001 and was subsequently endorsed unanimously by Member States at the UN World Summit in 2005.

The concept expresses that sovereignty can no longer protect states from international interference when they are deemed to be committing mass atrocities against their populations. Specifically, the R2P doctrine states that populations should be protected in four specific circumstances: war crimes, genocide, crimes against humanity and ethnic cleansing, and is conventionally understood to consist of three pillars¹. In layman's terms, R2P is the guiding principle that each member state has a responsibility to protect the populations in other states, thus halting mass atrocities, regardless of borders and national sovereignty.

If a member state were to fail in assuming its responsibility, it would then fall to the international community to take collective action through the UN Security Council to ensure the protection of the population. This can be done through a number of methods, depending on the severity of the conflict, such as engagement (mediation), capacity building, diplomacy, economic (both monetary and trade sanctions²) and military intervention. Post-event, R2P responsibilities can

¹ For reference, it is important to note the 3 pillars that compose R2P:

- The primacy of the state in protecting its own people;
- The responsibility of the international community to support Member States in protecting their own people;
- And finally, the moral duty of the international community to intervene in all ways possible to protect the citizens in those states that have failed to protect them. See Global Centre for the Responsibility to Protect, 'About R2P'. Accessed at: http://www.globalr2p.org/about_r2p

² Sanctions are a highly effective long-term benefit that should be addressed in their own right. Should the sanctions given out be effective enough, they will eventually start acting as a deterrence to those states. Considering conflict. This will only work with the effective implementation of R2P across multiple Member States and effective sanctions.

stretch to include post-conflict reconstruction (such as refugee management) as well as consequences for the member state that breached these terms.³

The principle has led to a number of successes, most notably in Kenya after 2008, Guinea after 2010 and the Cote d'Ivoire after 2011. It is currently key in discussions aimed at finding a peaceful solution to the fragile situation in Burundi.

The Key Goal of R2P: Prevention

It is important to reiterate that the goal of R2P is prevention and early response. That is, it is essential that R2P-related activities do not cause more harm than the alternative: not acting. Contrary to what most press would have us believe, R2P is not a recipe for military intervention⁴ and the use of military force is not – in any way – the main tool of the doctrine. Force should only be used as a last resort once all other peaceful means have been proven inadequate. Rather, R2P is 'a norm intended to steer'⁵ Member States in the right direction. This is why it can only be successfully implemented throughout the policies and the combined action of Member States. In fact, there is evidence that

the internalisation of RtoP goals and their incorporation into the international context have contributed to the emergence of an international 'habit' of responding to mass atrocities [...]. Approaches that adopt a comprehensive account of atrocity prevention and focus on the building of relevant preventive capacities [...] reinforce habits of protection and, when such measures result in the establishment of institutions sensitive towards atrocity prevention goals, build a degree of path dependency.⁶

R2P Today

When R2P was first introduced, it was accompanied by the slogan 'never again'. Never again would we see the unmerciful killings of thousands of citizens; never again would the rest of the world sit by and watch it happen. However, although R2P was accepted by Member States, there is still considerable controversy and uncertainty as to how it should be implemented during conflict, especially when governments are unwilling or unable to prevent or stop atrocities⁷.

Over a decade later, R2P is characterised by poor implementation and the repeated privileging of narrow over global interests. For example, action by the Security Council was recently halted by both Russia and China, who used their veto power to block any resolutions regarding Syria because their own political interests were at stake.⁸ This has meant that the international community has failed to stop one of the most tragic humanitarian catastrophes of recent years,

³ See, for example, Gareth Evans' discussion of R2P as a framework that is both preventive and reactive in 'R2P: The Next Ten Years', 2015, in *The Oxford Handbook of the Responsibility to Protect*, (Alex Bellamy and Tim Dunne, eds.). Accessed at: <http://www.gevans.org/R2P%20-%20the%20next%2010%20years.%20OUP%202016.pdf>

⁴ In fact, as Ramesh Thakur argues, the R2P profoundly reconceptualises the notion of humanitarian intervention. See Thakur, 2016, 'The responsibility to protect at 15', *International Affairs*, 92 (2), pp. 415-434. Accessed at: https://www.chathamhouse.org/sites/files/chathamhouse/publications/ia/inta92-2-10-thakur_0.pdf

⁵ Angela Patnode as stated in Liberal International, 2015, 'Responsibility To Protect: ten years on – what next?', p. 37. Accessed at: http://www.liberal-international.org/site/file/Human%20Rights/LI_RtoP_Booklet.pdf

⁶ Alex J Bellamy, 2013, 'The Responsibility to Protect: Added value or hot air?', *Cooperation and Conflict*, 48(3), pp. 346-353. Accessed at: <http://cac.sagepub.com/content/48/3/333.full.pdf+html>

⁷ Not to mention those cases when such atrocities are perpetrated by State actors, as is affirmed in the report 'Mobilizing collective action: the next decade of the responsibility to protect', Secretary-General, 22 July 2016. Accessed at: <http://reliefweb.int/sites/reliefweb.int/files/resources/N1623038-1.pdf>.

⁸ *The New York Times*, 'Russia and China Block U.N. Action on Crisis in Syria', 4 February 2012. Accessed at: <http://www.nytimes.com/2012/02/05/world/middleeast/syria-homs-death-toll-said-to-rise.html?pagewanted=all>, 13 February 2014; International Coalition for the Responsibility to Protect, 'UN Security Council Fails to Uphold its Responsibility to Protect in Syria', 7 October 2011. Accessed at: <http://icrtopblog.org/2011/10/07/un-security-council-fails-to-uphold-its-responsibility-to-protect-in-syria/>, 13 February 2014.

leading to more than 120,000 deaths and to millions more who were either internally displaced or forced to seek refuge in neighbouring countries. Will the words 'never again' become an empty claim?

The UNA YP Westminster believes that in the light of recent atrocities, a discussion of R2P needs to be reignited back into the UK's foreign policy. We urge the United Kingdom to play a central role in strengthening the implementation of R2P around the world. This is key to ensure that the doctrine survives under the pressures that recent actions have put on international relations. That is, we support the recommendations that are made in the recent publication of the Report of the UN Secretary-General Ban Ki-moon 'Mobilizing collective action: the next decade of the responsibility to protect'. The report summarises the context of mass atrocity prevention in 2016 and urges nation states to strengthen the implementation of R2P.

The UK is a founding member of the UN, one of the five permanent members of the Security Council, the world's fifth-largest economy⁹ and a state that holds considerable economic, cultural, military, scientific, and political influence internationally. It is crucial that this position of geopolitical influence is maintained post-Brexit. This is why we want the UK government to take a stand. We must show the will and determination to stand up for what is right.

Recommendations

The current multilateral framework is creating a stalemate around R2P. While we do support the principles and the procedural legitimacy of multilateral decisions (that is, the collective, cooperative action by Member States on specific issues – which, from the liberal perspective, is an expression of popular will), we believe that the current situation in Syria highlights the urgent need for institutional reform of the UN.

Specifically, the committee believes that the Security Council members shouldn't be able to block the remaining states from acting upon the principle of R2P. Rather, in situations where R2P is invoked, members of the UN Security Council should be allowed to override the veto right so long as there is an absolute majority. Committing to R2P based on majority decision-making, rather than requiring a unanimous vote, will (i) allow Member States to continue to act in accordance with the UN Charter and the UN Security Council but also (ii) increase flexibility in terms of political support for R2P-related military interventions. This is why:

- We ask the government to support a replacement of the condition of unanimous decision-making by the five permanent members of the UN Security Council, which is required for UN-endorsed military action in support of R2P, with an absolute majority vote.

Nonetheless, we are aware that institutional reform of the UN is a long-term project. As such, we request that the UK underscore its position of intellectual and diplomatic leadership by committing to a multidimensional implementation of R2P in UK foreign policy. This includes:

- Supporting voluntary restraint of the power of veto. With this demand, we are joining the UNA-UK, which published a briefing in October 2015 in support of the voluntary restraint of the UN Security Council veto in situations of mass atrocity;¹⁰
- Reviewing British foreign policy to ensure that it supports preventive strategies around the world in areas that have been identified as potential threats, as is highlighted by

⁹ By nominal GDP. See The Commons Library Blog, "Is the UK the world's 5th or 9th largest economy?", 10 April 2016". Accessed at: <https://commonslibraryblog.com/2016/04/19/is-the-uk-the-worlds-5th-or-9th-largest-economy/>

¹⁰ See UNA-UK Briefing, 'UN Security Council and the responsibility to protect: Voluntary restraint of the veto in situations of mass atrocity', October 2015. Accessed at: http://www.una.org.uk/sites/default/files/Veto%20R2P%20code%20of%20conduct%20briefing%20October%202015%20update_0.pdf

the Secretary-General in his report.¹¹ This includes acknowledging the links between atrocity crimes and extremism (as the report states) and investing in a strategy of prevention.¹² Only this will make it possible to preempt, anticipate and, if needed, take fast action before crises turn into mass atrocities.

Conclusion

The UNA Westminster Young Professionals calls upon the UK Government to escalate this issue to the House of Commons and discuss how it can better implement R2P in UK foreign policy. With the right framework, the UK can develop a sustainable approach to the implementation of R2P and become an example of best practice for other UN Member States.

¹¹ Op. cit., points 28 and 29, pp. 8-9.

¹² Op. cit., points 43 and 44, pp. 12-13.