



AP R2P

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SPOTLIGHT ON R2P

2016 UN General Assembly Informal Interactive Dialogue on the Responsibility to Protect, New York

The eighth UN General Assembly Informal Interactive Dialogue on the Responsibility to Protect (R2P) was held in New York on 6 September 2016, with some 68 Member States, one regional organization (the European Union), and four civil society organizations delivering their statements in response to the Secretary General's R2P report this year titled "Mobilising collective action: the next decade and responsibility to protect". A panel of speakers that

included past and current Special Advisers on the Responsibility to Protect delivered their responses to the SG's R2P Report before 68 Member States delivered their statements.

Dr. Noel M. Morada, Director for Regional Diplomacy, delivered the Centre's statement along with other civil society organizations (Global Centre for R2P, International Coalition for R2P, and the Canadian Centre for R2P). The Centre's statement endorsed the

Secretary General's Report and recognised the remarkable commitment of Secretary General Ban Ki-moon to R2P throughout his term, which was clearly manifested in his tireless efforts in rallying Member States to honour their commitment to the principle and for upholding universal human rights and the protection of vulnerable populations. As well, the statement pointed out the following: 1) the SG's Report resonates well in the Asia Pacific



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ic where a number of societies still face major risks for atrocities; 2) the Centre has been working with our partners in developing home-grown strategies in implementing R2P, including holding of national dialogues for atrocities prevention and seminars on risk factors using the UN Framework of Analysis from which a set of recommendations for national action plans were generated, including the appointment of a national focal point and developing an early warning system; and 3) as part of mainstreaming R2P at the regional level, which is also critical in implementing the principle, the Centre is convening the Asia Pacific Partnership for Atrocities Prevention (APPAP) before the end of the year, which comes at an auspicious time when some countries in the region are moving forward in addressing the root causes of internal conflicts even as others are facing increased risks of atrocities due to heightened political violence and systematic violations of human rights at home.¹

Eleven Member States from the Asia Pacific participated in this year's interactive dialogue, which included three ASEAN members (the Philippines, Singapore, and Thailand), Bangladesh, North



and South Korea, Japan, Australia, New Zealand, Fiji, and Vanuatu. Their statements may be clustered around certain themes or issues that were highlighted in their presentations, as presented below.

1) Prevention, early warning and early response

Seven Member States from the region (Australia, Bangladesh, Japan, New Zealand, South Korea, Vanuatu, and Fiji) underscored the importance of prevention as keystone to implementing the Responsibility to Protect. For example, Bangladesh noted that there is “growing convergence on prevention at the core of international peace and security agenda” and that Member States need to have sustained investment on it.² It also pointed out that conflict prevention and atrocities prevention are not synonymous and they need different strategies.³ South Korea expressed hope that the next General Assembly sessions will focus on prevention of conflict and that it will also continue to work on preventing atrocities. For its part, Japan underscored the need to address “structural drivers of conflict and violence through the rule of law, good governance, and dealing with inequality” in order to prevent atrocities.⁴ New Zealand noted the “continuing struggle to make progress in structural prevention”⁵ while Vanuatu expressed support for “meaningful investments in atrocities prevention.”⁶ The latter also stressed the need for the international community “to redouble its efforts to engage in preventive diplomacy which, if employed early, has proven effective in preventing ongoing atrocities from escalating.”⁷ Meanwhile, Fiji underscored that “prevention of atrocity crimes is always more desirable than re-

solving or addressing them.”⁸

With regard to early warning, Australia pointed to the relevance of “translating early warning to early response” and “atrocities risk sensitisation”⁹ using the UN Framework of Analysis while Bangladesh stated that it “subscribes to the importance of early detection.” For the latter, the UN Framework “needs careful calibration and application” even as it also stressed the need to include consultations “with actors that can contribute to diagnosis and prevention of atrocities.”¹⁰ The Philippines for its part called for an “effective implementation and strengthening the early warning capacity of R2P across the UN system.”¹¹ Zealand called on the UN and the Security Council to work closely with regional organizations and neighbours “to build trust, identify risks, and share analysis” even as it stressed that “shared approach to prevention [is] much more likely to be successful” and “reduce unwarranted interventionism.”¹²

2) The role of the UN Security Council in implementing R2P

Nine Member States from the region devoted much of their respective statements to the critical role of the Security Council in preventing and responding to atrocities. Specifically, Australia called on the SC to “discharge its duties in accordance with the UN Charter”¹³ while Bangladesh stressed that the Council’s “judicious, timely, and effective response...are the cornerstone of R2P.”¹⁴ Four states—Japan, New Zealand, the Philippines, and Singapore—specifically expressed support for the ACT (Accountability, Coherence, and Transparency) initiative of France and Mexico and called

on the Permanent 5 members of the Security Council to restrain their use of the veto in cases of atrocity crimes. Reflecting on its experience as a member of the Security Council, New Zealand in particular noted the following: a) the continued unwillingness even amongst the Perm 5 members to act despite overwhelming evidence of atrocities; b) the importance of the UN and the Security Council using a full range of preventative diplomacy tools at its disposal; and c) the need for the Security Council to open all its working methods in order to respond to early signs of crisis,¹⁵ which was also supported by Fiji.¹⁶ As well, New Zealand proposed improvements in the Security Council's mechanisms, such as briefings to increase situational awareness and early briefings by the special advisors.¹⁷ For its part, the Philippines pointed to the "need to continually evaluate anachronistic methods and procedures, including the use of veto" by the Perm 5 members in R2P situations.¹⁸ South Korea and Vanuatu, respectively, called on the Perm 5 members to "transcend their political self-interests"¹⁹ and that "members should learn to put their differences aside for the sake of humanity."²⁰ For Singapore, given that R2P is "inextricably linked to the role of the UN Security Council", Member States should "ensure its effectiveness, accountability, unity, and transparency in responding to mass atrocities."²¹

3) Gaps in promoting R2P and its implementation

Four Member States—New Zealand, South Korea, Thailand, and Vanuatu—specifically noted in their statements the growing challenges and gaps between promoting and implementing R2P. Specifically, New Zealand stated that "despite progress in

cementing norms and developing concepts of R2P, implementation remains poor" and that "protection of international law has little meaning in many contexts."²² This was echoed as well by South Korea, who pointed out that despite "some great strides, there remains gaps between aspirations [in] protecting populations and the reality on the ground."²³ Thailand, for its part, stressed that mass atrocities is "an increasingly worrying trend with more frequency and violence" even as it also pointed out that "challenges in protection of civilians have become more complex and multifaceted."²⁴ Meanwhile Vanuatu underscored that "challenges related to protecting populations from crimes remain despairingly great" and that "efforts by the global community remain deplorably inadequate."²⁵

With regard to consensus on R2P and its implementation, some Member States raised some issues about the evolving views on the principle. Specifically, Thailand noted that "Member States still perceive concept differently" and that there is a need to "fine tune and establish convergence of common perception about the principle."²⁶ It also pointed out that it is also important to respond to some of the concerns about the concept in order to ensure that "it is not misused or abused", particularly with regard to Pillar 3 in which some sensitive issues must be addressed in consultation with Member States. As well, Thailand stressed that R2P should "focus on prevention" and should not be used "to change a regime" nor have a "political agenda."²⁷ Meanwhile, Bangladesh and Vanuatu stated different views on the three pillars of R2P: the former underscored the "sequential approach to all three pillars [in

order] to avoid unwarranted reaction or response"²⁸ while the latter supports the view that the three pillars are "mutually supporting and non-sequential."²⁹

As expected, the Democratic People's Republic of Korea (DPRK or North Korea) delivered the most extreme position among states from the Asia Pacific on this issue during the dialogue. Specifically, it denounced the Secretary General's report as "illegal" and alleged that it "contains selective and politicized content on developing countries only." It also asserted that "protection of its own people is the primary responsibility and sovereign right of each national state."³⁰ As well, it called on Member States "to stop the misuse of R2P as an open pretext to the intervention in the internal affairs of other countries, military invasion, and occupation." It also argued for discussion of protection issues in the General Assembly by all Member States in accordance with the UN Charter, which "should be based on consensus."³¹

4) Domestic implementation of R2P and links to the 2030 SDG Agenda

A number of Member States reiterated the primary responsibility of states in protecting populations from atrocity crimes in their respective statements. Australia, for example, said that it is important to "speak up when states are failing in their R2P [obligations]."³² Bangladesh stressed that Member States should have "ownership of protection obligations" and that they should adhere to international norms, including international humanitarian principles.³³ Japan for its part pointed out that Member States need to reaffirm their commitment to R2P and redouble their efforts in protecting

populations,³⁴ while Singapore underscored that “national governments cannot abdicate their primary responsibility to protect their citizens.”³⁵

Australia called on Member States to ensure accountability of perpetrators of atrocities when prevention fails even as it also (along with Fiji) expressed continued support for the International Criminal Court’s (ICC) role in prosecuting those who are accountable for atrocity crimes.³⁶ For its part, Vanuatu pointed out that enforcement of international human rights and international humanitarian laws “remain weak.”³⁷

Three Member States—Bangladesh, the Philippines, and Singapore—pointed to the importance of linking R2P to the 2030 Sustainable Development Goals (SDG) Agenda. Specifically, the Philippines stated that all relevant actors should cooperate in “building national resilience” especially for countries that are at risk; implementation of R2P should include “sustained strengthening of national institutions towards good governance and professionalising the security forces”; fostering “shared values and cultures against extremism”; and “engaging civil society and indigenous peoples in wealth-sharing and nation-building.”³⁸ For its part, Singapore underscored that “human development is key to prevention [of atrocities]” and that SDG 2030 agenda is relevant to implementing R2P, in particular SDG 16 on the promotion of peaceful and inclusive societies for sustainable development.”³⁹ It also called on the UN, regional organizations, and civil society “to work together to support the 2030 SDG Agenda to create resilient societies.”⁴⁰ Although Fiji

did not mention the 2030 SDG Agenda, it underscored the importance of “[building] greater harmony and community spirit among citizens” even as it noted that there is no “one-size-fits-all” framework for building resilient societies.⁴¹

Overall, this year’s interactive dialogue on R2P clearly showed more areas of agreement about the principle and its implementation from Member States in the region. Specifically, they reiterated their continuing commitment to the norm and reaffirmed the primary responsibility of states in protecting populations from atrocity crimes. There is also wide recognition in the region that the international community should do more to respond to atrocity crimes around the world even as they also acknowledge the need for the United Nations, regional organizations, and civil society to work together to prevent atrocities. It is significant to note as well that some Member States in this year’s dialogue underscored the importance of linking R2P to the 2030 SDG Agenda as an important strategy to enhancing national resilience of states in managing the risk factors for atrocity crimes.

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**Asia Pacific Centre for the Responsibility to Protect Statement,
UN General Assembly, 6 September 2016, New York**

The Asia Pacific Centre for the Responsibility to Protect would like to congratulate the Secretary General for delivering his eighth annual Report on R2P, which focuses on the need to further mobilise collective action in preventing mass atrocities.

Our Centre would also like to recognise the remarkable commitment of Secretary General Ban Ki-moon to R2P throughout his term. This was clearly manifested in his tireless efforts to rally Member States to honour their commitment to the principle and for upholding universal human rights and the protection of vulnerable populations.

This year's Report resonates well in the Asia Pacific where a number of societies still face major risks for atrocities. Our Centre has been working with our partners in developing home-grown strategies in implementing R2P, including holding of national dialogues for atrocities prevention and seminars on risk factors using the UN Framework of Analysis. From these dialogues, a set of recommendations for national action plans were generated, which includes the appointment of a national focal point and developing an early warning system. Mainstreaming R2P at the regional level is also critical in implementing the principle. Aside from public seminars on the HLAP Report on R2P in Southeast Asia, we are also convening the Asia Pacific Partnership for Atrocities Prevention (APPAP) before the end of the year. We believe that this network would be useful in deepening the commitment of states and other stakeholders in implementing the norm. The launching of this network also comes at an auspicious time when some countries in the region are moving forward in addressing the root causes of internal conflicts even as others are facing increased risks of atrocities due to heightened political violence and systematic violations of human rights at home.

Thank you Mr. Chair for giving us the privilege of responding to the Secretary General's Report.

ENDNOTES

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