

R2P IDEAS in brief



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Asia Pacific Centre for the Responsibility to Protect

Russia and the Responsibility to Protect

Heather Rae, University of Queensland
 Phil Orchard, University of Queensland¹

Introduction

In 2005 Russia, along with every other state, endorsed the World Summit Outcome declaration which first provided international recognition to the Responsibility to Protect doctrine (R2P).² Despite this, Russia has a bifurcated understanding of what the R2P is. The Russian government is hostile towards those aspects of R2P that may be taken to impinge on traditional conceptions of sovereignty; at the same time Russia is willing to violate that conception of sovereignty in support of its citizens and states it identifies as historic allies. Russia has generally refrained from blocking UN Security Council resolutions that fall under Pillar One (states' own responsibility towards their populations) and Pillar Two (the international community's responsibility to assist states) through the use of their Security Council veto.³

Russia's practice with respect to Pillar Three, which establishes that the Security Council should, on a case-by-case basis, take timely and decisive action in situations where a state has manifestly failed to protect its population, is more complicated. While in 2011 Russia abstained from Security Council Resolution 1973, which authorized collective action on Libya, it quickly became an outspoken critic of the US and its allies once it became clear they were intent on regime change.⁴

Russia has also vetoed resolutions with respect to the conflict in Syria which could have led to the use of force, though it has abstained on other resolutions that have either focused on aid delivery, on purely political responses to the crisis, or on chemical weapons.⁵ At the same time, it has also directly supported Syrian President Bashar Al-Assad through arms sales and, since September 2015 with direct military support and air strikes directed against both the Islamic State and other rebel groups.⁶

At the same time Russia has been accused of taking an approach to R2P that is both instrumental and at odds with widespread international understandings of the doctrine. This was the case with the 2008 Georgian War, which the Russian government defended in part as reflecting its responsibility to protect Russian citizens outside of Russia, but also with its 2014 annexing of Crimea, which used a similar, if more tempered, language of 'responsibility'.⁷



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How can Russia have ‘signed on’ to R2P yet be so contradictory in its approach? To understand this, it is important to discuss the normative dimensions of the R2P doctrine, and how normative contestations can lead to differing interpretations of what R2P means. In particular, we argue that Russia holds an understanding of R2P which is at odds with that of the wider international community. While this difference may be driven by instrumental reasons, these are underpinned by deeper questions relating to Russian national identity, including how the Russian government conceives of sovereignty and, related to this, its role as a great power and what responsibilities and rights are therefore due to it. This also has bearing on how Russia sees itself as having privileged interests within its region and in relations with its close historical allies.

R2P and Normative Contestation

Within the academic literature, there is a growing consensus that the R2P cannot be understood as a single, simple norm. Jennifer Welsh, for example, argues that it is a ‘complex’ norm that contains a number of prescriptions which apply to different actors, depending on the pillar, and as Welsh puts it with, ‘different levels of specificity’ and with a range of prescriptions about state behavior in both preventing and responding to mass atrocity crimes.⁸ Alex Bellamy suggests R2P is in fact ‘two distinct sets of norms’, one applying to how states treat their own populations and the other to what responsibilities states have towards the protection of citizens of other states.⁹

While the 2005 World Summit Outcome document can be seen as an important moment in the institutionalization process of R2P, this process has continued over the past ten years.¹⁰ The multiple dimensions in which R2P is meant to operate, coupled with the socially constructed nature of norms generally, means that there is always ambiguity and scope for interpretation and contestation over what a norm requires. Public endorsement of a norm can, as Welsh argues, ‘lead to renewed arguments about both the norm’s desirability and the norm’s scope, thereby affecting the willingness of norm followers to embrace implementation. In some cases, these arguments can lead to backsliding or differential interpretations of the norm’s meaning.’¹¹ Thus, as Bellamy suggests, in the years immediately after the World Summit Outcome Declaration there was a ‘revolt against R2P,’ albeit one which eventually subsided, over what obligations the R2P doctrine created.¹² Debates over recent actions, including in Libya and Syria have, however, highlighted renewed contestations over how R2P should be understood and applied.¹³

Such contestation over new or developing norms is not unusual. These issues appear not only in a norm’s institutionalization process, but also in its parallel implementation process,

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which ‘draws attention to the steps necessary to introduce the new international norm’s precepts into formal legal and policy mechanisms within a state or organization in order to routinize compliance.’¹⁴ During the implementation process, basic understandings of state identity can be used in two ways. The first is as a resource by actors to mobilize action to adopt a particular understanding of the norm.¹⁵ But core ideas related to a state’s identity, such as its constitutional framework and legal system, can also channel new norms in certain ways that will vary from state to state.¹⁶

We can identify clear markers around the implementation process. It starts when new norms emerge in domestic discourses and, subsequently, in domestic institutions through either replacement or formal alteration of existing practices, and is likely to vary across states.¹⁷ But the result is that, as Welsh notes, an agreed upon norm may not signify ‘the same thing to all actors post-institutionalization.’ As she puts it, ‘contestation over the meaning of a new norm can persist into the implementation phase, particularly as new circumstances and crises, different from those surrounding the norm’s genesis, arise.’¹⁸ Although Russia has signed on to the R2P, at the domestic level we see the strengthening of nationalist discourse and the increasingly vocal rejection of norms that have come to be seen as ‘Western’ impositions.

Russian Identity and International Order

The R2P reflects the wider set of norms that help to constitute a liberal world order, including democratic accountability to citizens and human rights.¹⁹ For much of the twentieth century Soviet communist ideology proclaimed an alternative to this order, but with the collapse of the Soviet Union Russia was faced with the seeming triumph of Western values and the ‘end of history’ proclaimed in the West.²⁰ Since the breakup of the Soviet Union Russia has sought to position itself relative to this order, first in unsuccessful efforts to ‘come on board’ and then in increasingly critical terms. With this in mind we can identify three core aspects of contemporary Russian identity that are relevant to its interpretation of the R2P: Russia’s self-perception as a great power; its interpretation of sovereignty linked specifically to equality among powers and non-interference; and the idea of Russia playing a privileged role in its region.

Russia as a Great Power

There is a long history of Russia feeling aggrieved by lack of recognition on the part of European powers, articulated in what Neumann and Pouliot, echoing Ayse Zarakol and numerous other authors, see as a long-standing ‘clash between Russian and Western diplomatic dispositions.’²¹ While they suggest Russia has been on a quest for recognition of

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equal status for a millennium, Western Europeans from the 19th century onwards have treated it as part of an uncivilized or barbarian ‘other.’ Indeed Putin and Vladislav Surkov, described by Charles E. Ziegler as the ‘Kremlin’s ideologist,’ both describe Russia as part of European civilization, but with its own ‘unique characteristics’.²² Despite this self-presentation Russia has not been seen as part of the West and Western rebuffs have played a role in developments over the last few decades. This is the continuation of a long history of seeking status in an international society that is socially stratified between insiders and outsiders²³ and in which Russia has generally been on the outside.

Following the end of the Cold War, the new Russian leadership, driven in part by late Soviet programs including Gorbachev’s ‘New Thinking’, sought to integrate the country into both the global economy and into the wider liberal normative order. Yet it faced Western skepticism. There were questions of whether Russia remained a genuine great power (its nuclear arsenal aside), and widely shared views that Russia could be ignored.²⁴ Further, Western countries not only did not respond to Russian overtures towards collective security, but NATO embarked upon expansion into Eastern Europe. This was regarded with great suspicion by the Russian government, and yet their concerns were consistently brushed aside. As Roger E. Kanet notes, ‘This Western downplaying of Russia’s place in the international system directly challenged the sense of honour and status that... lies at the heart of Russian foreign policy.’²⁵

The lack of international recognition meant that reformists within Russia consistently lost influence to more conservative and nationalist voices. As early as the mid-1990s, there were widespread domestic arguments that the West was humiliating Russia and ‘taking advantage of Russia’s weakness.’²⁶ NATO interventions in the former Yugoslavia and in Kosovo only added to these fears and fed into a growing domestic narrative that Russia needed to reassert itself as a great power.²⁷ The appointment of Vladimir Putin as Prime Minister in 1999 and his election as President in 2000 reinforced these trends.

Sovereignty and Sovereign Equality

Today, the Russian government frames Russia as an important pole in a multipolar, global system and advocates the principle of sovereign equality. As Richard Sawka notes, Russia under Putin is presented as neo-revisionist, not wanting to ‘change the fundamentals of international order’, so much as seeking to ‘ensure that Russia and other “rising” powers [are] treated as equals within the international system’.²⁸

Thus, in asserting the value of the status quo, ‘Russia does not repudiate the existing normative framework, but seeks to ensure its universal application.’²⁹ It should be noted,

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however, that this ‘normative framework’ is the ‘equalitarian regime’ instituted post-World War II and *not* the US dominated liberal world order of which Russia is increasingly critical and in which there is a hierarchy of status in which non-liberal powers inevitably rank lower.³⁰ Russia’s most recent Concept of Foreign Policy, issued in 2013, notes that Russia ‘follows a policy aimed at creating a stable and sustainable system of international relations based on international law and principles of equality, mutual respect and non-interference in internal affairs of states’ and that ‘the United Nations should remain the centre for regulation of international relations...’³¹ This is supported by Russia’s championing of the BRICS, one of only a number of regional groupings that Russia has sought to build.

Hence the Russian government has generally (and with notable exceptions) asserted a traditional conception of sovereignty as equated with non-interference in the domestic affairs of a recognized state. Based on this it supports the existing structure of the UN in general and the UN Security Council in particular (including the veto power) as reflecting such an understanding. The Russian government also frequently frames itself as a defender of the principle of sovereign independence and a critic of actions that violate this principle, such as the US-led 2003 invasion of Iraq, or which may shift the exclusive right to authorize the use of international force away from the UN Security Council, such as the expansion of NATO. As Putin stated at the 2007 Munich Security Conference:

I think it is obvious that NATO expansion does not have any relation with the modernisation of the Alliance itself or with ensuring security in Europe. On the contrary, it represents a serious provocation that reduces the level of mutual trust. And we have the right to ask: against whom is this expansion intended? And what happened to the assurances our western partners made after the dissolution of the Warsaw Pact? Where are those declarations today?³²

Similarly, Russia’s 2013 Foreign Policy concept notes that ‘some concepts that are being implemented are aimed at overthrowing legitimate authorities in sovereign states under the pretext of protecting civilian population.’ These measures, it suggests ‘only lead to the expansion of the conflict area, provoke tensions and arms race, aggravates interstate controversies and incite ethnic and religious strife.’³³

It is clear that Russia’s view of sovereignty remains based on a pluralist reading of the international system. It is focused on the prerogatives of states. It is equally critical of the dominance of the US and other Western powers and of what Russia sees as a drive to impose liberal norms and institutions and a wider solidarist view of sovereign authority. It sees the norms on which EU expansion is predicated, most notably of democratic

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institutions as universally desirable—‘transdemocracy’³⁴—as a threat, particularly as seen in the so-called colour revolutions of the 2000s and also in the 2014 overthrow of the Kremlin backed Yanukovych regime in Ukraine.

At the domestic level, this interpretation of sovereignty is tied into Russia’s increasingly authoritarian politics, with arguments put forward for their own concept of ‘sovereign democracy’, which is distinctly illiberal in tenor and is, ‘characterized by freedom from external standards or influences’.³⁵

As Ziegler notes, this approach:

reflects a close linkage between Vladimir Putin’s recentralizing project domestically, and his reassertion of Russia’s position as a great power on the international scene. The enthusiastic reception that Mr Putin’s project has received from the Russian elite, and from the general population, suggests that concerns with both domestic and international variants of sovereignty predate him, but have received new impetus under Putin’s authoritarian, aggressive leadership.³⁶

In his defence of ‘sovereignty democracy’ Vladislav Surkov uses a romanticized view of Russian culture as a base to suggest that though it is part of European civilisation, Russia has its own unique political culture and arising out of this it has its own particular view of sovereignty. His arguments, however, amount to a justification of authoritarian rule and an interpretation of sovereignty as control. As Ziegler notes, according to Surkov:

Russian political culture is more holistic, centralized and emotional than Western cultures, and more personalized. Individuals, according to this convoluted reasoning, may serve as institutions... or the leaders of Russia’s personalistic parties. Russia also has a tendency toward chaos and fragmentation if not held together by a strong executive, and such fragmentation undermines Russian internal sovereignty.³⁷

This understanding of sovereignty motivates the Russian government to subject independent civil society groups seeking to build democracy within the country to state pressure or to close them down entirely.³⁸ A conception of sovereignty as strong, centralised control, rather than popular sovereignty or sovereignty as authorised by the people, has become predominant.³⁹

The Russian government frequently applies such a reading of sovereignty to R2P. In the 2012 General Assembly informal dialogues on R2P, for example, Russian officials noted that ‘it is our belief that the paramount obligation for protecting the responsibility of one’s own population lies with the state. The role of the international community amounts, first and

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foremost, to providing the necessary assistance to the state in implementing this duty.⁴⁰ However, Russia has pushed this to also include its citizens beyond its own borders and in direct tension with the understandings of sovereignty that the government has pushed at the international level.

This tension affects how the Russian government asserts that R2P should be applied. As Averre and Davis note, ‘Moscow is prepared to support the concept of R2P but calls for the strict interpretation of the 2005 WSO document: the idea of states’ responsibility to protect their populations from the “four crimes” with international support. A reliance on pillars 1 and 2 underpins arguments from Russia...’⁴¹

As Russian Deputy Permanent Representative Sergey Karev noted in the open debate on the Protection of Civilians in Armed Conflict in 2012, ‘practice has shown that invoking [the R2P] concept with what initially appeared to be noble goals often leads to interference in the international affairs of sovereign States and to violent regime change.’⁴² In the 2012 informal, interactive dialogue on the R2P, they similarly noted that the use of coercive measures is an extreme measure which should prompt the responsible state to implement its obligations, ‘not supplant... its role in so doing’ and that the third pillar is not only the most contradictory but that examples from practice showed that its application ‘may be for distorted goals.’⁴³ In 2013, they added that ‘We cannot agree with attempts to base military action against Syria on narrow concepts of so-called “humanitarian intervention.”’⁴⁴

Privileged Interests

This authoritarian impulse underpins a contradictory, exceptionalist reading of sovereignty by Russian authorities, which gives two grounds on which Russia can negate the traditional protection of non-interference in their own perceived interests while strongly avowing that other states should abide by it. As then President Dmitry Medvedev noted in 2008 following the conclusion of the Russo-Georgian War, ‘protecting the lives and the dignity of Russian citizens, wherever they may be, is the *raison d’être* of the Russian state.’⁴⁵ In addition, Medvedev argued, that there are ‘regions in which Russia has privileged interests’, regions that ‘are home to countries with which we share special historical relations’.⁴⁶

As Foreign Minister Sergei Lavrov argued,

[U]nder the Constitution [the President] is obliged to protect the life and dignity of Russian citizens, especially when they find themselves in the armed conflict... According to our Constitution there is also responsibility to protect – the term which is very widely used in the UN when people see some trouble in Africa or in any

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remote part of other regions. But this is not Africa to us, this is next door. This is the area, where Russian citizens live. So the Constitution of the Russian Federation, the laws of the Russian Federation make it absolutely unavoidable to us to exercise responsibility to protect.⁴⁷

The government has since been more careful with its rhetoric, yet the conviction remains that the protection of its citizens outside Russia's borders merits exceptional violations of other states' sovereignty. The occupation of the Crimea in 2014, for example, was justified on such a basis. As President Putin argued, 'what worries the citizens of Ukraine, both Russian and Ukrainian, and the Russian-speaking population... is this uncontrolled crime. Therefore, if we see such uncontrolled crime spreading to the eastern regions of the country, and if the people ask us for help... we retain the right to use all available means to protect those people.'⁴⁸ While the government has carefully officially denied support for the Eastern Ukrainian separatists,⁴⁹ they have also used similar rhetoric. As Foreign Minister Lavrov noted in an April 2014 interview,

If our interests, our legitimate interests, the interests of Russians have been attacked directly, like they were in South Ossetia for example, I do not see any other way but to respond in full accordance with international law.⁵⁰

This does not mean we should expect such use in every case. Natasha Kuhrt, for example, notes that in the case of Kyrgyzstan in 2010, even though the state called for an intervention, Russia instead characterized it as an internal affair, sending only humanitarian aid and medical supplies. She suggests that this was because there was no clear objective to an intervention and little appetite among 'other Central Asian leaders for an intervention'.⁵¹ What is clear, though, is that Russia has a strong conception of its privileged interests in its region and it is willing to forcibly abrogate the sovereignty of weaker states to pursue these interests. Russia seeks, with limited success, to legitimate such actions in terms of responsibility to Russian citizens and state rights under international law and it continues to advocate sovereignty as equality and non-interference in cases that do not concern it.

Conclusion

All of the above highlights that Russia sees itself as a great power that should be accorded recognition of its status and is resentful when such recognition is not forthcoming. Russia advocates sovereign equality and non-interference but will ignore these principles when they would limit Russia's actions. This has been the case recently closest to home in the sphere of Russian 'privileged interests', in Georgia, Crimea, and Ukraine but it can also be seen in Russia's unilateral decision to start bombing Syria in support of the Assad regime. It

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is clear that the conception of sovereignty that Russia employs is at odds with the conception of sovereignty as international responsibility that underpins the Third Pillar of the R2P, which it regards with suspicion as a possible cover for Western interventions.

As we have shown, issues of national identity are, as they have so often been for Russia, playing an important role today.⁵² We see a hardening of nationalist discourse accompanying increasingly authoritarian government, with domestic critics threatened, linked to ‘Western’ influences, and sometimes killed. A more closed conception of sovereignty as control is predominant and, as a result, the diffusion of R2P norms through domestic institutions seems unlikely at the moment.

As we have also noted, while Russia asserts the value of the existing *international* order, namely the post-World War II ‘equalitarian’ order, this coexists with an increasingly direct rejection of the liberal *world* order in which the US and its allies have been dominant. Instead, the rules based order that Russia supports (and sometimes ignores) stresses sovereign rights and support for international law through the UN system, particularly the Security Council. This means that, for the time being at least, Russia is most likely to have a negative response to proposed action under Pillar Three.

BIOGRAPHICAL NOTE

Dr Heather Rae is Senior Lecturer in Politics and International Studies in the School of Politics and International Studies, University of Queensland. Her research focuses on state- and nation-building with particular reference to the construction of collective identities and state violence. She is currently working on a project, *The Frontiers of Liberalism*, which examines how violence committed by liberal states, both in the past and in the contemporary period is justified and legitimated.

Dr. Phil Orchard is the Research Director of the Asia-Pacific Centre for the Responsibility to Protect and a Senior Lecturer in International Relations and Peace and Conflict Studies at the University of Queensland. His research focuses on international efforts to provide legal and institutional protections to forced migrants and war-affected civilians. He is the author of *A Right to Flee: Refugees, States, and the Construction of International Cooperation* (Cambridge University Press, 2014) and the co-editor of *Implementation in World Politics: How Norms Change Practice* (Oxford University Press, 2014).

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Asia Pacific Centre for the Responsibility to Protect

Building 39A, Level 4
School of Political Science and International Studies
The University of Queensland
St Lucia Brisbane QLD 4072 Australia

Tel: +61 (0) 7 3346 6435
Fax: +61 (0)7 3346 6445
Email: r2pinfo@uq.edu.au
<http://www.r2pasiapacific.org/index.html>