



Case Study:
Pillar Two and the
Regional Assistance
Mission to the Solomon
Islands (RAMSI)

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The Asia-Pacific Centre for the Responsibility to Protect

The Asia-Pacific Centre for the Responsibility to Protect is an Associate of the Global Centre for the Responsibility to Protect. The Centre's mission is to advance the Responsibility to Protect principle within the Asia-Pacific Region and worldwide, and support the building of capacity to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

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Contents

1. Executive Summary	3
2. The Responsibility to Protect	5
3. Pillar Two of the Responsibility to Protect	7
4. RAMSI in the Solomon Islands: Pillar Two in Action	11
5. Conclusion	15
6. References	17



1. Executive Summary

As agreed by Member States at the 2005 World Summit, the Responsibility to Protect (R2P) rests on three pillars: the responsibility of the State to protect its own population from genocide, war crimes, ethnic cleansing and crimes against humanity; the duty of the international community to provide States with assistance and capacity-building; and the international community's responsibility to take timely and decisive action, in accordance with Chapters VI, VII and VIII of the UN Charter, in cases where the State is manifestly failing in its responsibility to protect. The pillars are not sequential and each pillar is of equal importance. In his recent report on Implementing the Responsibility to Protect the UN Secretary-General set out a balanced and comprehensive range of ideas of translating the principle from words to deeds. As the Secretary-General noted, more work is needed to understand and clarify the measures that States might take to exercise their R2P through each of the three pillars.

Of the three pillars, the measures that States, regional and sub-regional arrangements and the UN might take to exercise their pillar two responsibilities are least well understood. The range of possible assistance that might be provided to State extends from small scale bilateral partnerships relating to technical matters, to different forms of targeted development assistance, to comprehensive and multifaceted assistance arrangements. The key thing that unites all of these measures is that they involve partnerships and require the express invitation of the host State. In short, pillar two activities are primarily concerned with assisting the State to exercise its responsibility to protect. By doing so, pillar two actively strengthens the State and its sovereignty. In the past decade, there has been a flourishing of global partnerships aimed at strengthening States. Much of this activity make a direct contribution to helping States exercise their R2P and should therefore be properly understood as pillar two activities.

This case study report briefly considers one such example – the Regional Assistance Mission to the Solomon Islands (RAMSI). Deployed at the request of the Solomon Islands government and organised under the auspices of the Pacific Islands Forum, RAMSI assisted the government in restoring law and order, disarming armed groups and ensuring that the Islands' criminals were tried under the criminal justice system. Over time, RAMSI has transitioned into a broader capacity-building partnership aimed at helping the government to build and sustain the rule of law, good governance, local conflict resolution mechanisms, and economic development. As such, although it has encountered many challenges, RAMSI

provides an excellent example of pillar two engagement at work, and the lessons learned from RAMSI can inform the development and implementation of R2P's second pillar. The operational lessons learned from RAMSI are five-fold. First, rapid deployment of civilian, military and police assistance to a requesting country in the immediate wake of a political crisis is essential to prevent the escalation of violence. Second, missions must have the capacity required to fulfil their tasks. Third, the different components should be closely integrated. Fourth, capacity building is a crucial but long term endeavour. Finally, international engagement can assist States to disarm and demobilise destabilising armed groups. These findings complement many of the recommendations made by the UN Secretary-General in 2009.



2. The Responsibility to Protect

World leaders unanimously adopted the R2P principle in paragraphs 138-140 of the UN World Summit Outcome Document in 2005. The following year, the R2P was unanimously reaffirmed by the United Nations Security Council in Resolution 1674, which stated the Council's determination to protect civilians.

As agreed by Member States, the R2P principle rests on three pillars.¹ The first is the responsibility of each state to use appropriate and necessary means to protect its own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and from their incitement. This commitment is universal and permanent. Universal in that it applies to all states; permanent in that it does not ebb and wane. The relevant question is not whether states have a responsibility to protect their own population, but what is the most effective way of exercising that responsibility. By effectively exercising their primary responsibility to protect, states strengthen their sovereignty. Moreover, exercising the responsibility to protect and strengthening state capacity go hand-in-hand. The second pillar refers to the commitment of the international community to encourage and help states exercise their responsibility. This includes specific commitments to help States build the capacity to protect their populations from the four crimes and to assist those which are under stress before crises and conflicts erupt. The third pillar refers to the international community's responsibility to respond through the United Nations in a timely and decisive manner, using Chapters VI (Pacific Settlement of Disputes), VII (Action with Respect to Threats to the Peace), and VIII (Regional Arrangements) of the UN Charter as appropriate, when national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Prevention is the 'single most important dimension of the Responsibility to Protect'.² Member States confirmed this at the 2005 World Summit by clarifying that protection from genocide and mass atrocities specifically entails the responsibility to protect populations not only from the commission of such crimes, but also from their incitement (paragraph 138). This emphasises the need to act to ensure that the four crimes do not occur in the first place. There are at least three additional reasons for thinking that prevention is the most important dimension of the R2P.³

1. Prevention is the best form of protection. The best way to save lives is to prevent genocide and mass atrocities in the first place. Recent tragedies like Rwanda and Darfur have shown how difficult it is to stop mass killing once it has started. Once large-scale killing has started, the need for a timely and decisive response from the international community escalates significantly. Yet even if response is rapid, the effectiveness of reaction is limited. When mass killing is allowed to begin, protection has already failed. Commonsense teaches us that it is much better 'to ensure that the catastrophe did not happen in the first place' than to try to finesse appropriate reactions once the killing has started.⁴

2. Prevention is cheaper than reaction. The Carnegie Commission's 1997 report on Preventing Deadly Conflict concluded that despite the costs that preventive action inevitably demands, they 'are miniscule when compared with the costs of deadly conflict and of the rebuilding and psychological healing in its aftermath'.⁵ The costs of conflict are difficult to measure but include the immediate damage inflicted on lives, livelihoods and property, and prolonged setbacks in education and health. Rebuilding incurs enormous costs as well. The losses attributed to civil war can be many times the size of a country's annual gross domestic product and it can take years, even decades, to return to pre-war economic levels.⁶

3. Prevention enables partnerships that help to strengthen States. While Member States unanimously acknowledged that it is the primary responsibility of governments to prevent genocide and mass atrocities, a variety of actors can contribute by assisting states to meet this goal. Regional organisations, international institutions and civil society groups are all engaged in various kinds of preventive projects, aimed at strengthening sovereignty as responsibility. Much of this effort is directed towards helping states build the capacity to tackle the root causes of instability, develop mechanisms for handling conflict effectively, and build legitimacy.

In 2007, the Secretary-General appointed Edward Luck as his Special Adviser to consult with Member States on the R2P and bring forward recommendations for its implementation. The Special Adviser argues that the R2P 'represents the application of human security perspectives to a specific area of public policy that has long vexed publics and policymakers alike'.⁷ He identified four main programmatic dimensions to the implementation of the principle's core prevention and protection goals: (1) capacity building and rebuilding; (2) early warning and assessment; (3) timely and decisive response; (4) collaboration with regional and subregional arrangements. In early 2009, the Secretary-General released a report setting out options for implementing the R2P within the UN system. One of the most important aspects of this report was its work on clarifying the nature of the principle's second pillar and identifying a range of appropriate policy measures.



3. Pillar Two of The Responsibility to Protect

According to the UN Secretary-General, the second pillar of the R2P involves the international community's duty to assist states in meeting their R2P obligations through a combination of persuasion and partnership.⁸ It also shares with pillar one an emphasis on preventive measures.⁹ According to the 2005 World Summit Outcomes Document, assistance under pillar two of the R2P could take one of four forms:

- Encouraging States to meet their responsibilities under pillar one;
- Helping them to exercise this responsibility;
- Helping them to build their capacity to protect;
- Assisting States 'under stress before crises and conflicts break out.¹⁰

Although they are not synonymous, there is a significant amount of evidence to suggest that state failure and internal instability significantly increase the potential for the commission of one or more of the four crimes associated with the R2P.¹¹ In particular, the presence of internal conflict is the most consistent predictor of future mass killing and forced displacement.¹² Since the Second World War, genocide and mass atrocities have almost always been a consequence of state failure, internal violent conflict or disruptive regime transitions.¹³ Moreover, countries with at least one previous state failure are twice as likely as other countries to experience genocide and mass atrocities subsequently.¹⁴ In most cases, internal wars are the first in a complex series of events that leads to the commission of genocide and mass atrocities.¹⁵ As such, it is clear that measures designed to prevent state failure, strengthen national resilience and resolve internal conflicts significantly reduce the likelihood that the R2P related crimes will be committed in the future. Even in cases where there is no immediate threat of the crimes being committed, international efforts to assist states under stress make a direct contribution to reducing the threat of genocide and mass atrocities in the longer-term. The primary role of pillar two is to galvanise the international community into assisting states to build and maintain the capacity necessary to address problems, ideally before they become manifest in the commission of genocide, war crimes, ethnic cleansing and crimes against humanity.

Measures implemented under pillar two are done so with the consent of the State involved, usually in the form of a specific invitation. Among a range of relevant measures, the Secretary-General's recommendations for implementing this report included the use of the

UN, regional and sub-regional institutions to support States where requested. This may involve the provision of technical and financial support for States that are enacting preventive measures; the use of education on human rights to prevent future crimes; the need to combat sexual violence; a special emphasis on women and children in conflict; the need to focus on a learning process between regional organisations and the UN; building civilian capacities to prevent crimes; the provision of military assistance to States as necessary; assistance with establishing impartial and effective security and judicial systems within States; targeted development assistance; support for the establishment of safe and secure dialogue within States; and post conflict peace-building measures to prevent future crimes.¹⁶

Whilst many of these measures may be conducted on an ad hoc and state-to-state basis, States under stress might exercise their R2P by requesting assistance and others might fulfil their duties by responding to that call. In some circumstances, this might involve the consensual deployment of civilian personnel, police officers and even military forces.

Civilian Assistance

The UN Secretary-General recognises that civilian expertise is sometimes critical to the restoration of order and confidence to societies afflicted with domestic unrest or other problems. He called for the establishment of assistance programmes that are specifically targeted to build the specific capacities within societies that would significantly reduce the risk of the commission of R2P related crimes in the future.¹⁷ Civilian cadres may be able to supplement local police forces in emergency situations, given proper training and skills.¹⁸ Civilian assistance might also strengthen local early warning mechanisms and help local authorities to build the capacity to prevent situations escalating. In particular, the Secretary-General identified five critical capacities that States could request international assistance to help them achieve:

1. Conflict-sensitive development analysis to ensure that development assistance ameliorates rather than inflames existing tensions.
2. Indigenous mediation capacity to find 'internal solutions to problems'.
3. The ability to facilitate inclusive and participatory processes of dialogue about contentious issues.
4. Local dispute resolution capacity.
5. The capacity to sustain and grow new capacities.¹⁹

As the Secretary-General noted, there is much more learning to be done about the sorts of civilian capacities needed to prevent crises and protect populations, but there is broad agreement that civilian assistance can help States to exercise their R2P through partnerships

aimed at strengthening the rule of law, human rights, security sector reform, civil society and a tolerant and open political culture.

Police Assistance

Alongside civilian assistance, the Secretary-General also noted that police assistance can also play a crucial role in helping States to exercise the R2P and build capacity for the future. On other occasions, the Secretary-General has encouraged suggestions that have arisen regarding standby and rapid-response teams of police to be further considered and developed²⁰. Without making specific recommendations about the type of police activities that might be developed to assist states, the Secretary-General noted that it is essential that security forces within the state be 'impartial and disciplined' to decrease tension and reinstate order in the society.²¹ This is another investment the Secretary-General claims States can make in order to prevent mass violence from occurring.²²

Military Assistance

Although the deployment of military forces is usually associated with R2P's third pillar, military assistance to States is a core part of the second pillar. Indeed, it is important to recognise that all contemporary UN peace operations are pillar two endeavours in that they are deployed with the consent of the host State and are mandated to assist the State to maintain order, strengthen capacity and build peace. The use of military force should always be the last resort option. However, with the consent of the host government, the military sector can provide many functions that assist the State to protect civilians and enable peace, provided they are 'early, targeted and [their deployment is] restrained'.²³ For example, non-state actors sometimes commit – or threaten to commit – crimes including genocide, war crimes, ethnic cleansing and crimes against humanity.²⁴ In such circumstances, an international military presence may be useful in cases where a State must combat a non-state entity, which is armed and threatens the State and the general population.²⁵ Consent-based deployment and preventive deployments are a particular strength of the UN, and have been successfully used in cases predating the acceptance of the R2P.²⁶ In other circumstances, military assistance might be offered to help the State maintain order, to reform and professionalise its security sector, to strengthen its military capacity and to oversee disarmament and demobilization processes.

Although often unrecorded, assistance in the form of the deployment of military, police and/or civilian staff to support the State is relatively common. Recent examples from different parts of the world include the African Union Mission for Support to the Elections in Comoros (2006), which involved the deployment of 1,200 civilian election monitors and 462 South African military and police personnel (rising to 800 during the second round of the elections) to

observe and assist the election process and the EU/UN military and police mission to Chad (2007), through which 3,000 EU/UN officers assist the government of Chad to maintain security in and around the refugee camps situated near the border with Sudan.

The Regional Assistance Mission to the Solomon Islands (RAMSI), however, stands out as a particularly effective regional effort to support a neighbouring sovereign State in reasserting the rule of law, establishing order, and building capacity. The mission's legitimacy derived from the sovereign consent of the Solomon Islands government and regional consensus about the appropriateness of assistance. Although it confronted numerous challenges, and remains a work in progress, RAMSI succeeded in helping the Solomon Islands government protect its population through strengthening the rule of law, stemming the descent into violent conflict and building the capacity to prevent future recurrences.



4. RAMSI in the Solomon Islands: Pillar Two in Action

The Solomon Islands achieved independence from Britain in 1978. Through the 1980s and 1990s, however, the local economy gradually deteriorated thanks largely to a combination of corruption, mismanagement and global economic factors. Within this context of growing economic hardship, ethnic resentment was fuelled by the ongoing migration of Malaitan populations from the island of Malaita to the island of Guadalcanal (which contains the national capital of the Solomon Islands, Honiara). In late 1998, the Guadalcanal Revolutionary Army/Isatabu Freedom Movement (IFM) embarked on a campaign of violence and intimidation against Malaitans, forcing some 20,000 to flee. Malaitans responded by forming the Malaita Eagle Force (MEF) which countered IFM attacks and demanded—and sometimes violently claimed—compensation for the destruction of Malaitan owned property. In 2001, Australia brokered the Townsville Agreement which provided for provincial elections overseen by an International Peace Monitoring Team (IPMT), comprising 49 people. Sir Allan Kemakaze was elected Prime Minister, but the IPMT failed to prevent the ex-militias from continuing to form criminal gangs and withdrew in June 2002. The situation continued to deteriorate into lawlessness and in July 2003, Kemakaze requested Australian assistance in restoring law and order and disarming the IFM militia and criminal gangs.²⁷ It is crucial to stress at this point that the impetus for RAMSI came from the Solomon Islands government itself, responsibly recognising that it required international assistance to maintain the rule of law and protect the population in its care.

The catalyst for Australia's decision to work with the Pacific Islands Forum in assisting the Solomon Islands, was the release of a report in June 2003 by the Australian Strategic Policy Institute (ASPI).²⁸ The report claimed that the collapse of the government in the Solomon Islands posed an important threat to Australian security because it would make the Solomon Islands a potential haven for organized international criminals and, more worryingly, terrorists. A few days after the report was released, the Australian government called for the establishment of the Regional Assistance Mission to the Solomon Islands (RAMSI), augmenting the security arguments put forward by ASPI with a humanitarian case for action.²⁹ To strengthen the mission's legitimacy and capability, Australia proposed a multinational force, comprising elements from New Zealand as well as other Pacific Island states (Fiji, Papua New Guinea, Samoa, Tonga, and Vanuatu). The mission was launched pursuant to the Biketawa Declaration, adopted by the Pacific Islands Forum in 2000, which

set out a regional framework for security cooperation which included mutual support for good governance and democratic processes, recognition of indigenous rights, and a process for addressing crises. In addition to RAMSI, the Biketawa Declaration has been invoked in relation to the Pacific Regional Assistance Program in Nauru (PRAN, established in 2005) and regional election observation missions in Bougainville, the Solomon Islands and Fiji have been conducted under this framework. As such, through the Biketawa Declaration, the Pacific Islands Forum has established a regional mechanism for providing assistance to States and addressing emerging crises in a consensual fashion, creating a regional capacity for exercising pillar two of the R2P. More forceful measures undertaken under pillar three would require the authorisation of the UN Security Council, as set out in the World Summit Outcome Document.

The peace operation was authorised by an agreement signed by the Solomon Islands government and each of the contributors to the mission on 24 July 2003. The agreement noted that the peace operation had been formally requested by the Solomon Islands government and had been endorsed by the PIF, encompassing all the region's island states. It went on to precisely delineate the new force's mandate, chain of command, and rules of engagement. Both the agreement and RAMSI itself had the strong support of the overwhelming majority of Solomon Islanders.

RAMSI began work on 24 July 2003. The initial RAMSI operation comprised 2,225 military, police and civilian personnel. Among their number were 325 police officers. The political head of the mission was Nick Warner, a well-respected diplomat from Australia's Department of Foreign Affairs and Trade. RAMSI had two primary phases. In phase one, it was tasked with restoring law and order. This involved ending criminal impunity and disarming the militia and criminal gangs. Although the whole mission was characterised as 'police led', the reality is that during this first phase, different parts of the mission were led by different agencies.³⁰ The military contingent of RAMSI led efforts to disarm the militia and criminal groups. By November 2003, they had removed from circulation 3,700 weapons, including 660 high-powered weapons. In August 2003, one of the most notorious criminal leaders and destabilising factors in the country, Harold Keke surrendered to RAMSI – effectively removing the risk of armed conflict. Meanwhile, RAMSI's police contingent focused on investigating crimes committed by militias and criminals with the aim of ending impunity and strengthening the Royal Solomon Islands Police (RSIP) as a precursor to enhancing its capacity to maintain law and order. By the end of 2003, 733 people had been arrested on 1,168 charges.³¹ Restoring order, disarming potential belligerents, and weeding out corruption – the first phase of the operation – was therefore completed relatively successfully.

Phase two was more complex and protracted. This aimed to build the capacity of the Solomon Islands government to maintain law and order and facilitate the resolution of the

conflict. During this phase, the military component was withdrawn almost entirely and the focus of the mission came to rest on 200 or so police officers. Their mission was further broken down into eight distinct phases, which included:

- Detailed specification of institutional problems in the Solomon Islands' law and justice system;
- Community-relationship building measures;
- Identification, mentoring and coaching of key RSIP personnel;
- Identification of gaps between what the authorities ought to be able to accomplish in an effective and legitimate manner and what they could actually accomplish given present capacity;
- Establishment of transparent institutional processes;
- Development of a meaningful exit strategy.³²

Throughout 2005, steady progress was made. High-profile cases were successfully brought to trial and the RAMSI police component handed over primary responsibility for policing almost entirely to the RSIP. The wider nation-building and conflict resolution parts of the mission proved less successful, as the April 2006 riots demonstrated.

In April 2006, riots broke out in the capital city of Honiara. These were fuelled by a mixture of political intrigue and racism which sent the capital city into a temporary states of lawlessness. The unrest, which went largely unchecked for days by the RSIP, exposed the limits of capacity-building and it was left to the international police contingent to protect parliamentarians and gradually restore order. With assistance, the RSIP was able to prevent the spread of violence but the international contingent sustained 31 casualties, including five serious injuries and the destruction of eleven vehicles.³³ In the aftermath of the riots, capacity-building efforts resumed and several prominent Solomon Islanders were prosecuted for their part in the violence. This alone suggests that progress was made in relation to capacity-building in the justice sector but that the system remained fragile and required external assistance to respond to crises such as rioting and widespread disorder.

The RAMSI experience illustrates many of the benefits of regional assistance operations that are aimed at helping States exercise their Responsibility to Protect, thereby strengthening their sovereignty and State capacity. Some specific operational lessons are detailed in the box below. The mission proved relatively successful largely due to its rapid deployment, significant capabilities and the consent and cooperation of the Solomon Islands government.³⁴ Although consent and cooperation played an important role in this case, it should be observed that there are circumstances in which the commission of genocide and mass atrocities may require the international community to act in a 'timely and decisive manner', and in accordance with Chapter VII of the UN Charter, without the consent of the

host State, as agreed in the World Summit Outcome Document, and that in cases such as this the lack of consent would not determine the ability of the mission to protect civilians at immediate risk. In the case of RAMSI, both the military and police contingents fared relatively well in the Solomon Islands because they were able to rapidly remove potential troublemakers and bring prominent criminals to trial. Similarly, the 2006 riots did not escalate or spread beyond Honiara because RAMSI was able to provide timely support to the RSIP. Most significant, however, was the way in which effective regional assistance was mobilised in response to a request from the Solomon Islands government and that this assistance was specifically aimed at strengthening State capacity. Although significant problems remain, RAMSI helped the government restore the rule of law and build its police and justice capacity, reduce violent conflict and the risk its escalation, whilst improving the government's capacity to respond to new and emergent challenges.

In short, it is precisely this type of activity that is envisaged by the UN Secretary-General in relation to pillar two of the Responsibility to Protect. The Solomon Islands acted as a responsible sovereign by requesting international assistance when it recognised that it would be unable to stem the descent into violence alone and the Pacific community discharged its duty to assist. The result was a significant improvement in conditions in the Solomon Islands, the strengthening of the State, and an equally significant reduction in the likelihood of escalating violence and harm to the civilian population.



5. Conclusion

Although it continues to confront significant challenges, RAMSI provides an excellent example of how a comprehensive approach to pillar two, adopted in full partnership with the State, can play a significant role in averting crises and supporting capacity building. In addition to this general point, there are several specific operational lessons that can be learned, as the repertoire of measures specific to pillar two are developed. These are detailed in the box below.

Operational Lessons Learned

What can be learned from the RAMSI experience?

1. Success depends on rapid deployment and high levels of capacity (McMullan and Peebles 2006: 6). The military and police contingent fared relatively well in the Solomon Islands because both were able to rapidly remove potential trouble-makers and bring prominent criminals to trial. Similarly, the 2006 riots did not escalate or spread because RAMSI was able to provide immediate support to the RSIP.
2. Capacity-building is a long-term and complex endeavour. Although rapid gains might be made, fragile justice systems are likely to require external support for a considerable period of time. This support is likely to involve both on-going training - including funding and the provision of equipment - and policing support to respond rapidly to crises. This finding is also supported by the experience in Timor-Leste. If authorities and international agencies are quick to respond to outbreaks of violence they are likely to have less of a negative impact on gains in rule of law and civilian protection in the long-term, than if response rates are slow.
3. It is important to integrate the civilian, military and police components of a mission. The military and police components of RAMSI were very well integrated and the two phases helped produce a smooth transition from a military-focused to a police-focused mission. This was not entirely without problems and some of the actors involved have identified the need for greater interoperability. The difficulty of coordination is magnified when missions are multinational in character.

4. Success is defined by capacity-building. Ultimately, whether or not the military, police and civilian mission succeeds will depend on the ability of the RSIP and the wider justice system in the Solomon Islands to sustain an efficient, effective and legitimate system of law and order. They will only be able to do this if the capacity building side of the IDG's engagement with the Solomon Islands succeeds. Ultimately, therefore, all other aspects of the policing and military mission should contribute to this overarching goal.

5. International engagement can play a crucial role in assisting states to disarm and demobilize armed groups that undermine stability and the rule of law, and threaten the civilian population. On the one hand, international actors can act as impartial mediators, helping to establish the trust needed to persuade parties to disarm. On the other hand, they can provide technical expertise to augment the State's own efforts. Such engagement has a directly positive impact on stability and immediately reduces the threat of escalation.



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