

SPOTLIGHT ON R2P



The 3rd Cambodia National Dialogue on R2P and Atrocities Prevention

Theme: Implementing R2P in Cambodia:

Towards Developing National Resilience through Preventive Action Plans

31 May 2019

The Cambodian Institute for Cooperation and Peace (CICP), in cooperation with the Asia Pacific Centre for the Responsibility to Protect (APR2P), co-organised the 3rd Cambodia National Dialogue on R2P and Atrocities Prevention on 31 May 2019 at the Hotel Cambodiana. The theme of this year's national dialogue was Implementing R2P in Cambodia: Towards Developing National Resilience through Preventive Action Plans.

The event was attended by more than 40 stakeholders including Venerable Monks, members of the diplomatic corps, government officials, representatives from international organizations, non-governmental organizations, academia, university students, as well as members of Friends of R2P - Cambodia.

The third national dialogue formally adopted the draft Cambodian Risk Assessment, explored various ideas and recommendations to increase public awareness about R2P norm in the country, including the next steps to be taken in developing the National Action Plan on R2P. Participants in the meeting also discussed the R2P Training Manual developed by the APR2P for the July 2019 training the trainers course as part of building capacity in promoting atrocities prevention in Cambodia.

In his welcome remarks, H.E. Ambassador Pou Sothirak, CICP Executive Director and Cambodia R2P National Focal Point, highlighted the significant progress and challenges facing R2P since its unanimous adoption in the 2005 UN World Summit of Leaders in New York. Some

of the notable achievements include the incorporation of R2P principle in various regional and international mechanisms related to atrocity prevention. In the United Nations, the principle's relevance and its implementation are continually being deliberated by member states as part of the formal agenda of the General Assembly. At the regional level, there were also growing efforts to advocate for R2P and to generate more support from states. Notwithstanding these achievements, however, there are still challenges to wider acceptance of the norm. For example, some states in Southeast Asia are still reluctant to support or embrace R2P as they remain fearful of its implications for protecting state sovereignty. Some states in this region have adopted a wait-and-see

approach whilst some, due to misunderstanding about the pillar III, have rejected the principle. Lack of public awareness about R2P at the national and grassroots levels is also an obstacle to the advancement of the norm including its implementation at the domestic sphere. Accordingly, more resources are needed to support education and training on R2P as part of building awareness about the importance of atrocities prevention.

In the context of Cambodia, the norm of R2P has been advanced with notable progress. In the 2015 International Conference on R2P held in Phnom Penh, His Excellency Samdech Prime Minister Hun Sen, in his keynote address, reaffirmed Cambodia's commitment towards supporting the principle and offered to explore the possibility to appoint a R2P National Focal Point. In October 2016, H.E. Ambassador Pou Sothirak was officially appointed as national focal point, which clearly signifies the Cambodian government's commitment to the R2P norm. Accordingly, Cambodia also intensified its contribution to the UN peacekeeping missions abroad, with nearly 6,000 troops dispatched. Given its historical experience of past atrocities, Cambodia's support for R2P is unwavering even as it leads in the "Never Again" campaign as part of atrocities prevention efforts in Southeast Asian and beyond. Thus, co-organising the third National Dialogue on R2P reaffirms Cambodia's commitment towards implementing the norm.

For his part, Dr. Noel M. Morada, Director for Regional Diplomacy and Capacity Building, Asia Pacific Centre for Responsibility to Protect (APR2P), thanked the CICP for its continuing commitment in advancing



Dr. Noel M. Morada delivering his remarks



Mr. Luke Arnold delivering his welcome remarks

ing R2P in Cambodia through the national dialogue on atrocities prevention. He also clarified certain misconceptions about R2P and explained the importance of the norm. Specifically, he pointed out that R2P is not a Western concept but one that originated from Africa and evolved in response to the humanitarian crises in the continent in the 1990s as part of transforming the norms of the Organisation of the African Unity (OAU) from 'non-interference' into the African Union's (AU) 'non-indifference'. Indeed, R2P should be considered as a friend—and not an enemy—of state sovereignty especially if this principle is linked to good governance, democracy, rule of law, and protection of human rights. If states pay attention to their primary responsibility to protect vulnerable populations within their territory, this would enhance their legitimacy. In fact, if states take seriously both Pillars I (prevention) and II (capacity building), there is no need for them to be concerned about Pillar III (timely and decisive response from the international community). He also expressed appreciation for local stakeholders who are participating in the national dialogue, especially from the youth and religious sector, and highlighted the important role they could play in building awareness about R2P in Cambodia. He also reaffirmed APR2P's continuing commitment to support the national dialogue on atrocities prevention in Cambodia.

In his welcome remarks, Mr. Luke Arnold, Deputy Head of Mission of the Australian Embassy in Cambodia, reaffirmed Australia's commitment towards promoting R2P in the country through the partnership between CICP and APR2P. He pointed out that Australia remains a strong supporter and advocate of R2P not

just in the United Nations and other international forums, but also in the region. Accordingly, it believes that states should take seriously Pillar I of the norm, which focuses on prevention even as he underscored that every country has the responsibility to manage or mitigate the challenges associated with the relevant risks they are facing. Mr. Arnold also highlighted Australia's commitment in assisting countries in the region in building capacity for atrocity prevention through various mechanisms and tools to implement R2P. In the context of Cambodia, Australia has been a strong supporter of the Cambodian peace process and the country's post-conflict development. Specifically, it has been supporting the work of Extraordinary Chambers in the Courts of Cambodia (ECCC) and also contributed to clearing landmines in Cambodia. He pointed out that future atrocities can be prevented by developing an early warning system and early response against marginalization, which could escalate conflicts into atrocities.

Mr. Arnold expressed his agreement with Dr. Morada that R2P is a friend and not an enemy of sovereignty. He also concurred that Cambodia could take on a leadership role in the region in promoting atrocities prevention. He then reaffirmed the Australian government's continuing support for the APR2P regional engagement as it works towards establishing an early warning system for atrocities prevention.

In the first session of the dialogue, Mr. Him Raksme, Assistant to Executive Director in charge of R2P, presented the draft Cambodia Risk Assessment report. Specifically, the report provided the context for Cambodia's strong commitment to R2P,



Mr. Him Raksmei presenting the Cambodia Country Risk Assessment Report

given its horrifying experience of atrocities under the Khmer Rouge in the 1970s. It also recognized the achievements of Cambodia in dealing with past atrocities as well as efforts in preventing its recurrence in the future. This include: ratifying the Rome Treaty that created the International Criminal Court (ICC); acceding to international human rights treaties; contributing to UN peace-keeping missions; establishing a genocide museum; and appointing R2P National Focal Point. However, a number of challenges remain in advancing and implementing the principle in Cambodia, such as limited awareness and understanding among Cambodians about R2P as well as insufficient actions among relevant stakeholders in implementing the norm at home.

The draft Cambodia Risk Assessment Report was based on a series of formal meetings and informal engagements of core members of the Network of Friends of R2P – Cambodia whose members come from diverse backgrounds. They include governmental officials, civil society organizations, non-governmental organizations, religious sector, academics, and university students. Although structured in accordance with the 2014 UN Framework of Analysis for Atrocity Crimes: A Tool for Prevention, the risk assessment report was adjusted to take into consideration the existing national context and political climate in Cambodia. Specifically, the assessment primarily focused on relevant risk factors related to the country's social and economic development aspects and the extent to which they could potentially increase social tensions in the event of economic or environmental shocks.

The report is primarily a policy-oriented assessment that attempts to make practical recommendations to various relevant stakeholders, including the Royal Government of Cambodia. In particular, by identifying areas of further improvement based on achievements with regard to atrocity prevention efforts in the country. The report used primary sources such as relevant laws, government reports, and policies related to addressing risk factors for atrocity crimes. It also utilized secondary sources such as research reports, news articles, and commentaries from analysts in assessing the relevant risk factors present in Cambodia. Overall, the report concluded that Cambodia currently faces a very low risk for atrocity crimes due to continuing efforts by the Royal Government of Cambodia and its close collaboration with the international community in managing these risk factors.

Notwithstanding the low level of risks for atrocities, the report pointed out that the situation in the country could change unpredictably especially if appropriate actions are not taken sufficiently and in timely manner to manage these risk factors. In particular, failure to improve the state's institutional capacity in addressing more social and economic development challenges could lead to increasing social tensions and trigger events that could increase atrocity risks.

During the Q&A session, participants in the dialogue agreed that the document needs to be submitted to the Cambodia's government for review and feedback, which could then indicate its response in addressing the assessment and recommendations in the document. For his part, Ambassador Pou So-

thirak pointed out that Friends of R2P – Cambodia is eager to engage with the Cambodian government and to seek its support in continuing the exercise of undertaking the risk assessment, which could lead to another initiative such as drafting of R2P National Action Plan to address the relevant risk factors facing Cambodia. Without the supportive signal from the government, the work of the R2P network in Cambodia especially in implementing atrocities prevention would encounter difficulties. However, this should not discourage other stakeholders from undertaking other initiatives to further deepen the understanding and commitment to the R2P norm.

In the second session, Dr. Morada explained the importance of developing a national action plan as a follow up initiative to the risk assessment report. He congratulated the network of Friends of R2P – Cambodia for successfully drafting the report, which is another milestone achievement in implementing atrocities prevention in Cambodia. The next step is to endeavor to pursue the drafting of the R2P National Action Plan that will identify a set of recommendations in addressing the relevant risk factors, such as developing policy measures, creating mechanisms, and strengthening institutions that are already in place. All this would therefore contribute to Cambodia's efforts in strengthening its national resilience. While it is important to recognize the country's achievements in atrocities prevention, which includes signing and ratifying international conventions and treaties on human rights protection and international humanitarian law, for example, implementation of such commitments in the domestic



Q&A session

sphere remains limited. Thus, developing R2P National Action Plan is going to be a critical initiative to fill in this gap.

Participants agreed that it is important to continue engaging with relevant ministries of the government to further promote R2P in Cambodia through the national dialogue. In fact, a number of participants from government ministries admitted that they have very limited understanding of the principle. For his part, Ambassador Sothirak pointed out that since his appointment as Cambodian R2P National Focal Point, engagement with government has been among his top priority in promoting atrocities prevention in the country. However, the commitment from the government side at the working level has been mixed, which made further progress in promoting R2P in Cambodia quite challenging. He encouraged government officials from various relevant ministries to engage in their own personal capacity with the network of Friends of R2P – Cambodia to learn more about of R2P.

In the third session, Dr. Morada introduced the R2P Training Manual developed by the APR2P, which will be used in the upcoming one-day R2P Training the Trainers in July 2019 in Phnom Penh. He explained that the purpose of the training is to provide members of the Friends of R2P—Cambodia the basic knowledge on the development and continuing evolution of the principle since its adoption in 2005 in the UN General Assembly. The slides that will be used for the training will be translated into Khmer language but the full text of the manual is in English. While the training will only cover the first two modules of the manual, it is hoped that participants would be able to conduct a similar training outside Phnom Penh as part of the continuing engagement of the Friends of R2P—Cambodia network. A certificate of attendance will be given to participants at the conclusion of the one-day training.

Participants in the dialogue recognized the importance of undertaking the one-day R2P training as part of the initiative of the domestic network of R2P advocates in Cambo-

dia. Some participants noted however that there is a need to ensure that such work has the support of the government even as it was suggested that there is a need for R2P to be incorporated into the country's education curriculum. Accordingly, this would ensure that efforts in promoting the principle becomes sustainable in the long-term notwithstanding some challenges for now.

In the closing session, Ambassador Sothirak expressed his appreciation for the participants' invaluable contributions during the dialogue. He summed up the three key takeaways from the meeting, to wit: First, R2P is an important asset for Cambodia as it helps the country to adopt measures for preventing future atrocities and to project its 'soft power' on this issue in the region. Second, the Country Risk Assessment – Cambodia is a necessarily and important step to further promote the awareness of R2P in the country. The Friends of R2P – Cambodia should endeavor to get a positive signal from the government with regard to the latter's position on the document. The green light from the government would be a significant indication for the network towards drafting the R2P National Action Plan. Third, R2P training is crucially needed to stimulate interests and to promote the norm in Cambodia. Ambassador Sothirak concluded his remarks by thanking Dr. Morada and APR2P for their continuing support for efforts in advancing R2P in Cambodia, as well as distinguished participants and members of Friends of R2P – Cambodia for their attendance and contribution during the National Dialogue.



Dr. Noel M. Morada presenting in the second session

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