



AP R2P

Asia Pacific Centre for the Responsibility to Protect

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Dr. Noel M. Morada delivering his public lecture on promoting R2P in ASEAN at the Cambodia Institute for Peace and Cooperation (CICP) on 6 August 2014.

SPOTLIGHT ON R2P

Promoting the Responsibility to Protect in ASEAN: What Role for Cambodia?

Dr. Noel M. Morada, Director of the Centre's Regional Diplomacy and Capacity Building program delivered two public lectures in Phnom Penh, Cambodia on 6 and 8 August, focusing on the role that Cambodia can play in promoting R2P in ASEAN. The first seminar was organized by the Cambodia Institute for Cooperation and

Peace (CICP), and was attended by representatives from ASEAN, Australia, and European diplomatic missions, government officials, think tank researchers, and university students. The second seminar on the same topic was organized by the Department of International Studies, Institute for Foreign Languages, of the Royal University of Phnom Penh in cooperation with Pannassastra University of Cambodia, where some 60 students participated in the interactive workshop. These seminars were conducted as part of the Centre's efforts to support

its Cambodian partners in building awareness and constituencies around the Responsibility to Protect concept. They were held at an auspicious time as the Extraordinary Chambers of the Cambodian Court (ECCC) handed down its verdict on 7 August against two former Khmer Rouge leaders—Nuon Chea and Kieu Samphan—who were found guilty of committing crimes against humanity and were sentenced to life in prison.

In his presentation at the CICP public seminar, Dr. Morada provided an overview of the important milestones in the development of the Responsibility to Protect, the continuing debates about its implementation since the principle



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was adopted at the 2005 UN World Summit and in the aftermath of the Libyan crisis in 2011, as well as the challenges and opportunities for promoting the concept in Southeast Asia. He also focused on the achievements of Cambodia in dealing with past Khmer Rouge atrocities, which makes the country an important model for other ASEAN members in their efforts toward the prevention of mass atrocities in the region. Specifically, he pointed out that Cambodia is: 1) the first among only two ASEAN members (together with the Philippines) thus far to ratify the Rome Treaty that created the International Criminal Court; 2) the only country in the region to establish a Genocide Museum and documentation of past atrocities under the Khmer Rouge; 3) the first state in the region to set-up a hybrid tribunal—the Extraordinary Chamber of the Court of Cambodia (try the most responsible persons for committing past atrocity crimes; and 4) the first to pass a domestic law against the denial of Khmer Rouge atrocities. Accordingly, these important achievements could make Cambodia a potential hub in ASEAN for building regional and national capacities of states in mass atrocities prevention with the support of the international community. Dr. Morada pointed out that in order to sustain these achievements,

“R2P should be viewed as a friend—rather than an enemy—of sovereignty because it is first and foremost about helping states to fulfill their responsibilities and strengthen their legitimacy.”



Dr. Morada with Dr. Neak Chandarith of the Royal University of Phnom Penh (Center), Mr. Pou Sovachana, Deputy Director for Research and Publications, Cambodia Institute for Cooperation and Peace (second from right), and Mr. Kevin Nuon of Pannasastra University of Cambodia.

Cambodia should seriously consider setting up a national architecture on mass atrocities prevention by appointing a national R2P focal point or national committee, incorporating the concept into its national security and development framework including security sector reform, and promoting human rights protection. At the regional level, Cambodia can take the lead in preventing mass atrocities by engaging in partnership with international and regional organizations in education and training in the areas of peace and reconciliation, transitional justice, and peacekeeping. As well, it should champion the development of an ASEAN early warning system in cooperation with the UN.

Among the relevant issues raised by participants during the seminar were: 1) the significance of R2P and mass atrocities prevention to security sector reform; 2) the relationship between R2P and concept of human security; 3) whether democracy is a prerequisite for preventing mass atrocities; 4) whether R2P applies in cases involving conflict over resources (e.g., land grabbing) and protection of refugees; and 5) whether Pillar 3 is limited to the use of coercive force and if it guarantees success in halting mass atrocities.

Discussions in the seminar also

revolved around the limitations of the United Nations in implementing R2P, the importance of partnership between the UN and regional organizations in building the capacity of states to prevent mass atrocities, as well as future challenges to R2P's evolution in the face of constraints within the Security Council on how permanent members use their veto power. Dr. Morada emphasized that, notwithstanding the challenges in its implementation, R2P's significance is in helping states to build responsible and capable sovereignty that protects populations from genocide and other atrocities. The concept also demands that the perpetrators of mass atrocities—be they state or non-state actors—be held accountable for their actions. R2P should be viewed as a friend—rather than an enemy—of sovereignty because it is first and foremost about helping states to fulfill their responsibilities and strengthen their legitimacy. He also pointed out that government, civil society groups, think tanks, and academic institutions should work together in partnership and share the responsibility in preventing future atrocities in Cambodia, particularly in educating the younger generation and future leaders of the country about important lessons learned from past atrocity crimes committed by the Khmer Rouge.



Dr. Morada with students and faculty of the Royal University of Phnom Penh and Pannasastra University of Cambodia after his interactive seminar on R2P on 8 August 2014.

In another seminar on the same topic held at the Royal University of Phnom Penh, Dr. Morada delivered an introductory lecture on R2P and the four mass atrocity crimes covered by the norm, namely, genocide, ethnic cleansing, war crimes, and crimes against humanity. He also provided an overview of the challenges and opportunities to promoting R2P in ASEAN. After his lecture, the students who participated in the seminar were divided into groups and were asked to reflect on the following corresponding discussion points: 1) the relevance of R2P in the Cambodian context;

2) the contribution that Cambodia can make in promoting R2P in ASEAN; 3) the prospects for any of the four R2P crimes happening in Cambodia or any member of ASEAN in the future and how they can be prevented; 4) the role that the young generation can play in promoting R2P and mass atrocities prevention in Cambodia and ASEAN; and 5) the role of government and non-government actors in preventing mass atrocities in Cambodia. Some of the important ideas and recommendations presented by the students included the promotion

of a culture of peace, the need to incorporate R2P in school curricula, and anchoring the R2P concept on the values of Buddhism. They also recognized the significance of Cambodia's ratification of the Rome Statute, the value of the putting former Khmer Rouge leaders on trial for their crimes, the importance of memorializing past atrocities through the Genocide Museum, as well as the need for promoting peace and reconciliation as part of preventing future atrocities in the country. Based on the country's own experience in dealing with past atrocities, the students believed that Cambodia could contribute to promoting R2P in ASEAN by, among other things, encouraging other states to: 1) ratify the Rome Statute; 2) confront past atrocities (e.g., in Indonesia); 3) pass domestic laws against the four R2P crimes; and 4) strengthen national institutions to promote good governance, rule of law, access to justice, and protection of human rights.

Some of the students indicated strong interest in learning more about experiences of other countries in Africa and the Middle East in dealing with ongoing conflicts there and the challenges that the international community is facing in responding to humanitarian and civilian protection issues in these regions.



A student presenting a report to the plenary of his group's response to a set of discussion questions during the interactive seminar at the Royal University of Phnom Penh on 8 August

humanitarian and civilian protection issues in these regions.

Apart from these seminars, Dr. Morada also met with partners at the Royal University of Phnom Penh and the Department of Higher Education in the Ministry of Education and discussed possible future collaboration. Areas discussed included developing a capacity building training seminar on R2P and the importance of mass atrocities prevention for faculty staff teaching international relations courses in various universities in Phnom Penh. Another proposed project was the translation of UN documents on R2P and mass atrocities prevention into Khmer.

The Asia Pacific Centre for R2P is currently in the final stage of translating the R2P Toolkit in Khmer, in partnership with CICP. The Centre has completed the translation of the toolkit into Bahasa Indonesia and Chinese (Mandarin), which is a joint project with the International Coalition for the Responsibility to Protect (ICRtoP) in New York.

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