



Asia-Pacific Centre for the
Responsibility to Protect

**Japan and the Republic of Korea
On
The Responsibility to Protect**

10 October 2008



Executive Summary

With the 63rd UN General Assembly poised to debate a report by the Secretary-General on the operationalisation of the Responsibility to Protect (or ‘R2P’ for short), now is a good time to look at international attitudes towards the principle and examine ideas for translating it from words to deeds. This report focuses on Japan and the Republic of Korea (hereafter, ‘Korea’), exploring in detail their position on the R2P and a range of policy issues relating to the R2P. Although they have different emphases (e.g. Japan advocates human security at every opportunity) and differ on some points (e.g. on composition questions relating to reform of the UN Security Council), Japan and Korea have much in common when it comes to the R2P. Most notably, they supported the principle at the 2005 World Summit and have reaffirmed their support since. Whilst acknowledging that the UN Security Council may occasionally need to authorise coercive measures to protect populations in cases where their own state is manifestly failing to do so, they both emphasise the R2P’s prevention component and the international community’s role in assisting States to build the capacity needed to deliver on their responsibility to protect their own populations. In so doing, Japan and Korea have, between them, put forward a comprehensive policy agenda covering the four programmatic dimensions identified by the UN Secretary-General’s Special Adviser – capacity-building and rebuilding, early warning and assessment, timely and decisive response, and collaboration with regional and subregional arrangements – and adding a fifth: ending impunity. However, it is also important to note that both States have expressed reservations about the R2P. Both have articulated concern about its potential to be used as justification for coercion and the modalities for doing so, and Korea has also stressed the need for further deliberation in order to deepen consensus. These concerns are reflected in the policy preferences and priorities identified by Japan and Korea since 2005.

The policy preferences and priorities identified by Japan and Korea represent a substantive and substantial contribution to thinking about the operationalisation of the R2P. Given their geographic location and the caution that they have expressed, it is not unreasonable to think that aspects of the agenda set out in this report could secure considerable support amongst the wider UN membership.

Translating the Responsibility to Protect from Words to Deeds

Mass killing and forced displacement is an all too frequently recurring phenomenon. Those who think that tragedies like the Rwandan and Srebrenica genocides at the end of the last century are a thing of the past need only look to Darfur today to see the durability of humanity's capacity for acts of conscience shocking inhumanity. In the past few years, the world has united in insisting that all states have a responsibility to protect their populations from such grave abuses and that the international community should assist states in fulfilling their responsibilities and, if the state manifestly fails, take measures to protect vulnerable populations. World leaders unanimously adopted the Responsibility to Protect at the United Nations World Summit in 2005. Paragraphs 138-140 of the Summit's Outcome Document declared that:

138. Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter of the United Nations, to help protect populations from war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organisations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

The following year, the Responsibility to Protect was unanimously reaffirmed by the United Nations Security Council in Resolution 1674, which stated the Council's determination to protect civilians.

According to the UN Secretary-General, Ban Ki-moon, the Responsibility to Protect rests on three pillars:

- 1) The responsibility of each state to protect its own population from genocide, war crimes, ethnic cleansing and crimes against humanity, and from their incitement.
- 2) The commitment of the international community to assist states in meeting these obligations.
- 3) The responsibility of United Nations Member States to respond 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 a state is manifestly failing to provide such protection.

The Secretary-General has pledged to make recommendations to ‘operationalise’ the Responsibility to Protect and translate the principle from ‘words to deeds’. He indicated that his support for what he describes as the ‘concept’ of the Responsibility to Protect is ‘deep and enduring’ but recognised that it is not yet a policy or reality. The Secretary-General also recognises the ‘controversy and doubts’ that surround the Responsibility to Protect.¹

In 2007, the Secretary-General appointed Edward Luck as his Special Adviser to work alongside Francis Deng, his Special Representative on the Prevention of Genocide, on the prevention of genocide and the Responsibility to Protect. Edward Luck was charged with consulting with Member States on the Responsibility to Protect and making recommendations for its operationalisation within the UN system. The Special Adviser is scheduled to submit a report to the Secretary-General later this month. After further consultations with Member States, the Secretary-General will submit a report on the Responsibility to Protect in late 2008, which is likely to be debated by the 63rd General Assembly in early 2009.

The Special Adviser of the Secretary-General 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’.² He has identified four main programmatic dimensions to the implementation of the Responsibility to Protect’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.³

Capacity building and rebuilding: in relation to R2P, capacity building ‘means strengthening the ability of individuals, institutions and societies to prevent or diminish the threat of the four crimes and violations and/or to respond when such atrocities do occur and to rebuild afterwards’.⁴ Relevant measures include using the Peacebuilding Commission, development entities and bilateral arrangements to strengthen good governance and effective public administration. This would involve closer collaboration between headquarters and field missions, and between UN agencies and various partners.⁵

Early warning and assessment: paragraph 138 of the World Summit Outcome Document specifically pledged support for the establishment of a UN early warning

capability. The challenge lays less in collecting the relevant information than in analysing and disseminating it. Member States have traditionally been reluctant to grant the UN the capacity to report affairs within individual states in this manner and there are also concerns about institutional overlap. Plans are afoot to consolidate the analysis and sharing of information under a single UN office for the Prevention of Genocide and the R2P.⁶

Timely and decisive response: the R2P calls for timely and decisive responses to the four crimes in cases where national authorities are ‘manifestly failing’ in the responsibility to protect their populations. Such responses should be consistent with Chapters VI (Pacific Settlement of Disputes), VII (Action with Respect to Threats to the Peace), and VIII (Regional Arrangements) of the UN Charter. Measures under discussion to strengthen the UN’s capacity in this area involve improving the Secretary-General’s good offices functions, clarifying the role of the secretariat in advocating particular action by the Security Council and bringing matters to the Council’s attention, improving the transparency of the Council’s deliberations, securing the appropriate resources for peace operations, and developing appropriate doctrine for the protection of civilians.⁷

Collaboration with regional and subregional arrangements: the R2P can strengthen the UN’s efforts to improve its collaboration with regional and subregional arrangements. Such collaboration should focus on ways in which the UN might help build regional capacity among regional and subregional organisations in prevention and protection efforts, and information sharing. The establishment of a UN Office for West Africa in Dakar might provide a useful model.⁸

In order to make progress in implementing these four programmatic dimensions, the Secretary-General will need to persuade Member States of their value and assuage concerns about the potential encroachment of the UN into areas traditionally seen as lying within the domestic jurisdiction of states and the concerns of those who worry about the duplication of pre-existing mandates and attendant organisational inefficiencies. With the opening of the 63rd General Assembly in September 2008, now is a useful time to consider where states in the Asia-Pacific region stand in relation to both the R2P principle and proposals for its actualisation. This Report examines the perspective of the Japanese and Korean governments and sets out their views on the R2P principle, the four programmatic dimensions outlined above, and other issues related to the R2P. It concludes by identifying policy initiatives developed or supported by Japan and the Republic of Korea which might contribute to translating the R2P from words to deeds.

A Note on Method

This report employs a simple method. In order to build a clear picture of where the Japanese and Korean governments stand, this report focuses almost exclusively on what these governments have actually said in public speeches and statements in various forums (though mainly in various UN meetings). The report takes the governments at their word on the assumption that states normally say what they mean. As well as covering specific references to the R2P, the report also sets out Japanese and Korean thinking on related issues. This is done in the interests of presenting a comprehensive and holistic account of Japanese and Korean thinking about the R2P and the policy priorities of these states, and in order to elicit as many ideas as possible from governments about the steps necessary to translate the R2P from words to deeds. The policy prescriptions that emerge are those put forward by Japan and Korea and their cataloguing here should not be read as indicating the Asia-Pacific Centre for the Responsibility to Protect's endorsement or that the Centre necessarily thinks that the policies are directly related to operationalising the R2P. Instead, the report should be read only as a guide to Japanese and Korean thinking on the R2P and related issues and an indication of the sorts of measures likely to elicit the support of these two Member States.

Japan

Background

Japan supports the Responsibility to Protect principle. At the 2005 World Summit, Japan embraced the UN Secretary-General's proposal that the membership adopt the R2P and emphasised the importance of prevention in reducing the need for intervention. Japan's support for the R2P has been reaffirmed many times since.⁹ It is also strongly committed to the UN system as a whole and is the organisation's second largest donor. Japan views the R2P as one element of human security, which is a central pillar of Japanese foreign policy.¹⁰ To this end, it established and supported the Commission on Human Security and instigated and became the major donor to the UN Trust Fund for Human Security, which is administered by OCHA.¹¹ The trust fund's priorities closely mirror Japan's own priorities in the fields of conflict prevention, peacebuilding, arms control and disarmament, and the protection of refugees and internally displaced persons (IDPs). Japan insists that it would like to see the 'human-centred perspective' reflected throughout the UN's activities and supports the 'mainstreaming' of human security across the UN.¹²

Japan's approach to human security overlaps considerably with the R2P but in Japanese thinking there is one significant difference between the two ideas: whilst the R2P recognises the necessity for enforcement in certain circumstances, human security rules it out. The precise nature of the relationship between human security and the R2P in Japanese thinking was perhaps most clearly set out in a 2005 statement by Kinichi Komano, Japan's Ambassador for Human Security, at a ministerial meeting of the Human Security Network. From Japan's perspective, human security and the R2P share many points in common. Thus, the Human Security Network's ministerial statement clearly declared that 'the protection of its populations is the primary responsibility of each State. Yet, where national authorities are unable or unwilling to ensure such protection, that responsibility falls to the international community'.¹³ There is an unmistakable overlap between this language and the R2P principle. Komano emphasised Japan's support for this principle before insisting that Japan 'gives priority to preventing the aggravation of the situation created by conflicts or crises'. The international community, he argued, had much more work to do in the fields of development assistance, humanitarian assistance, human rights protection and police and peacekeeping activities in order to prevent violent conflict, and this was Japan's primary focus. In extreme cases, when all other means had failed, non-military means might prove insufficient, requiring the use of force with Security Council authorisation. This, Komano argued, 'is the core of the notion' of the R2P. Acknowledging that the R2P advocates prevention as well as intervention, Komano nevertheless emphasised the absolute priority afforded to prevention by human security. 'Humanitarian intervention', he argued 'can better be interpreted as an implementation of the philosophy of the responsibility to protect rather than of human security'.¹⁴ In other words, whilst the R2P and human security share similar concerns and overlap in many respects, in Japanese thinking the R2P paves the way for armed intervention whereas human security insists upon the absolute priority of prevention and does not countenance intervention. Although Japan supports the R2P in principle, it does not see itself as actively engaged in the principle's implementation, preferring instead to focus on human security.

Japan's position on human security and the R2P was reiterated by former Prime Minister, Yasuo Fukuda at the 2008 World Economic Forum and in Japan's contribution to the May 2008 Security Council meeting on the protection of civilians. The former Prime Minister noted that:

In 2004, the United Nations High-Level Panel, whose members included the mother of the very notion of "human security" Madame Sadako Ogata and the Former Minister for Foreign Affairs of Australia Mr. Gareth Evans, issued a report. This report has argued that achieving peace and security is a long-term challenge that stretches from preventive activities before the outbreak of a conflict to post-conflict reconstruction and development. And providing seamless assistance throughout this long and complicated process, in my view, would certainly require the perspective of human security.¹⁵

A few months later, this view was restated in the UN Security Council, when Japan argued that:

...human security is a concept that complements State security and seeks the protection and empowerment of individuals, putting the livelihood and dignity of individuals at the centre of our focus. It is consistent with the letter and spirit of the Charter of the United Nations and promoted in full respect of national sovereignty. It does not in any way suggest military intervention, even as a last resort, and thus differs from the notion of the responsibility to protect.¹⁶

Thus, Japan clearly prefers to focus on human security rather than the R2P. There are two main reasons for this.

First, as Prime Minister Fukuda's comments above indicate, because of the role played by Sadako Ogata and the Japan-sponsored Commission on Human Security in developing and establishing the concept, Japan considers itself to have a degree of ownership over human security and a responsibility to translate it from words to deeds. Indeed, Japan identifies human security as one of the 'pillars' of its foreign policy.¹⁷ Moreover, Japan sees human security as a distinctive and positive contribution that it can make to international peace and security. Japanese analysts and policy makers typically argue that human security is a foundation of national security and hence international security and 'provides a useful policy framework which helps practitioners plan and program activities'.¹⁸

Second, Japan's constitution precludes its participation in international military deployments. Article 9 of the Japanese Constitution renounces war and the threat of force as means of settling international disputes. Thus, in 2008 former Prime Minister Fukuda spelled out that:

Japan does not intervene by force, as a matter of national policy, in such conflict situations where the international community may have to seriously consider fulfilling their 'responsibility to protect'. We are a nation that has primarily focused on humanitarian aid and reconstruction assistance.¹⁹

This has limited Japan's ability to contribute personnel to UN peace operations and participate in the stabilisation operations in Afghanistan and Iraq. It also makes Japan reluctant to advocate those aspects of the R2P that involve the deployment of military personnel for coercive purposes though it does recognise the necessity of enforcement in certain circumstances. Since the 1980s, there have been growing calls for the revision of Article 9 on the grounds that it would enable Japan to participate in peace operations and hence advance its commitment to human security, deepen its alliance with the US and thereby improve national security, and develop a more independent foreign policy. However, although constitutional reform is strongly advocated by many in the foreign policy elite, most Japanese remain opposed and believe that revision of Article 9 is not necessary for Japan to play an active role in international affairs. This makes it unlikely that the reformists will secure the two-thirds majority they need in the diet to amend Article 9.²⁰

As a result of its strong preference for human security, Japan's position on the operationalisation of the R2P is similar to that of other governments in the Asia-Pacific region. Although it does not share its neighbours' scepticism about the potential for the R2P to legitimise *unilateral* interference in a state's domestic affairs, Japan does prefer a broad approach to operationalisation that focuses on addressing the causes of genocide, war crimes, ethnic cleansing and crimes against humanity.

Japan and the Responsibility to Protect

What does this mean for Japan's support for the R2P? Japan strongly supported the adoption of the R2P at the 2005 World Summit and its reaffirmation in Security Council Resolution 1674 (2006) and has reaffirmed this view several times.²¹ It argued that, along with other conventions and protocols, Resolution 1674 (2006), constituted a 'significant achievement' that strengthened 'the arsenal of basic tools to help the international community deal more effectively with the protection of civilians'.²² The challenge now, it argues, is to 'pay greater attention to their implementation and to translating them into action and behaviour'.²³ There is sometimes a crying gap, Japan suggests, between the rhetoric and reality of civilian protection and the provisions of the World Summit Outcome Document and Resolution 1674 (2006) have not yet been translated into action.²⁴ For example, pointing to the Government of Sudan's disregard of Security Council resolutions in relation to Darfur, Japan argued that the Council's 'ability and credibility' was being tested.²⁵

Japan maintained that in the 2005 World Summit Outcome Document, 'our leaders expressed preparedness to take collective action through the [Security] Council' and the Council 'needs to further discuss the role it should play in protecting civilians in armed conflict more energetically and in more depth'.²⁶ The need for the Security Council to deliberate further on the concrete measures the UN can take to translate the R2P from words into deeds is a theme that Japan has repeatedly returned to.²⁷

However, despite repeatedly reaffirming the R2P, Japan has said little directly about the measures needed to translate the principle into practice, preferring instead to couch its concrete proposals in terms of human security. During a July 2008 visit to Tokyo, the UN Secretary-General Ban Ki-moon encouraged Japan to adopt a more proactive stance on the R2P by emphasising its commonality with human security,

distancing the principle from humanitarian intervention and grounding it firmly in the UN Charter. It is worth quoting the Secretary-General remarks at length on this point because they demonstrate the fact that he is well aware of Japan's position on the R2P and human security and point to a sensible strategy of engaging with Japan on practical matters of overlap between the two:

Japan has long been a leader in the area of human security. You are increasingly focusing on the relationship between human security and the responsibility to protect – the obligation accepted by all States to act collectively, through the Security Council, when a population is threatened with genocide, ethnic cleansing or crimes against humanity. Adopted unanimously by the 2005 World Summit, the Responsibility to Protect affirms that States have the primary responsibility to protect their populations from committing or inciting these crimes.

Three years on, the Responsibility to Protect remains more honoured in the breach than in observance. The struggle against inequality, intolerance and injustice continues. Too often, national leaders seek to hide abuses of fundamental human rights and humanitarian norms behind the false cloak of sovereignty. As we mark the 60th anniversary of the Universal Declaration of Human Rights, we must give life to those rights, which bind together our common humanity. That means we must spare no effort in taking the Responsibility to Protect from word to deed.

The principle is strictly focused on genocide, war crimes, ethnic cleansing and crimes against humanity. It is a coherent, sound and politically sustainable policy. It may be limited, but it is extremely powerful – if we can prevent these atrocities, we will have taken a momentous step forward.

There are many ways to do this. Helping countries to build capacity, ensuring early warning, taking decisive action in response to threats, and collaborating with regional and other groupings are all part of the Responsibility to Protect.

Prevention is the key. The aim is to help States to avert genocide, war crimes, ethnic cleansing and crimes against humanity.

There will be cases when prevention is not enough. There may be times when the only way to protect hundreds of thousands of people at risk is through enforcement measures. This is in exact accord with Chapter VII of the UN Charter.

So the Responsibility to Protect builds on our founding principles, reinforcing the legal obligation of Member States not to use force except in conformity with the Charter. We look to Japan's leadership in developing ways to translate into practice.²⁸

Although some might consider this approach too timid, slow or as avoiding the central question of military intervention, it is clear that it is vital to emphasise the connections between the R2P and prevention, the principle's connection to existing international law (especially the UN Charter) and its distinctiveness from humanitarian intervention in order to persuade Japan to dedicate its substantial intellectual and material capacities towards translating the R2P from words to deeds. Given Japan's substantial commitment to aspects of the human security agenda that overlap directly with the R2P, it is clear that Japan can play an important leadership role. The following section details some of the relevant policy agendas that Japan has launched

or contributed to since the 2005 World Summit. Whilst Japan has couched all of these initiatives in terms of human security, there are clear parallels with the R2P and opportunities for incorporating them into the effort to translate the R2P from words to deeds.

Policy Priorities

Both prior to and since 2005, Japan has played a leading role in a number of areas where human security and the R2P overlap. Five areas in particular are regularly emphasised by Japanese diplomats and within each area Japan has made a substantive contribution to generating new ideas and building institutional capacity. The five areas are:

- Reform of the UN Security Council
- The prevention of armed conflict
- Peacebuilding and peacekeeping
- Humanitarian assistance
- The role of regional organisations

The remainder of this section outlines Japan's position in these five areas, highlighting its policy initiatives.

Reform of the UN Security Council

It is well known that Japan aspires to become a permanent member of the UN Security Council and is therefore a champion of Council reform. However, Japan's support for Council reform is not limited to simply advocating an expanded membership. Japan argues that the Security Council has 'primary responsibility' for peace consolidation but must ensure that it maintains a close relationship with the broader UN membership. During its most recent term as a non-permanent member, Japan chaired the informal working group dealing with working methods and stressed the need to improve the Council's transparency and increase the participation of non-members in its deliberations.²⁹ Such reforms to the Council's working practices have been identified as central to overcoming mistrust of the R2P on the part of many General Assembly members. Many states fear the gradual encroachment of the Security Council into the General Assembly's areas of responsibility (e.g. in the fields of human rights and governance) and fear that the R2P could give the Security Council a licence to interfere in their domestic affairs. Clearly, measures that seek to close the gap between the Assembly and the Council – such as improved transparency and deeper interaction – are likely to reduce these fears. Among the specific initiatives sponsored by Japan were:

- Improving interaction between the Security Council's Working Group on peacekeeping operations and the General Assembly's Special Committee on Peacekeeping Operations (Committee of 34).³⁰
- Deeper cooperation between the Security Council and the Peacebuilding Commission.³¹ This could be achieved by: (1) requiring the Chair of the Commission's Organisational Committee/chairs of country-specific meetings to submit timely reports to the Council on their deliberations; (2)

regular meetings between the Council President and Chair of the Commission's Organisational Committee; (3) relevant representatives from the Commission should be invited to Council meetings; (4) the Council should react to Commission reports in the form of Presidential statements; (5) the Commission might be invited to offer advisory opinions to the Council.³²

Other reform initiatives (besides enlargement) supported by Japan include:

- Enhancing the Council's transparency, including in the drafting of reports.³³

Prevention of Armed Conflict

In line with its general preference for working under the rubric of human security, Japan supports efforts to strengthen the UN's capacity for preventing armed conflict and adopts a broad approach which not only addresses political, economic and social perspectives but also focuses on the rule of law and humanitarian needs.³⁴ According to Japan, tackling the root causes of conflict requires action 'in order to emancipate people from fear and poverty, and to assist in creating a society where people can live their lives with dignity'.³⁵ This focus on the developmental aspects of prevention was reflected in the creation of the Tokyo International Conference on African Development (TICAD), which held its fourth conference in 2008 and seeks to offer bilateral and multilateral assistance to a wide range of preventive measures. Japan argues that the Peacebuilding Commission is particularly well placed to play an important role in operationalising these concerns in states that have recently experienced conflict. In particular, the Security Council might request action-oriented advisory opinions from the Commission on activities relating to conflict prevention.³⁶ In relation to prevention, Japan has identified five specific areas that require urgent attention: early warning, tackling the trade in small arms, mediation, dialogue and education, and the prevention of the abuse of children. It also maintains that regional organisations have a particularly important role to play in relation to conflict prevention (see below).³⁷

1. *Early warning.* One of the key elements of prevention is early warning, which was specifically referred to by the World Summit Outcome Document in its affirmation of the R2P. Although it enjoys broad rhetorical support, early warning has proven notoriously difficult to operationalise because Member States are traditionally reluctant to grant the UN the authority and capacity to monitor their domestic affairs.³⁸ Japan supports 'proper monitoring' to provide early warning, including the provision of timely briefings to the Security Council by the Emergency Relief Coordinator and High Commissioner for Refugees.³⁹ In relation to the specific triggers of conflict, Japan welcomed the Security Council's discussions which identified the illicit flow of small arms, food security, climate change, energy and natural resources, among other things, as triggers and called for the identification of triggers to be translated into concrete measures to address them.⁴⁰

2. *Regulating the trade in small arms and light weapons.* Japan strongly supports controls on the manufacture and trade in arms. It argues that controlling conventional weapons, especially small arms, land mines and cluster munitions is a critically important component of human security.⁴¹ In 2006, Japan joined South Africa and

Colombia in introducing a draft resolution on the illicit trade in small arms and light weapons and is committed to raising awareness of the issue.⁴² It argues that the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons should be implemented in full, and supports the International Tracing Instrument established in 2005 and the work of the Group of Governmental Experts.⁴³ Japan has proposed two concrete ways of advancing this agenda. First, the Security Council should use the biennial report of the Programme of Action as a catalyst for substantive action-oriented discussion on priority issues such as illicit brokering, stockpile management and the disposal of stockpiles. Second, the international community should focus on providing assistance to help states build the capacity necessary to tackle the illicit trade in small arms.⁴⁴ In this vein, Japan supported the creation of national commissions in Sierra Leone, Liberia and Côte D'Ivoire to address the illicit proliferation of small arms. Japan holds that regional organisations can also play an important role in this regard (see below).

Among its many development programs, TICAD provides assistance in the collection and destruction of small arms, processes of disarmament, demobilisation and reintegration, and landmine clearance.⁴⁵ Japan is also a strong supporter of the Ottawa Convention on anti-personnel mines, the Dublin Convention on cluster munitions, and the Convention on Certain Conventional Weapons and has repeatedly called on UN members to ratify these instruments. Finally, Japan supports the idea of an arms trade treaty to comprehensively regulate the flow of arms and bring an end to 'irresponsible transfers'.⁴⁶ This would be a legally binding instrument establishing common standards for the import, export and transfer of conventional arms.⁴⁷

3. *Mediation.* Japan believes that regional organisations can make an important contribution to mediation aimed at preventing imminently perceived conflicts and that the UN's Department of Political Affairs should foster closer cooperation with regional organisations in this area (see below).

4. *Dialogue and education.* Japan also argues that education and interreligious/intercultural dialogue helps to prevent new conflicts from emerging and insists that UNESCO and interregional processes such as the Asia-Europe Meeting (ASEM) can play an important role in this regard.⁴⁸ In particular, Japan maintains that there is an important relationship between education, dialogue and human security in that they each aim to protect 'human rights and fundamental freedoms'. As such, Japan believes that dialogue and education are important tools of human security.⁴⁹ Thus, it argues that 'education has an important role to play in preventing the generation of hostility and hatred'.⁵⁰ Japan suggests that the media has an important role to play in this regard as well.

5. *Preventing the abuse of children.* Japan argues that more needs to be done to prevent the abuse of children in armed conflict. In particular, steps should be taken to prevent the recruitment of child soldiers and – if prevention fails – to manage their release, demobilisation, and reintegration into normal social life.⁵¹

Peacebuilding and peacekeeping

In line with its broad commitment to human security, Japan emphasises the role of peacebuilding in preventing humanitarian emergencies and supporting international peace and security. In line with its general position, it identifies human security and institution-building as important dimensions of peacebuilding.⁵² Japan strongly supports the Peacebuilding Commission, is a sitting member of the Commission and assumed the chair in 2007. According to Japan, the core task of the Commission is to ‘bring together, under one roof, a post-conflict country under consideration and its international partners to discuss and bring into being an integrated peacebuilding strategy’. In so doing, ‘the Commission is expected to contribute to effective peace consolidation...by bridging the gap between the post-conflict recovery phase and the development phase’.⁵³ Its key strength, Japan argues, lies in its action-oriented recommendations and the principal test of its effectiveness will come in its ability to prevent post-conflict societies relapsing back into conflict.⁵⁴ The Commission can also play an important role in operationalising the UN’s commitment to preventing conflict in countries that have recently experienced conflict.⁵⁵

The Commission’s work could be strengthened, Japan argues, by (1) emphasising the necessity of national ownership – vital because host governments must be the prime instigator of political, economic and security reform; (2) focusing on the formulation of integrated peacebuilding strategies, (3) establishing an on-site coordination and monitoring mechanism that would ensure that the Commission’s recommendations were put into practice (Japan suggests that the Joint Coordination and Monitoring Board in Afghanistan could serve as a model) (4) integrating exit strategies for peacekeeping operations into the Commission’s strategic planning for peacebuilding; (5) ensuring that all the relevant stakeholders working in areas such as peace and security, development and human rights are represented, including creating modalities for civil society representation; (6) learning lessons from the experience of countries that have recovered from conflict through the establishment of a Working Group to examine lessons. Japan welcomed El Salvador’s initiative in creating the Working Group and actively participates in it; (7) promoting cooperation between the Commission and relevant regional arrangements (see below).⁵⁶

Japan maintains that a comprehensive approach to peacebuilding must take a regional approach because issues such as the trade in arms and narcotics, youth unemployment and economic stagnation can only be dealt with on a regional basis. As an example, Japan suggested that youth unemployment in one country might encourage young people to move to a neighbouring country to seek employment as soldiers in armed groups, among other things.⁵⁷

In line with its view that institution-building/capacity building is a particularly important aspect of peacebuilding, Japan supports efforts to encourage Member States to build capacity in a range of areas, including the rule of law. ‘There can be no doubt’, Japan argues, ‘that establishing the rule of law contributes greatly to durable peace and stability’.⁵⁸ In this vein, Japan provided material support for the establishment of the Khmer Rouge Tribunal in Cambodia, funding 40% of the tribunal’s total cost.⁵⁹ It also provides support to the national police service in Timor-Leste and argues that security sector reform and establishing the rule of law are critical aspects of the peacebuilding effort in that country.⁶⁰ Japan maintains that the

Peacebuilding Commission and the new Office for the Rule of Law and Security Institutions, established within the Department of Peacekeeping Operations, offer the most promising avenues for advancing the rule of law through the UN. Other elements of Japan's support for capacity building include bilateral agreements to provide vocational training, technical advice and other forms of technical cooperation, and student exchanges.⁶¹ Furthermore, Japan points out that it is important that host states have the functional, institutional and human capacities to show national leadership on peacebuilding and implement integrated peacebuilding strategies. International partners should therefore focus on delivering sufficient civilian expertise to assist in rebuilding national capacities.⁶²

Japan sees the UN Human Rights Council making an important contribution to the strengthening of state capacity in cooperation with the relevant government. Japan maintains that the Council should help strengthen the capacity of states and communities to implement international principles, rules and standards in such a way as to make a real difference on the ground. According to Japan, the Council should work cooperatively to strengthen states' capacity to comply with their human rights obligations and establish best practices for responding to massive and grave violations of human rights.⁶³

Japan also emphasises the idea that peace operations have important peacebuilding components and that there is a need to ensure that such operations are equipped with suitably trained civilian personnel. In 2006, it announced that it was studying a potential scheme to train civilian experts for peacebuilding, particularly in Asia. Japan believed that these measures would also help redress the imbalance in geographic representation in field missions that leaves Asia underrepresented.⁶⁴ The following year, it established the Hiroshima Peacebuilders Centre to fulfil these tasks by training Asian peacebuilders.⁶⁵ In 2008, former Prime Minister Fukuda observed that he aspired 'to make Japan a hub of human resource development as well as research and intellectual contribution to the field of peacebuilding', indicating that Japan would look to expand its contribution in this area in the future.⁶⁶

Although it is constitutionally prohibited from providing military peacekeepers itself, Japan tries to play an active role in UN peace operations – for example by providing civilian staff and supporting the production of capstone doctrine.⁶⁷ Japan supports measures aimed at improving interaction between the UN Security Council and troop contributing countries, which it thinks is essential to persuade Member States to contribute the personnel and financial resources needed to meet the increased demand for UN peace operations.⁶⁸ During its most recent tenure as a non-permanent member of the Security Council, Japan chaired the working group on peacekeeping operations and emphasised the need to deepen interaction between the Security Council, troop contributors and other stakeholders including the General Assembly.⁶⁹ One way of doing this, Japan argues, is by deepening the relationship between the UN and regional arrangements in this area (see below).⁷⁰

Humanitarian Assistance

Japan supports efforts to strengthen the UN's capacity to use humanitarian relief to protect civilians and maintain a protected humanitarian space.⁷¹ This includes support for efforts to improve high-level decision-making, funding, coordination, and disaster reduction.

In relation to decision-making, Japan supports the view that although the General Assembly and the Economic and Social Council (ECOSOC) have important roles to play in humanitarian matters, the Security Council's deepening engagement in this area is appropriate. Japan argues that the *Aide Memoire* on the protection of civilians adopted by the UN Security Council in 2002 should be revised, updated and 'put to better use'.⁷² The revised and updated text should be used by the Council as a checklist to ensure that protection needs are properly addressed. As part of this process, a model matrix should be developed to define the roles and responsibilities of different actors involved in the protection of civilians. The matrix would also include timelines, indicating when different actors would begin and phase out their role. Japan also argues that the Security Council's relationship with NGOs should be strengthened by various measures, including by intensifying Arria-formula meetings between the Security Council and NGOs and holding OCHA-NGO workshops on specific protection issues and crises.⁷³ In addition, the UN's peace operations should be invited to submit reports on the steps they have taken to protect civilians in accordance with Security Council Resolution 1674 (2006), using the *Aide Memoire* as their guide. This would help to clarify the protection measures that are being undertaken and improve opportunities for taking effective action in the future.⁷⁴

In relation to funding, Japan welcomed the creation of the Central Emergency Relief Fund (CERF), which – it argued – should increase the predictability of funding and strengthen the capacity of UN agencies to carry out their protection mandate. In particular, Japan argues that CERF funding should be directed towards the protection of civilians in specific emergencies.⁷⁵ One major issue in relation to funding is managing the transition from emergency relief to development assistance. Japan has proposed that the Human Security Trust Fund can provide financial resources for managing this transition and offered to work with OCHA to study this proposal in more detail.⁷⁶

On the matter of coordination, Japan endorses the recommendations made by the Secretary-General's High Level Panel on 'Delivering as One' (A/61/583) and has called for the UN's humanitarian agencies to clarify their roles and responsibilities.⁷⁷ Although Japan stops short of demanding that the UN 'deliver as one' through a single country-office, it argues that the dual role of the UNDP and Resident Coordinator should be more clearly defined to improve the system's effectiveness.⁷⁸ The model matrix proposed by Japan in 2006 (see above) could provide one means of achieving this goal.

Finally, a particularly pertinent point in the wake of Cyclone Nargis, Japan is committed to improving states' capacity to prevent and respond to natural disasters. At the 2005 Asian-African summit, Japan committed \$2.5 billion over five years to assist in the prevention, mitigation and reduction of disasters.⁷⁹

The Role of Regional Organisations

Although Japan tends to emphasise the UN as the foremost vehicle for advancing human security, it argues that regional organisations can play an important role in implementing universal principles and that Chapter VIII of the Charter provides a framework for establishing a cooperative relationship between the UN and regional organisations.⁸⁰ In particular, support for regional initiatives is important for promoting local ownership.⁸¹ ‘It is clear’, Japan argues, ‘that the involvement of relevant regional organisations is desirable and beneficial’.⁸² Partnerships should be encouraged by the UN, though only when there is clear added-value in collaboration. Adding value is important, Japan believes, because genuine local ownership is possible only when a regional organisation is able to sustain its own activities.⁸³ Japan has identified three relevant areas where value can be added through cooperation between the UN and regional organisations.

First, Japan has identified prevention as one area where regional organisations can make a telling contribution. In particular, the OSCE model shows that regional organisations are well placed to monitor emerging situations, provide early warning and offer mediation services. Japan argues that the UN should assist in deepening coordination and building regional capacity. In relation to coordination, it is essential to institutionalise the relationship between regional organisations and the UN Secretariat through frequent communication, information sharing and the establishment of a closer working relationship among field offices.⁸⁴ In relation to the UN’s role in strengthening regional capacities, Japan argues that the Mediation Support Unit within the UN’s Department of Political Affairs should enhance its relationship with relevant regional organisations and assist in the building of regional capacity.⁸⁵ When it comes to preventing violence, regional organisations can also play an important role in regulating the trade in small arms and inhibiting the proliferation of illicit arms.

Second, Japan argues that regional organisations can make an important contribution to peace operations, but that many regions lack the required capacity at present. The UN can play a useful role in assisting regional organisations to build their peacekeeping capacity. Regional organisations, Japan argues, ‘could provide the flexible, reliable and rapidly deployable forces so useful in a complex multidimensional operation’.⁸⁶

Third, because of the need to take a regional approach to peacebuilding (see above), regional and subregional organisations can play an important role. This contribution is most effective, Japan maintains, when they are fully integrated into and coordinated with the work undertaken by the Peacebuilding Commission.⁸⁷ The Commission should therefore explore ways of deepening its engagement with regional organisations and Japan has proposed two ways of doing this:

1. Regional organisations should be given the opportunity to make an active contribution to the process of drafting and implementing integrated peacebuilding strategies.

2. The Commission's policy framework for post-conflict reconstruction should be harmonised with relevant regional organisations in order to, among other things, establish links between post-conflict reconstruction and development.⁸⁸

Summary

Although Japan supports the R2P, it prefers to operate under the rubric of human security. This is in part due to Japan's role in developing and establishing the notion of human security and in part due to its reluctance to embrace a principle which it thinks opens the door to armed intervention. As UN Secretary-General, Ban Ki-moon has already identified, Japan plays an active and positive leadership role across a broad range of issues that relate directly to the R2P. Deepening Japanese engagement with the R2P requires positive affirmation of the fact that on the question of enforcement, the R2P is entirely consistent with the UN Charter and envisages the use of force only as a last resort and only when authorised by the UN Security Council, and an acknowledgement of the centrality of prevention. The 'narrow but deep' approach to the R2P adopted by the Secretary-General is broadly consistent with Japan's approach to human security and Japan is well placed to play a leadership role in translating the R2P from words to deeds.

Republic of Korea

Background

Like Japan, the Republic of Korea (Korea, hereafter) supports the R2P principle and has restated its support on several occasions. Of the various Asian candidates for the Secretary-Generalship of the UN in 2006, Korea's Foreign Minister Ban Ki-moon was alone in making the R2P a key part of his platform. Furthermore, Korea is one of only two Asian members of the 'Friends of R2P' established by the Canadian government (the other being Singapore). Although Korea supports the R2P, it takes a cautious approach to implementation, argues that further consideration of the principle is necessary and prefers not to couch its policy preferences in R2P terms, choosing either to work through the rubric of human security or to avoid broad doctrines altogether.

It is important to note three key factors that might influence Korea's position on the R2P and related policy initiatives. First, in the past few years Korea has significantly deepened its engagement with the UN. The most obvious signs of this engagement was the successful campaign to elect Ban Ki-moon as Secretary-General in 2006 and its stated intention to seek election as a non-permanent member of the UN Security Council in 2013. As part of these campaigns, Korea has stepped up its contribution to UN peace operations, making a significant troop contribution (approximately 370) to the UNIFIL mission in Lebanon, settling its UN arrears in 2007 and establishing itself as the tenth largest financial contributor to the UN system, seeking and winning election to the Human Rights Council, and playing a leading role in the organisation's on-going deliberations on disarmament.⁸⁹ In 2008, Korea successfully lobbied to have Shin Young-soo appointed as Director-General of the World Health Organization's Western Pacific Office. Second, the domestic consolidation of human rights and democratisation gives Korea a particular interest in measures that enable states to build human rights capacity and the contribution that the UN and regional organisations can make to those processes. In 2007, for example, the Korean government adopted a national action plan for the promotion and protection of human rights which dealt with the whole range of national laws, mechanisms and policies on human rights and is to be implemented over the following four years.⁹⁰ This model could be replicated by other countries in order to strengthen domestic safeguards for human rights. Third, on-going tensions with the Democratic People's Republic of Korea (North Korea, hereafter DPRK) shape the Korean government's thinking in several ways: although their relationship has sometimes been strained in recent times, Korea remains deeply committed to its alliance with the US and contributes to on-going operations in Iraq and Afghanistan; with some exceptions, Korea values engagement, diplomacy and consensus – attributes borne of long experience of dealing with the DPRK; and specific DPRK related issues such as the abduction of Korean citizens, WMD proliferation and the use of landmines in the Demilitarised Zone shapes Korean thinking on related issues.

Whilst Korea supports the R2P and the strengthening of human rights and civilian protection worldwide, it remains cautious about the principle's scope and application and prefers to focus on prevention measures taken in cooperation with the relevant

authorities, though it accepts the necessity of Security Council authorised enforcement in certain circumstances.

Korea and the Responsibility to Protect

Prior to and during the 2005 World Summit's deliberations on the R2P, Korea was a consistent though cautious supporter of the principle. In particular, it emphasised the primacy of prevention and capacity building (specifically, preventive diplomacy, humanitarian aid, and provision of assistance), the need for restraint in relation to enforcement measures and stressed the need for further deliberation by the UN General Assembly. This first idea – support for the principle whilst calling for caution on the question of enforcement – was expressed by Korea's Permanent Representative to the UN in informal thematic consultations in April 2005. It is worth quoting this contribution at length. Kim Sam-hoon maintained that:

[I]t is high-time for the international community to take a serious look at the emerging norm of the collective responsibility to protect. We can no longer sit by idly and allow these [humanitarian] catastrophes to claim huge numbers of innocent lives under the cloak of State sovereignty. In this regard, my delegation believes that the concept of the responsibility to protect is a significant step forward towards ensuring human security in today's conflict-plagued world.

The imperatives of human conscience confer a responsibility on the international community to protect innocent people from genocide or massive human rights abuses. The crux of this responsibility is the obligation to work proactively to prevent atrocities from occurring. In this regard, we believe that the responsibility to protect a population lies first and foremost with the sovereign State itself, because the State is not only the most responsible but also the most effective entity in protecting its own citizens.

...any action taken by the international community based on the concept of the responsibility to protect should be confined to cases in which the State is clearly unable or indeed unwilling to protect its own civilian population. Moreover, before taking coercive action, the international community should first employ preventive diplomacy and humanitarian assistance in order to deter or defuse impending humanitarian disasters.

During this stage, regional organisations should be given a prominent role. This is particularly vital because regional organisations have a fundamental interest in maintaining peace and order in neighbouring States...

Nevertheless, if concerted diplomatic and humanitarian efforts fail to deter atrocities or protect civilian populations, then the Security Council must take the necessary action, including enforcement action.

However, a note of caution is necessary when it comes to judgments concerning either a State's inability or unwillingness to protect its own citizens.

It is far easier to determine whether a State is unable to protect its own citizens than whether it is unwilling. Inability to protect can be easily determined based on evidentiary symptoms of an overall or partial breakdown of government and society. By contrast, determining a State's unwillingness to protect its own citizens entails a more delicate judgment concerning the true

intention of the State. Any misjudgement or misinterpretation could run the risk of infringing on a State's sovereignty.

It is therefore imperative to exercise caution and judiciousness in determining when a State is unwilling to protect its own citizens. Accordingly, from within the broad crisis continuum that ranges from a situation of alert to a genuine catastrophe, the international community must garner sufficient evidence to prove with a strong degree of certainty that a State is indeed unwilling to protect its own citizens. In this connection, the United Nations is the sole legitimate body able to make this critical judgment. We hope that with these procedural and substantive provisos, the concept of the responsibility to protect will commend broad support...⁹¹

As such, Korea clearly indicated its support for the R2P and indicated the centrality of prevention and humanitarian assistance, and the important role that regional organisations can play in this regard. Recognising, however, that in certain circumstances enforcement might be necessary, Korea identified the UN Security Council as the appropriate decision-making body and urged that enforcement only be considered in cases where there is certainty about a state's unwillingness to protect its citizens.

At the 2005 World Summit itself, Foreign Minister Ban Ki-moon reaffirmed Korea's support for the R2P and Korea's emphasis on the provision of international assistance to help states fulfil their obligations and focus on prevention. However, he also stressed the need for further deliberation to reach agreement on the principle. As Ban put it:

Mass killings, genocides and other grave infringements on human rights are threats to peace and stability, and must not be left to pass with impunity. The principle of the responsibility to protect, as discussed during the High-Level Plenary, underscores the responsibility of the international community to lend assistance to states in upholding their solemn obligations to protect their citizens. We support the continued deliberation by Member States to reach agreement on the responsibility to protect. This would certainly form the backbone of a preventive mechanism against gross violations of human rights.

Clearly, Korea was satisfied that the phrasing of the 2005 World Summit's endorsement of the R2P addressed its concerns about the need for caution, the primacy of prevention and capacity building, and further deliberation, because on the relatively few occasions where Korean officials have explicitly referred to the principle since 2005 they have wholeheartedly embraced the World Summit's terminology. Moreover, since 2005 both Korean government officials and Ban Ki-moon have emphasised the need to follow-up the Summit agreement by translating the R2P from words to deeds. Thus, when the Deputy Permanent Representative to the UN, Shin Kak-soo addressed the issue of Holocaust remembrance shortly after the World Summit, he declared that:

My delegation would like to take this opportunity to emphasise the importance of what we achieved regarding the responsibility to protect in the Outcome Document adopted at the World Summit in September. The Leaders of Member States agreed on the collective responsibility of the international

community to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity when national authorities manifestly fail to do so. The faithful, swift and effective implementation of this responsibility to protect will help to prevent, deter and halt the outbreak of such situations. My delegation earnestly hopes that serious efforts will be made to carry forward this important development as the follow-up to the World Summit.⁹²

These themes were reiterated by Ban Ki-moon throughout his 2006 campaign for the Secretary-Generalship of the UN. In September and October 2006, Ban told audiences in the US that ‘when a country is not able to protect its own people from crimes against humanity and genocide and prevents the international community from intervening on the excuse of sovereignty, the international community has a responsibility to protect those people from genocide’ and that as Secretary-General he would ‘speak out in favour’ of the R2P.⁹³ During this time, some human rights activists raised doubts about whether Ban would be an outspoken champion of human rights – noting his preference for quiet diplomacy with the DPRK which studiously avoided criticising its human rights record. In this regard it is worth noting that Ban reiterated his World Summit call for more deliberation on the R2P in a speech to the US Council on Foreign Relations in May 2006. There, Ban maintained that ‘the concept of the international community’s responsibility to protect, as endorsed by the World Summit last year, should be further substantiated’.⁹⁴ Since his appointment as UN Secretary-General, Ban has made a firm commitment to translating the R2P ‘from words to deeds’ and is expected to deliver a report on the matter in late 2008, which is likely to be debated by the General Assembly in early 2009.⁹⁵

Thus, Korean officials have stressed the need to follow-up on the World Summit’s commitment to the R2P. It is clear from the statements it has made on the issue that Korea believes that implementation of the R2P should be guided by four central principles:

- The importance of dialogue and consensus: the R2P principle should be substantiated and clarified through dialogue including the whole membership of the UN.
- The primacy of prevention and capacity-building
- The need for a stronger partnership between the UN and regional organisations, especially in relation to prevention and capacity-building.
- The need to improve the UN’s capacity to protect.

Precisely how these principles might translate into a strategy for implementing the R2P was set out by Korea in its contribution to the Security Council’s open meeting on the Protection of Civilians in Armed Conflict in June 2007. Korea noted that the Council’s adoption of Resolution 1674 (2006), which reaffirmed the R2P, was a ‘significant step forward’ which reinforced the legal framework on the protection of civilians. It also noted that ‘we are still distant from translating our responsibility to protect into adequate action’ and identified three issues that it thought particularly important.⁹⁶ Broadly in line with its core principles, they were:

1. *Conflict prevention.* Korea argued that the best way to protect civilians and prevent genocide and mass atrocities was to prevent violent conflicts erupting in the first place. This should include measures to address the root causes of

conflict and promote good governance and should be based on ‘solid analysis of both ongoing and newly emerging situations that have the potential to develop into armed conflict’.⁹⁷

2. *The development of specific mechanisms for the protection of civilians.* Korea maintained that the Security Council should develop a mechanism for a case-by-case analysis of the protection of civilians that identified the unique characteristics of each conflict and developed an institutionalised approach to protection. This proposal, which is somewhat similar to Japan’s call for expanding the use of the *Aide Memoire*, ‘would require a strong system of information sharing’.⁹⁸
3. *Eliminating the culture of impunity.* In order to deter attacks on civilians, Korea argues that steps must be taken to bring the culture of impunity to an end. Such steps include supporting the International Criminal Court, encouraging Member States to accede to the Court and the provision of assistance for judicial capacity-building in war-torn societies.⁹⁹

In order to develop these insights and build a better understanding of the Korean government’s thinking, the following section identifies Korea’s policy priorities in areas relating to the R2P.

Policy Priorities

Judging by the emphasis it places on different policy areas, Korea has three major and two subsidiary priorities relating to the R2P. Its major priorities are: reform of the UN Security Council, the prevention of violent conflict with a particular focus on capacity-building, and the ending of impunity. Its two subsidiary priorities are strengthening the relationship between the UN and regional arrangements and improving the UN’s capacity to react to emergencies in a timely and decisive fashion.

Reforming the UN Security Council

Korea maintains that it is the responsibility of the Security Council to act with strong determination against violations such as the four crimes related to the R2P.¹⁰⁰ To make it more effective, however, the Council should be reformed to improve its representativeness and the transparency of its decision-making. Such reform is necessary, Korea argues, for the Council to maintain the ‘moral authority necessary to carry out its primary responsibility’.¹⁰¹ In relation to Council membership, Korea supports the ‘Uniting for Consensus’ position, which called for an expansion in the Council’s non-permanent membership, rather than the expansion of the Council’s permanent membership.¹⁰² In relation to working methods, Korea has called for the issuing of more substantive and analytical reports by the Council in order to improve the transparency of its decision making and has commended the instigation of regular meetings between Council members and troop contributing countries.¹⁰³ It has also encouraged the Council to continue its use of working groups to examine issues of international concern in greater depth. Finally, Korea has voiced its support for the S5 proposal relating to limitations on the use of the veto to block collective action in response to humanitarian emergencies.¹⁰⁴

Korea insists that the question of Security Council reform should be pursued in such a way as to avoid creating an ‘atmosphere of confrontation...which could seriously divide the United Nations’. The Open-Ended Working Group, it maintains, is the most legitimate place to discuss reform.¹⁰⁵

Prevention and Capacity Building

Korea argues that the prevention of armed conflict is a vital but undervalued concern. As such, Kim Hyun Chong, speaking at a Fifth Committee meeting on peacekeeping in 2008, insisted that the importance of preventing conflicts had been underestimated by the international community. He argued that preventing disputes from escalating into violent conflicts was a better way of securing international peace and security than acting in response conflicts already underway or rebuilding afterwards. Preventive diplomacy, he maintained, was a core function of the UN.¹⁰⁶ Elsewhere, Korea has maintained that the prevention of armed conflict is a prerequisite for development.¹⁰⁷

Korea’s interest in prevention includes support for measures to strengthen the UN’s capacity to conduct preventive diplomacy and measures aimed at tackling root causes. In relation to preventive diplomacy, Korea supports the strengthening of the Department of Political Affairs (DPA) to make it better able to prevent conflict and reduce the need for peacekeepers.¹⁰⁸ However, Korea is sceptical about the value of establishing regional divisions and offices within the DPA which, it fears, could produce fragmentation and structural rigidity.¹⁰⁹

Most notable, though, about Korea’s approach to prevention is its focus on capacity building. In general, Korea maintains that long-term progress is best achieved through cooperation with national authorities aimed at encouraging domestic led reform of the type experienced by Korea in the 1980s. It suggests that the UN and regional organisations should do more to assist states in building the capacity to protect their populations – whilst recognising the seminal importance of national ownership. In particular, Korea argues that the UN Peacebuilding Commission and Human Rights Council are particularly well placed to assist capacity building and address the root causes of recurrent conflicts.¹¹⁰ Both deserve political support and the resources they need to fulfil their mandates fully so that the UN is equipped with ‘strong, effective and credible’ bodies.¹¹¹ Over the past few years, Korean officials have identified a number of areas where capacity building assistance might be appropriate and avenues for supporting capacity building. For example:

- Governments should take responsibility for the protection of their children and the international community should provide technical and financial assistance to help States build the capacity they need to do so, including the creation of appropriate judicial mechanisms.¹¹²
- The establishment of integrated field offices with peacebuilding mandates to spearhead and coordinate capacity building in partnership with the host government (as in Sierra Leone).¹¹³

- By providing sufficient resources to the Peacebuilding Fund and considering ways of expanding the Fund's remit beyond the provision of transitional assistance towards addressing long-term needs.¹¹⁴
- By developing a standing contact mechanism with the World Bank and IMF with a view to facilitating the mobilisation of funds in support of the Peacebuilding Commission.¹¹⁵
- The UN and regional organisations should assist countries in preparing for the Universal Periodic Review (UPR) of human rights under the auspices of the UN Human Rights Council. Korea maintains that the UPR process can make a significant contribution by fostering national-led efforts to strengthen human rights, with international assistance.¹¹⁶ The UPR mechanism is particularly valuable because it is action-oriented and by engaging with governments avoids the counter-productive 'politicisation' of human rights.¹¹⁷
- Strengthen the Office of the High Commissioner for Human Rights, both at headquarters and in the field, and particularly through the use of country teams.¹¹⁸
- Support measures to help States establish the rule of law, which is essential for good governance and peace and security. Korea welcomed the establishment of the Rule of Law Coordination and Research Group and Rule of Law Assistance Unit and indicated its intention to provide resources to assist states in building their capacity to promote the rule of law.¹¹⁹

Importantly, many of these measures emphasise the importance of national ownership and of international actors working in cooperation with national authorities. 'It is neither possible nor desirable', Korea argues, 'to build a sustainable peace without the active participation of the national authorities of the countries involved'.¹²⁰ However, in a tacit nod to the idea of the 'responsibility to rebuild' enunciated in 2001 by the International Commission on Intervention and State Sovereignty (ICISS), Korea noted that in 'extreme cases...when there is a lack of competent national authority, the international community still has a responsibility to provide support for post-conflict peacebuilding'.¹²¹

A further priority for Korea in relation to prevention is control of the illicit trade in small arms. The 'widespread availability of small arms', it contends, 'is severely destabilising, putting at risk peace, security and development, serving as a catalyst for armed conflict, supporting criminal activity and causing tragic human suffering'.¹²² Korea supports the UN Programme of Action on Small Arms and Light Weapons established in 2001. It also endorses the development of a comprehensive, legally binding instrument to establish common standards for the import, export and transfer of conventional arms and has played a leading role in the effort to develop controls by co-hosting (with Australia) a 2007 conference on brokering controls and a regional workshop the following year, in cooperation with the UN Office for Disarmament Affairs.¹²³ Korea maintains that a process should be established to begin work towards such an instrument and supports the use of General Assembly resolutions to advance this agenda.

Ending impunity

The need to end impunity by strengthening domestic institutions (capacity building – above) and international criminal law is a recurrent theme in Korea’s contribution to R2P related debates.¹²⁴ ‘Ending impunity is a critical element for halting violations of all kinds’, Korea argues.¹²⁵ According to the Korean government, there are at least three steps that need to be taken in order to end impunity:

First, Korea has pledged to make a concerted effort to persuade Asian States to become parties to the Rome Statute of the International Criminal Court. Presently, only 13 Asian States are parties to the Rome Statute. In late 2007, Korea emphasised that it was ‘eager to see more Asian States become parties to the Statute as soon as possible’. It suggested that both the Court and its State parties should provide assistance to Asian States to enable them to prepare for accession and pledged to ‘do its part by engaging in outreach and advocacy efforts to encourage more Asian States to join the ICC’.¹²⁶

Second, the Security Council should be encouraged to refer more matters to the International Criminal Court, including cases of persistent violations against children.¹²⁷

Third, to succeed in its mandate, the ICC needs the assistance and cooperation of States in order to apprehend detainees, collect evidence and execute its sentences. Korea argues that Member States, regional organisations and the UN should cooperate with the ICC to enable it to perform these three tasks. Significantly, Korea has also identified a number of ways in which the UN can support the work of the ICC:

- The provision of communications;
- Logistics support;
- Providing security for victims, witnesses and investigators;
- Providing access to suspects;
- Enabling the collection of evidence and documents.

In each of these areas, Korea maintains, the UN and ICC can cooperate in order to improve the Court’s effectiveness. Such cooperation should be managed through the establishment of a properly funded ICC liaison office at UN Headquarters.¹²⁸

Stronger Partnerships Between the UN and Regional Organisations

Although Korea does not emphasise the role of regional organisations to the same extent as other states in the Asia-Pacific region, it nevertheless argues that regional organisations can add value in several important areas. Korea has proposed that the UN and regional organisations enter into a partnership to enhance rapidly deployable peacekeeping capacities.¹²⁹

Strengthening the UN’s Capacity

Korea endorses a range of measures that would improve the UN’s capacity to act in a timely and decisive manner in cases where a state is manifestly failing in its responsibility to protect its population. Having recently passed domestic legislation to

make it easier for the Korean army to contribute troops to UN peace operations, Korea has called for steps to facilitate the rapid deployment of peacekeepers and supports the right of ‘full, safe and unhindered humanitarian access’.¹³⁰ Korea is also a supporter of, and contributor to, the Central Emergency Response Fund (CERF).¹³¹

Summary

Korea is a consistent but cautious supporter of the R2P and is deepening its engagement with UN affairs. Whilst voicing its support for the principle on several occasions, Korea stresses the importance of dialogue and consensus and insists that the R2P principle should be substantiated and clarified through dialogue including the whole membership of the UN. Korea also emphasises the primacy of prevention and exhibits a particular interest in capacity-building, on which it has made a number of substantive suggestions relating to the role of the Peacebuilding Commission, Human Rights Council and regional organisations. Korea also supports measures to strengthen the UN’s capacity to protect endangered populations. Korea’s approach to the R2P is consistent with the UN Secretary-General’s and emphasises the second pillar - the international community’s responsibility to assist states fulfil their responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. However, Korea also recognises that it may be necessary to take coercive measures in extreme situations and argues that such measures should be authorised by the UN Security Council. Given its long-standing support for the R2P, membership of the ‘Friends of R2P’ grouping, and the fact that it recognises some of the concerns held by other governments in the Asia-Pacific region, Korea is well placed to play a leading role in translating the principle from words to deeds.

Conclusion

Japan and Korea are two of the Asia-Pacific region's key supporters of the R2P principle. Both have consistently supported the principle and have reaffirmed their endorsement since the 2005 World Summit. They are also particularly well placed to play a leading role in translating the R2P from words to deeds. Japan is the UN's second largest financial contributor which gives it strong credentials for repeated election to the Security Council as a non-permanent member. It is also a champion of the human security concept, which enjoys a degree of support in the Asia-Pacific region. Korea is rapidly deepening its level of engagement with the UN. In 2006, it successfully campaigned for the appointment of its foreign minister, Ban Ki-moon, to the post of UN Secretary-General. With the despatch of peacekeepers to Lebanon, Korea is strengthening its contribution to UN peace operations and has announced its candidacy for a non-permanent seat on the UN Security Council. It is therefore important to engage Japan and Korea on the implementation of the R2P and to pay attention to their concerns and proposals.

Both states particularly welcome the way the R2P is conceptualised in the 2005 World Summit Outcome Document. Japan is more overtly cautious about the principle's relationship with coercive activities authorised by the UN Security Council, but Korea has also expressed a degree of caution, particularly in relation to the need for dialogue and consensus and in relation to the difficulty of ascertaining when a state is 'unwilling' to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity. Both appreciate the approach taken by the UN Secretary-General and are of the view that the focus for operationalisation should be the principle's second pillar: strengthening the international community's commitment and capacity to assist states in fulfilling their responsibility to protect. Japan and Korea emphasise the primacy of prevention and take a relatively broad approach. Nevertheless, they both acknowledge that coercive measures might sometimes be necessary in pursuit of the international community's responsibility to take 'timely and decisive' measures in cases where a state is 'manifestly failing' to protect its population from the four crimes and have recognised areas where the UN's capacity in this area can be strengthened. Both governments stress that any measures taken in this regard should be consistent with the UN Charter.

In order to mobilise Japanese and Korean support for operationalising the R2P, advocates should focus on developing proposals that these states have themselves endorsed. These proposals focus mainly on the R2P's second pillar and include a range of initiatives through which the international community can assist states to fulfil their responsibility to protect. However, they also include a number of suggestions aimed at improving the UN's capacity to respond in a timely and decisive fashion when a state manifestly fails in its responsibility to protect its population. Japan and Korea have voiced support for initiatives in all four of the programmatic dimensions identified by the UN Secretary-General's Special Adviser but also emphasise a fifth dimension: ending impunity by strengthening the ICC. The remainder of this conclusion summarises some of the principal proposals endorsed by Japan and/or Korea since the 2005 World Summit. Taken together, they constitute a powerful range of initiatives that would do much to help translate the R2P from words to deeds.

Capacity building and rebuilding

Both Japan and Korea emphasise the importance of capacity building and rebuilding for preventing armed conflict in general, and the four R2P crimes in particular. Enabling states to develop the capacities they need to tackle the root causes of genocide and mass atrocities and stem the progression towards violence when disputes emerge is a cornerstone of the position adopted by both states. They share Edward Luck's view that the Peacebuilding Commission provides a useful vehicle for providing assistance to states but augment this with roles for the Security Council, Human Rights Council, Department for Peacekeeping Operations, Rule of Law Assistance Unit, UNESCO and initiatives such as the development of a legally binding instrument on the trade in small arms.

Specific policies that enjoy support from Japan and/or Korea include:

1. Strengthening the UN Peacebuilding Commission's capacity to assist states by:
 - a. Deepening cooperation between the Security Council and the Peacebuilding Commission (see below).
 - b. Emphasising the necessity of national ownership and ensuring that host states have the capacity necessary to develop and implement integrated peacebuilding strategies.
 - c. Focusing on the formulation of integrated peacebuilding strategies.
 - d. Establishing field offices to provide an on-site coordination and monitoring mechanism that would ensure that the Commission's recommendations are put into practice and establish deeper cooperation with the national authorities.
 - e. Providing sufficient resources to the Peacebuilding Fund and considering ways of expanding the Fund's remit beyond the provision of transitional assistance towards addressing long-term needs.
 - f. Ensuring that all the relevant stakeholders working in areas such as peace and security, development and human rights are represented and creating modalities for civil society representation – with a specific focus on developing a standing contact mechanism with the World Bank and IMF to leverage financial support.
 - g. Learning lessons from the experience of countries that have recovered from conflict
 - h. Strengthening cooperation between the Commission and relevant regional organisations (see below).

2. Assisting States to establish and maintain the Rule of Law. Both Japan and Korea recognise that building national capacity and establishing the Rule of Law are vital for enabling states to prevent the violent disputes that lead to the commission of genocide, war crimes, ethnic cleansing and crimes against humanity. Specific vehicles and initiatives for achieving this include:
 - a. Strengthening the Office for the Rule of Law and Security Institutions, established within the Department of Peacekeeping Operations, the Rule of Law Coordination and Research Group and Rule of Law Assistance Unit.

- b. Bilateral agreements to provide vocational training, technical advice and other forms of technical cooperation, and student exchanges.
- 3. Utilising the UN Human Rights Council to work cooperatively to strengthen the capacity of states and communities to implement international principles, rules and standards to improve human rights and prevent disputes deteriorating into violent conflict and the four R2P crimes. Specific measures include:
 - a. Utilising Universal Periodic Review (UPR) as the front-line of fostering national-led efforts to strengthen human rights.
 - b. Ensuring that the UPR mechanism is action-oriented.
 - c. Using the UN and regional organisations to assist countries in preparing for the UPR.
 - d. Establishing best practices for responding to massive and grave violations of human rights.
 - e. Strengthening the Office of the High Commissioner for Human Rights, both at headquarters and in the field, and particularly through the use of country teams
- 4. Strengthening the state's capacity to prevent violent conflict by regulating the trade in small arms and light weapons. Appropriate measures identified by Japan and/or Korea include:
 - a. Establishing a legally binding instrument to regulate the trade in small arms that would set standards for the import, export and transfer of conventional arms.
 - b. Providing material, technical and intellectual assistance to states to help them build the capacity necessary to tackle the trade in small arms, possibly through the creation of national commissions;
 - c. Strengthening the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons
 - d. Strengthening the International Tracing Instrument established in 2005 and the work of the Group of Governmental Experts.
 - e. Ensuring that the Security Council uses the biennial report of the Programme of Action as a catalyst for action-oriented discussion on priority issues such as illicit brokering, stockpile management and the disposal of stockpiles.
 - f. Offering assistance in the collection and destruction of small arms, processes of disarmament, demobilisation and reintegration, and landmine clearance.
- 5. Preventing the incitement of genocide, war crimes, ethnic cleansing and mass atrocities by enhancing the preventive capacity of societies through support for education and interreligious/intercultural dialogue. This could involve:
 - a. Enabling UNESCO to support education and dialogue aimed at countering incitement.
 - b. Assisting processes of inter-cultural dialogue such as the Asia-Europe Meeting (ASEM)
 - c. Supporting national media outlets that counter 'hate media'.

6. Assisting governments to take responsibility for the protection of their children by providing technical and financial assistance, including the creation of appropriate judicial mechanisms.

Early warning and assessment

Japan and Korea have indicated that they might be prepared to support initiatives aimed at improving the UN's capacity for early warning and assessment. Japan is one of the few Member States to specifically endorse measures in this area, though it remains rather vague on precisely what it envisages. As noted earlier, Japan supports 'proper monitoring' to provide early warning, including the provision of timely briefings to the Security Council by the Emergency Relief Coordinator and High Commissioner for Refugees. Whilst not referring to early warning and assessment directly, Korea has called for the UN to provide 'solid analysis of both ongoing and newly emerging situations that have the potential to develop into armed conflict'.

Both Japan and Korea support strengthening the DPA to make it better able to prevent violent conflicts through diplomatic means. Japan has suggested that the DPA should foster closer cooperation with regional organisations in this area and Korea has emphasised the need to provide the department with the resources it needs to improve its capacity to use the Secretary-General's good offices to resolve disputes. Neither state supports the regionalisation of the DPA, arguing that this could cause fragmentation and wastage.

Timely and decisive response

Although Japan and Korea prefer to emphasise prevention and capacity building as policy priorities, they have voiced support for several initiatives designed to improve the capacity of the UN and regional arrangements to respond in a timely and decisive manner to emergencies involving the commission of one or more of the four crimes associated with the R2P. Specific initiatives that one or both have supported in this area include:

1. Training civilian experts to participate in peacekeeping and peacebuilding operations. Specific measures include:
 - a. The establishment of the Hiroshima Peacebuilders Centre to train Asian peacebuilders.
 - b. The establishment of other cognate centres across Asia.
2. Contributing civilian and military personnel to UN peace operations and taking measures to strengthen peace operations, such as:
 - a. Further developing the UN's capstone doctrine.
 - b. Enhancing interaction between the Security Council and troop contributors and other stakeholders, including the General Assembly.
 - c. Deepening cooperation between the UN and regional organisations in relation to peace operations.

3. Improving the protection of civilians through the use of humanitarian assistance. Appropriate measures in this field might include:
 - a. Clarifying and developing the right of humanitarian access.
 - b. Improving high-level decision-making, funding and coordination and engaging the Security Council on humanitarian affairs.
 - c. Providing appropriate resources for the Central Emergency Relief Fund (CERF) and directing funds to the protection of civilians.
 - d. Ensuring a smooth transition from emergency relief to development assistance. Japan has proposed that the Human Security Trust Fund can provide financial resources for managing this transition and that OCHA could administer it.
4. Incorporating the protection of civilians more fully into the work of the Security Council and the UN's field missions. Measures to achieve this include:
 - a. Updating and elevating OCHA's *Aide Memoire* so that the Security Council can use it as a check-list to ensure that protection needs are properly addressed in its mandates.
 - b. Developing a model matrix to define the roles and responsibilities of different actors involved in the protection of civilians. The matrix would also include timelines, indicating when different actors would begin and phase out their role.
 - c. Deepening the Security Council's relationship with NGOs by intensifying Arria-formula meetings between the Security Council and NGOs and holding OCHA-NGO workshops on specific protection issues and crises.
 - d. Inviting the UN's field missions to submit reports on the steps they have taken to protect civilian in accordance with Security Council Resolution 1674 (2006), using the *Aide Memoire* as their guide.

Both Japan and Korea are firmly of the view that reform of the Security Council's composition and working methods are integral for improving the UN's capacity to respond to emergencies, including those relating to the R2P, in a timely and decisive manner. On the question of composition, the two states have different positions. Whilst Japan supports the addition of four new permanent members (the 'G4 plan'), including itself, Korea's preference is for the inclusion of additional non-permanent members (the 'Uniting for Consensus' plan). However, they have similar views when it comes to improving the Council's working methods. Indeed, both argue that this reform is necessary to preserve the Council's legitimacy and moral authority and assuage fears in the General Assembly about the expansion of the Council's authority. Specific reform initiatives supported by Japan and/or Korea include:

- Supporting the S5's proposals to reform the Council's working practices by:

- Requiring permanent members of the Security Council to publicly explain their actions in cases where they cast a veto.
 - Instituting regular and timely consultations between members and non-members of the Security Council, established as part of the Council's standard operating procedures.
 - In cases where decisions by the Security Council require implementation by all Member States, the Council should seek the views of the Member States and ensure that their ability to implement decisions is taken into account in the decision-making process.
 - Exploring ways to assess the extent to which its decisions have been implemented, including the establishment of lessons-learned groups.
 - Subsidiary bodies should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise.
 - Enhance consultations with troop-contributing countries.
- Improving interaction between the Security Council's Working Group on Peacekeeping Operations and the General Assembly's Special Committee on Peacekeeping Operations (Committee of 34).
 - Deepening cooperation between the Security Council and the Peacebuilding Commission by:
 - Requiring the Chair of the Commission's Organisational Committee/chairs of country-specific meetings to submit timely reports to the Council on their deliberations.
 - Holding regular meetings between the Council President and Chair of the Commission's Organisational Committee.
 - Inviting relevant representatives from the Commission to Council meetings.
 - Inviting the Council react to Commission reports in the form of Presidential statements
 - Inviting the Commission to offer advisory opinions to the Council.
 - Enhancing the Council's transparency through the issuing of substantive and analytical reports.

Collaboration with regional and subregional arrangements

Japan and Korea share the Special Adviser's view that strengthening collaboration between the UN and regional and subregional arrangements is an important component of implementing the R2P. They also share the view that collaboration is only useful where value can be added through cooperation and that regional arrangements should not be seen as a substitute for timely and decisive leadership by the UN. Specifically, Japan and/or Korea have pointed to several measures that might contribute to this goal:

1. Institutionalising the relationship in order to improve the capacity of regional and subregional organisations to monitor emerging situations, provide early warning and offer mediation services.
2. The UN should assist regional organisations to build the capacity to rapidly deploy peacekeepers when needed.
3. Adopting a regional approach to peacebuilding which recognises that the trade in arms and narcotics, youth unemployment and economic stagnation are regional phenomena. This involves including relevant organisations as stakeholders in the country-specific work of the Peacebuilding Commission.
4. Institutionalising frequent communication, information sharing and the establishment of a closer working relationship among UN field offices and regional and subregional organisations.
5. The UN should assist in building the capacity of regional organisations to play an important role in regulating the trade in small arms and light weapons.

Ending Impunity

Although the Secretary-General's Special Adviser does not include the ICC and measures specifically tailored to ending impunity in his four programmatic dimensions, he does note that 'by ending impunity, the ICC and regional tribunals serve to further R2P principles'.¹³² However, because both Japan and Korea single out measures to end impunity it is worth reiterating their recommendations in this area. Both Japan and Korea emphasise that the international community should do more to help states build their domestic capacity in relation to the rule of law. Both states are parties to the ICC's Rome Statute and insist that the court makes a vital contribution to ending impunity and deterring the commission of genocide, war crimes, ethnic cleansing and crimes against humanity. Korea levelled three specific proposals for strengthening the ICC:

1. There should be a renewed effort to persuade States to become parties to the Rome Statute and both the Court and its State Parties should provide assistance to enable potential new state parties to prepare for accession. R2P's supporters should prioritise advocacy and outreach efforts to encourage more states to join the ICC.
2. The Security Council should be encouraged to refer more matters to the International Criminal Court.
3. States should provide the ICC with assistance and cooperation, including in relation to:
 - a. Apprehending indictees.
 - b. Collecting evidence.
 - c. Executing its sentences.

References

- ¹ Ban Ki-moon, 'On Responsible Sovereignty: International Cooperation for a Changed World', speech, Berlin, SG/SM/11701, 15 July 2008. It should be noted that whereas the Secretary-General refers to R2P as a 'concept', the Asia-Pacific Centre for the Responsibility to Protect prefers the term 'principle' as this better reflects the fact that world leader unanimously endorsed R2P in paragraphs 138-140 of the World Summit Outcome Document.
- ² Edward C. Luck, 'The United Nations and the Responsibility to Protect', Stanley Foundation Policy Analysis Brief, August 2008, p. 5.
- ³ Luck, 'The United Nations', p. 6.
- ⁴ Luck, 'The United Nations', p. 6.
- ⁵ Luck, 'The United Nations', pp. 6-7.
- ⁶ Luck, 'The United Nations', p. 7.
- ⁷ Luck, 'The United Nations', p. 8.
- ⁸ Luck, 'The United Nations', p. 8.
- ⁹ E.g. S/PV.5703, 22 June 2007, p. 26.
- ¹⁰ Izumi Nakamitsu Lennartsson, 'Human Security: Why Japan Should Do More', AJISS-Commentary, no. 31, 8 May 2008.
- ¹¹ S/PV.5703, 22 June 2007, p. 25.
- ¹² A/62/PV.21, 8 October 2007, p. 13; A/C/62/SR.35, 16 January 2008, p. 3; S/PV.5898 (Resumption 1), 27 May 2008, p. 6.
- ¹³ Kinichi Komano, statement to the Seventh Ministerial Meeting of the Human Security Network, Ottawa, 18-20 May 2005.
- ¹⁴ Kinichi Komano, statement to the Seventh Ministerial Meeting of the Human Security Network, Ottawa, 18-20 May 2005.
- ¹⁵ Yasuo Fukuda, address at the session on 'the Responsibility to Protect: Human Security and International Security', Davos, Switzerland, 26 January 2008.
- ¹⁶ S/PV.5898 (Resumption 1), 27 May 2008, p. 5.
- ¹⁷ A/62/PV.21, 8 October 2007, p. 13.
- ¹⁸ Lennartsson, 'Human Security', p. 3.
- ¹⁹ Yasuo Fukuda, address at the session on 'the Responsibility to Protect: Human Security and International Security', Davos, Switzerland, 26 January 2008.
- ²⁰ Jitsuo Tsuchiyama, 'War Renunciation, Article 9, and Security Policy', in Thomas Berger, Mike Mochizuki and Jitsuo Tsuchiyama (eds.), *Japan in International Relations: The Foreign Policies of an Adaptive State* (Boulder: Lynne Rienner, 2007), p. 67.
- ²¹ E.g. S/PV.5577, 4 December 2006, p. 16; S/PV.5703, 22 June 2007, p. 26.
- ²² S/PV.5577, 4 December 2006, p. 16.
- ²³ S/PV.5577, 4 December 2006, p. 16.
- ²⁴ S/PV.5703, 22 June 2007, p. 26.
- ²⁵ S/PV.5577, 4 December 2006, p. 17.
- ²⁶ S/PV.5577, 4 December 2006, p. 16.
- ²⁷ E.g. S/PV.5703, 22 June 2007, p. 26.
- ²⁸ Ban Ki-moon, 'Remarks to the breakfast meeting with the Japan Institute for International Affairs', 1 July 2008.
- ²⁹ A/61/PV.73, 11 December 2006, p. 11.
- ³⁰ A/61/PV.73, 11 December 2006, p. 11.
- ³¹ S/PV.5627 (Resumption 1), 31 January 2007, p. 4.
- ³² S/PV.5627 (Resumption 1), 31 January 2007, p. 5; A/61/PV.86, 6 February 2007, p. 24; S/PV.5735 (Resumption 1), 28 August 2007, p. 11.
- ³³ A/62/PV.48, 12 November 2007, p. 13.
- ³⁴ S/PV.5735 (Resumption 1), 28 August 2007, p. 11.
- ³⁵ S/PV.5735 (Resumption 1), 28 August 2007, p. 12.
- ³⁶ S/PV.5735 (Resumption 1), 28 August 2007, p. 11.
- ³⁷ S/PV.5776 (Resumption 1), 6 November 2007, p. 7.
- ³⁸ See chapter 4 of Alex J. Bellamy, *Responsibility to Protect: The Global Effort to End Mass Atrocities* (Cambridge: Polity, 2009).
- ³⁹ S/PV.5703, 22 June 2007, p. 26.

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- ⁴⁰ S/PV.5735 (Resumption 1), 28 August 2007, p. 12.
- ⁴¹ S/PV.5881, 30 April 2008, p. 25.
- ⁴² S/PV.5577, 4 December 2006, p. 17.
- ⁴³ S/PV.5881, 30 April 2008, p. 25.
- ⁴⁴ S/PV.5881, 30 April 2008, pp. 25-6.
- ⁴⁵ S/PV.5735 (Resumption 1), 28 August 2007, p. 12; A/62/PV.33, 24 October 2007, p. 18.
- ⁴⁶ S/PV.5781 (Resumption 1), 20 November 2007, p. 6.
- ⁴⁷ S/PV.5881, 30 April 2008, p. 26.
- ⁴⁸ A/62/PV.19, 5 October 2007, p. 13.
- ⁴⁹ A/62/PV.19, 5 October 2007, p. 13.
- ⁵⁰ A/62/PV.39, 30 October 2007, p. 19.
- ⁵¹ S/PV.5834, 12 February 2008, p. 29.
- ⁵² A/61/PV.86, 6 February 2007, p. 23.
- ⁵³ S/PV.5627 (Resumption 1), 31 January 2007, p. 4.
- ⁵⁴ A/61/PV.86, 6 February 2007, p. 23.
- ⁵⁵ S/PV.5735 (Resumption 1), 28 August 2007, p. 11.
- ⁵⁶ S/PV.5627 (Resumption 1), 31 January 2007, p. 4; A/61/PV.86, 6 February 2007, p. 24; S/PV.5776 (Resumption 1), p. 8; S/PV.5895 (Resumption 1), 20 May 2008, p. 2.
- ⁵⁷ S/PV.5868 (Resumption 1), 16 April 2007, p. 22.
- ⁵⁸ S/PV.5703, 22 June 2007, p. 26.
- ⁵⁹ A/C.3/62/SR.31, 27 December 2007, p. 9; S/PV.5781 (Resumption 1), 20 November 2007, p. 5.
- ⁶⁰ S/PV.5801, 13 December 2007, p. 7.
- ⁶¹ A/62/PV.33, 24 October 2007, p. 18.
- ⁶² S/PV.5895 (Resumption 1), 20 May 2008, p. 2.
- ⁶³ A/C.3/62/SR.36, 14 December 2007, p. 6.
- ⁶⁴ A/C.4/61/SR.15, 3 November 2006, p. 5.
- ⁶⁵ A/62/PV.11, 28 September 2007, p. 55.
- ⁶⁶ Yasuo Fukuda, address at the session on 'the Responsibility to Protect: Human Security and International Security', Davos, Switzerland, 26 January 2008.
- ⁶⁷ A/C.4/62/SR.15, 10 December 2007, p. 7.
- ⁶⁸ A/C.4/61/SR.15, 3 November 2006, p. 5; A/61/PV.73, 11 December 2006, p. 11.
- ⁶⁹ A/61/PV.73, 11 December 2006, p. 11.
- ⁷⁰ A/C.4/62/SR.15, 10 December 2007, p. 6.
- ⁷¹ S/PV.5781 (Resumption 1), 20 November 2007, p. 5.
- ⁷² S/PV.5577, 4 December 2006, p. 16; S/PV.5703, 22 June 2007, p. 26.
- ⁷³ S/PV.5577, 4 December 2006, p. 17.
- ⁷⁴ S/PV.5781 (Resumption 1), 20 November 2007, p. 5.
- ⁷⁵ S/PV.5577, 4 December 2006, p. 16.
- ⁷⁶ A/62/PV.54, 19 November 2007, p. 19.
- ⁷⁷ S/PV.5577, 4 December 2006, p. 16.
- ⁷⁸ A/C.2/62/SR.3, 12 November 2007, p. 3.
- ⁷⁹ A/62/PV.54, 19 November 2007, p. 20.
- ⁸⁰ S/PV.5868 (Resumption 1), 16 April 2008, p. 22.
- ⁸¹ S/PV.5735 (Resumption 1), 28 August 2007, p. 12.
- ⁸² S/PV.5703, 22 June 2007, p. 26.
- ⁸³ S/PV.5735 (Resumption 1), 28 August 2007, p. 12.
- ⁸⁴ S/PV.5776 (Resumption 1), 6 November 2007, p. 7.
- ⁸⁵ S/PV.5735 (Resumption 1), 28 August 2007, p. 12.
- ⁸⁶ A/C.4/62/SR.15, 10 December 2007, p. 6; see S/PV.5576 (Resumption 1), 6 November 2007, p. 7.
- ⁸⁷ S/PV.5868 (Resumption 1), 16 April 2008, p. 22.
- ⁸⁸ S/PV.5868 (Resumption 1), 16 April 2008, p. 22.
- ⁸⁹ See Republic of Korea, Ministry of Foreign Affairs, 'Advanced Diplomacy in the International Arena', 2007.
- ⁹⁰ A/C.3/62/SR.31, 27 December 2007, p. 10.
- ⁹¹ Kim Sam-hoon, at the informal thematic consultations of the General Assembly on Cluster III: Freedom to live in dignity from the Report of the Secretary-General entitled 'In larger freedom', 19 April 2005.
- ⁹² Shin Kak-soo, plenary session of the General Assembly, Item 72, Holocaust Remembrance, 31 October 2005.

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- ⁹³ Quoted in 'Ban Ki-moon's Positions on Human Rights, the Responsibility to Protect, International Criminal Court', UNSG Selection.org, Issue 34, 19 October 2006.
- ⁹⁴ Quoted in 'Ban Ki-moon's Positions on Human Rights, the Responsibility to Protect, International Criminal Court', UNSG Selection.org, Issue 34, 19 October 2006.
- ⁹⁵ On Ban's role as champion of the R2P, see Edward C. Luck, 'The Responsible Sovereign and the Responsibility to Protect', *Annual Review of United Nations Affairs 2006/7*.
- ⁹⁶ S/PV.5703, 22 June 2007, pp. 36-7.
- ⁹⁷ S/PV.5703, 22 June 2007, p. 37.
- ⁹⁸ S/PV.5703, 22 June 2007, p. 37.
- ⁹⁹ S/PV.5703, 22 June 2007, p. 37.
- ¹⁰⁰ S/PV.5936 (Resumption 1), 17 July 2008, p. 5.
- ¹⁰¹ S/PV.5968 (Resumption 1), 27 August 2008, p. 19.
- ¹⁰² A/60/PV.96, 21 July 2006, p. 9; A/61/PV.74, 12 December 2006, p. 18.
- ¹⁰³ S/PV.5968 (Resumption 1), 27 August 2008, p. 19.
- ¹⁰⁴ A/60/PV.96, 21 July 2006, p. 10.
- ¹⁰⁵ A/62/PV.48, 12 November 2007, p. 9.
- ¹⁰⁶ A/C.5/62/SR.33, 15 May 2008, p. 9.
- ¹⁰⁷ A/62/PV.21, 8 October 2007, pp. 6-7.
- ¹⁰⁸ A/C.5/62/SR.38, 16 June 2008, p. 16.
- ¹⁰⁹ A/C.5/62/SR.33, 15 May 2008, p. 9.
- ¹¹⁰ S/PV.5895 (Resumption 1), 20 May 2008, p. 33.
- ¹¹¹ A/C.3/62/SR.31, 27 December 2007, p. 9.
- ¹¹² S/PV.5834 (Resumption 1), 12 February 2008, p. 10.
- ¹¹³ S/PV.5895 (Resumption 1), 20 May 2008, p. 33.
- ¹¹⁴ S/PV.5895 (Resumption 1), 20 May 2008, p. 33.
- ¹¹⁵ S/PV.5895 (Resumption 1), 20 May 2008, p. 33.
- ¹¹⁶ In-kook Park, statement to the 7th Session of the Human Rights Council, Geneva, 3 March 2008; A/C.3/62/SR.35, 30 January 2008, p. 7; A/C.3/62SR.31, 27 December 2007, p. 9.
- ¹¹⁷ See A/C.3/62/SR.20, 12 November 2007, p. 4.
- ¹¹⁸ A/C.3/62/SR.35, 30 January 2008, p. 7; A/C.3/62SR.31, 27 December 2007, p. 10.
- ¹¹⁹ A/C.6/62/SR.16, 19 November 2007, p. 5.
- ¹²⁰ A/61/PV.87, 6 February 2007, p. 6.
- ¹²¹ A/61/PV.87, 6 February 2007, p. 6.
- ¹²² A/C.1/61/PV.12, 12 October 2006, p. 23.
- ¹²³ A/C.1/62/PV.19, 29 October 2007, p. 2.
- ¹²⁴ E.g. S/PV.5703, 22 June 2007, p. 37; S/PV.5834 (Resumption 1), 12 February 2008, p. 10.
- ¹²⁵ S/PV.5834 (Resumption 1), 12 February 2008, p. 10.
- ¹²⁶ A/62/PV.43, 1 November 2007, p. 14.
- ¹²⁷ S/PV.5834 (Resumption 1), 12 February 2008, p. 10.
- ¹²⁸ A/62/PV.43, 1 November 2007, p. 14.
- ¹²⁹ A/C.4/61/SR.15, 3 November 2006, p. 6.
- ¹³⁰ S/PV.5936 (Resumption 1), 17 July 2008, p. 5; A/C.5/62/SR.38, 16 June 2008, p. 16; A/C.4/61/SR.15, 3 November 2006, p. 6; A/62/PV.54, 19 November 2007, p. 18.
- ¹³¹ A/62/PV.54, 19 November 2007, p. 18.
- ¹³² Luck, 'The United Nations', p. 4.



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