



AP R2P

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SPOTLIGHT ON R2P

Second Annual China-Australia Dialogue on the Responsibility to Protect

PREVENTIVE DIPLOMACY AND ATROCITY RISK REDUCTION

On 4-5 November 2015, the Asia Pacific Centre for the Responsibility to Protect (APR2P) and the China Institute of International Studies (CIIS) co-hosted their second annual dialogue at the University of Queensland, Brisbane, which was attended by experts from both institutions as well as diplomats from Australia and China. In addition to taking stock of the past decade of progress in implementing R2P, the dialogue focused on how preventive diplomacy and atrocity risk reduction capacities contribute

to the prevention genocide, war crimes, ethnic cleansing and crimes against humanity. In their welcome remarks, Dr. Alex Bellamy, Director of the Asia Pacific Centre for R2P and Madame Wang Haihan, Senior Fellow of CIIS welcomed the dialogue as an opportunity for Australian and Chinese delegates to exchange ideas and deepen common understandings.

As agreed at the inaugural CIIS-APR2P dialogue held in Beijing in October 2014, each year the dialogue begins with sharing Chinese and Australian perspectives on the most recent UN Secretary-General's

report on R2P. This year, Mr. Michael Bliss, Australia's R2P Focal Point and Mr. Yang Yi, Secretary General of CIIS reflected on the 2015 United Nations Secretary-General's report [*A Vital and Enduring Commitment: Implementing the Responsibility to Protect*](#), which took stock of the past decade of progress in translating the 2005 World Summit endorsement of R2P into concrete policy recommendations and practical action.

Mr. Bliss reflected that a key achievement associated with R2P over the past decade is the deepening consensus that sovereignty is not a shield for international scrutiny, and that the United Nations Security Council (UNSC) has a special responsibility to take measures to protect populations from atrocity crimes. Noting that the UNSC has adopted more than thirty resolutions and presidential statements referring to the protection principles enshrined in R2P, Mr. Bliss underscored that



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R2P has become a “guiding ethos” for UNSC engagement in countries at heightened risk of atrocities. Mr. Bliss stressed that one of the key messages from the Secretary-General’s 2015 report, and indeed the six other Secretary-General reports on R2P issued since 2009, is that military intervention is a part of a much broader protection agenda, and prevention is critically important to delivering on the promise of R2P. Despite widespread support for prevention, Mr. Bliss noted that relevant practical policy guidance is to date under-developed, particularly in the UNSC. He pointed to a number of opportunities for developing the preventive component of R2P, including through: better and more consistently utilizing ‘[horizon-scanning](#)’ to alert the UNSC of emerging or potential crises; leveraging the preventive role of the Human Rights Council and the Geneva-based treaty body processes; strengthening consideration of R2P in the General Assembly, including through passing a resolution which formally reaffirms support for R2P; utilizing the recommendations of the 2015 [peacebuilding](#), [peacekeeping](#) and [WPS](#) reviews as an opportunity to deepen analysis of the UN’s role in delivering “R2P outcomes”; expanding the [R2P Focal Points](#) network; and conducting internal/ domestic reviews of how to incorporate an atrocity prevention lens into national policy planning and decision-making, including in the field of development assistance.

In his reflection on the past decade of progress in implementing R2P, Mr. Yang identified three critical stages in which consensus has deepened: first, the “definitive stage” from 2005-9, which defined the scope, meaning and application of R2P, and distinguished the principle that governments endorsed at the 2005 World Summit from the earlier ideas that shaped the R2P concept; second, the “R2P in practice” stage from 2009-13, which witnessed “major progress” in translating the R2P concept into an implementation agenda through UN Security Council



Resolutions, Secretary-General Reports, and the work of the Secretary-General’s Special Advisor on R2P; and third, the “revising and updating” stage from 2013-present, which is focused on finding common ground on remaining challenges and concerns to R2P implementation. Mr. Yang identified five issues of critical importance to the future implementation of R2P, including:

1. renewing political will/ commitment to prevention;
2. clarifying and enhancing the UN’s role in implementing R2P, particularly with regard to how to ensure accountability of protection missions that are authorized by the UNSC but conducted by third parties;
3. distinguishing R2P from ‘new intervention’ (i.e. repackaged humanitarian intervention) by emphasizing prevention, encouraging regional action and building networks for prevention;
4. devising a more comprehensive approach to implementing R2P, particularly through encouragement, capacity building, protection assistance, with particular focus on how to harness new technologies for R2P prevention and how to address the challenges posed by non-state armed groups and violent extremism; and

5. developing more detailed advice for atrocities prevention, such as concrete recommendations tailored to specific countries; guidance on how to invest in atrocities prevention; and evidence-based analysis and case studies of best practice for atrocity prevention, particularly in relation to the relationship between economic development and atrocity risk reduction.

Mr. Yang voiced concerns about double standards, abuse of the concept and selective implementation, and lamented that the post-intervention unrest and upheaval suggested that Libya was “not an R2P success story”. However, he stressed that Chinese criticisms of events in Libya or caution towards the implementation of R2P should not be mistaken for a rejection of the principle or viewed as a pushing back on the implementation of R2P. Like Brazil’s Responsibility while Protecting (RwP) initiative, Mr. Yang conveyed that Chinese proposals such as ‘[Responsible Protection](#)’ were attempts to address some of the problems and weaknesses of R2P to make it a “more comprehensive” and “more acceptable” norm.

In response to the presentations by Mr. Yang and Mr. Bliss, Dr. Liu Qing, First Secretary of the Political Section of the Embassy of China in Australia, reflected that one of the lessons learned over the past decade is that while state responsibility is

important, efforts to implement R2P must respond to new challenges posed by non-state actors, including armed groups, criminal networks, and individual perpetrators of atrocity crimes. Dr. Liu encouraged delegates to focus attention to advancing R2P prevention in the Asia Pacific region, and to deepen understanding of the challenges that Asia Pacific countries face with regard to R2P. It was suggested during the discussion that in order to help generate concrete proposals for prevention within the Asia Pacific region, the newly launched Asia Pacific Partnership for Atrocities Prevention may be well placed to help formulate recommendations and policy guidance.

After reflecting on the decade's progress in implementing R2P, the dialogue turned to the topic of preventive diplomacy, with presentations by Ms. Xing Yi, Director of the China directorate of the Council for Security Cooperation in the Asia Pacific (CSCAP), and Dr. Alex Bellamy. Ms. Xing provided an overview of preventive diplomacy under the ASEAN Regional Forum (ARF). The presentation highlighted some of the challenges to enhancing the ARF's preventive diplomacy as a tool to prevent the escalation

of atrocity crimes, including: concerns over sovereignty and non-interference; the lack of political will for early engagement in emerging crises; and the challenge of shifting from concept to practice. Ms. Xing advised that advocates seeking to build support among ARF leaders should approach the issue in the spirit of cooperation rather than confrontation, and specifically tailor capacity building proposals to ARF commitments and practices, rather than seek to simply transplant mediation models or diplomacy practices of other regions.

Similar to Ms. Xing's analysis of preventive diplomacy, Dr. Bellamy's presentation recognised the region's valid concerns over sovereignty and non-interference, and emphasised that strengthening preventive diplomacy capacity should be understood to be consistent with the norms and values of the region. This is, first, because diplomacy is, by its very nature a consensual activity that is undertaken with the consent of the state involved; and second, because the threat or commission of genocide, war crimes, ethnic cleansing and crimes against humanity are likely to have regional implications. It was for these reasons—the consensual nature of diplomacy and the threat

posed to regional peace and security—that the 2011 [Final Report of the CSCAP Study Group on R2P](#) concluded that bolstering the ARF's capacity to mediate and resolve R2P crises early and prevent their escalation is consistent with ARF preventive diplomacy commitments, and headway can be made without revising ARF's definition of preventive diplomacy. The CSCAP study group on R2P made a number of recommendations to improve ARF preventive diplomacy capacities, including:

1. The ARF Chair could appoint envoys.
2. The ARF could decide for the ARF Unit to assist in the establishment and maintenance of a register of high-level and experienced people who are able and willing to serve as envoys.
3. The ARF Chair might utilise the 'Friends of the Chair' mechanism.
4. The ARF Chair could cooperate with the Secretary-General of ASEAN in responding to imminent emergencies or crises.



Dr. Phil Orchard, Dr. Melissa Curley and Dr. Sarah Teitt



L-R: Madam Wang Haihan, Dr. Xu Longdi, Ms. Xing Yi and Dr. Liu Qing

Dr. Melissa Curley

Dr. Phil Orchard

5. The ARF could consider strengthening the Eminent and Experts Persons (EEP) Group so that it may play a role in preventing atrocity crimes, including through: providing advice on regional frameworks for early warning and assessment for atrocity crimes; supporting the ARF Chair's efforts in the fields of diplomacy, mediation, fact-finding and good-will missions; compiling guidelines relating to best practice mediation and lessons learned from past cases; and engaging in experts-level dialogue on the assessment and management of risk with the UN's Office on Genocide Prevention and R2P.

As an initial step to strengthen preventive diplomacy to prevent atrocity crimes, Ms. Xing suggested that there should be a meeting for experts to share their experiences in engaging in mediation and diplomacy as an effective peaceful, consent-based tool for preventing and de-escalating crises in the region, because training and learning is important for furthering understanding of R2P among stakeholders in the Asia Pacific. This recommendation was welcomed by the participants in the ensuing discussion.

The third session of the dialogue focused on atrocity risk reduction. Highlighting that the [UN Framework of Analysis for Atrocity Crimes](#) is an important tool for policymakers to understand and analyze risk, Dr.

Sarah Teitt presented an overview of common structural risk factors for atrocity crimes, including: a history of past atrocities; discriminatory policies and practices; weak rule of law; unaccountable security sector with the capacity to commit atrocities; and economic inequalities between defined groups. Dr. Teitt characterised risk reduction as a form of structural prevention, which aims to address the root causes of atrocity crimes, and build and strengthen local institutions which help diffuse underlying tensions and inhibit these acts. To this end, Dr. Teitt recommended adopting an "atrocity prevention lens" as an analytical tool in policy processes. This entails mainstreaming atrocity prevention in planning processes, programs of work and decision-making. An atrocity prevention lens entails three components: (1) conducting analysis of atrocity risk factors and crafting appropriate policies or activities to mitigate or reduce these risks; (2) designing programs and allocating resources to support local inhibitors of atrocity crimes; and (3) conducting due diligence assessments to ensure that activities do not inadvertently exacerbate underlying risk of atrocity crimes or undermine sources of resilience.

Dr. Teitt underscored that China and Australia already engage in a range of activities that contribute to reducing the risk of atrocity crimes, and the impact of these programs could be strengthened through specifically considering how they could advance atrocities prevention. For example,

China has committed to: establish a permanent peacekeeping force of 8,000 troops as part of the UN's standby arrangements; donate \$100 million over the next five years to the African Union (AU) to accelerate progress on the AU emergency response force; and spend \$1 billion over the next decade to set up a "China-UN Peace and Development Fund" to support the UN's efforts to promote peace. In addition, China has expressed interest in developing its good offices and mediation role, and has in recent years issued a number of proposals for managing crises in situations experiencing or at high risk of atrocity crimes. For its part, Australia has been a key driver of the normative frameworks for enhancing the protection of at-risk populations through its support in the UN for: Women, Peace and Security; the Protection of Civilians in Armed Conflict; R2P; Children and Armed Conflict and the Arms Trade Treaty. Alongside these efforts, Australia has offered diplomatic support for building institutional capacity to reduce risk of atrocity crimes through the Global Network of R2P Focal Points, and has been a "first adopter" of the recommendation for countries to conduct a self-assessment of their efforts to prevent atrocity crimes by undertaking an internal review in 2014 of the Australian government's progress in implementing R2P. Moreover, both Australia and China have offered international assistance to enhance gender equality and women's empowerment, which are sources of local resilience and vital inhibitors of atrocity crimes. Despite their potential role in atrocity risk

reduction, Dr. Teitt noted that to date there is no systematic analysis of these contributions or concrete recommendations for improving their impact, and suggested that as part of their research collaboration, APR2P and CIIS might analyze how ongoing efforts by Australia and China contribute to preventing atrocity crimes, and exchange ideas about how adopting an atrocity prevention lens might augment or amplify the impact of these policies and programs. This recommendation was echoed by Dr. Phil Orchard, APR2P Research Director, who emphasized that conducting an internal review of working practices, particularly with regard to Pillar 2 capacity building and assistance measures, could draw attention to ways in which Australia's and China's international assistance can help support local capacities that inhibit or mitigate the risk of atrocity crimes.

Also addressing the topic of atrocity risk reduction, Dr. Xu Longdi, Associate Research Fellow at CIIS, focused on the connection between R2P, combatting terrorism, and information and communication technologies (ICT). Noting that terrorist groups and networks use ICTs as a means for intelligence, propaganda, recruitment, fund-raising and education and training, Dr. Xu highlighted that there is a need for deeper analysis of the role of ICTs in the commission of atrocity crimes. Such analysis should take into account the dual roles of ICTs as both a potential means for inciting violence and enabling atrocities, and as a vehicle for countering violent extremism and preventing attacks. Dr. Xu recommended that the international community should make more joint efforts in preventing the misuse or abuse of ICT for terrorist purposes, particularly with regard to the commission of atrocity crimes.

The dialogue closed with remarks by Dr. Bellamy and Madame Wang. Dr. Bellamy drew attention to five key themes and areas of consensus expressed throughout the dialogue:

1. There has been significant normative and institutional progress over the past decade, but now there is a need for more focus on implementation, particularly in the Asia Pacific region;
2. There is a need to learn lessons from past cases and document best practices, particularly with regard to the role of diplomacy and mediation in preventing the escalation of atrocity crimes;
3. There is a need to address new challenges arising from non-state armed groups and the rise of violent extremism;
4. The next stage of R2P implementation requires practical guidance and action plans on what precisely can be done to prevent atrocity crimes.
5. CIIS and APR2P are keen to collaborate in joint research, particularly with regard to best practices for prevention and case studies on lessons learned.

Offering closing remarks on behalf of CIIS, Madame Wang commended participants for substantive and thoughtful presentations, and remarked that this annual dialogue is a good opportunity to reflect on China and Australia's role in implementing R2P, and to assess what can be done to enhance these measures. It was decided that the next dialogue, which will take place in Beijing in late 2016, will focus on peacekeeping and lessons learned from the situation in Syria and the rise of threats from non-state armed groups.



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