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The
RESPONSIBILITY TO PROTECT
(R2P)
MOVING THE CAMPAIGN FORWARD

The Responsibility to Protect (R2P): Moving the Campaign Forward

Human Rights Center

Religion, Politics and Globalization Program

International Human Rights Law Clinic

University of California, Berkeley

October 2007

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FOREWORD

In March 2007 the Human Rights Center at the University of California, Berkeley, hosted a two-day summit: "Stopping Mass Atrocities: An International Conference on the Responsibility to Protect." In collaboration with Human Rights Watch and the Genocide Intervention Network, we brought together academics, policymakers, civil society leaders, and government officials from around the world to discuss the opportunities of this emerging norm and challenges to its implementation.

Productive conversations arose from the high-level group of participants, and ultimately more questions were raised than answered. The present report seeks to supplement those conversations with research that will provide a broader base of knowledge from which to advance R2P. The report's authors surveyed groups currently working to promote R2P, examined options for the United Nations and the Security Council to strengthen the initial 2005 commitment, and analyzed cases where R2P principles might have been applied to past conflicts.

Because generating awareness and momentum for R2P among the general public is essential for building political will, we also engaged communications consultants to survey existing public-opinion research and offer strategic recommendations for how candidates and other public figures might discuss or frame R2P for their constituents. We anticipate the report will be useful for the newly established Global Centre for the Responsibility to Protect or as background material by various governments and nongovernmental organizations working on the issue.

The Human Rights Center has responded to mass atrocities by documenting war crimes and helping to rebuild communities after armed conflict. We are pleased to support research into the Responsibility to Protect, which offers the promise of averting mass violence before it begins.

We gratefully acknowledge the report's authors for their hard work and Humanity United for its generous funding of the conference and this report.

Eric Stover   Camille Crittenden
Faculty Director   Executive Director

October 2007

Introduction

Written in conjunction with the launching of a new international organization, the Global Centre for the Responsibility to Protect, this report addresses some of the most challenging questions concerning how to move the "Responsibility to Protect" (R2P) from principle to practice.

The creation of the Global Centre for R2P marks a historic watershed as, to date, promotion of the norm has fallen on the shoulders of professionals within NGOs, governments, and international institutions who have other primary responsibilities. This report is primarily intended as a resource for the Global Centre, as well as for the myriad institutions and individuals with whom the Centre will work as it moves R2P forward.

The report is conceived in two thematic sections. The first, Chapters 1–3, addresses the broad question of how best to publicize and promote R2P. Chapter 1, *Getting the Message Out: R2P Advocacy*, focuses on public awareness of the R2P mandate. It documents advocates' attempts in the U.S. and international community to promote R2P, and includes recommendations for high-level advocates, NGOs that mobilize grassroots support, and for the new Global Centre. Chapter 2, *R2P: Messaging Challenges and Opportunities*, assesses the readiness of an R2P campaign in 2008. It focuses on the importance and challenges of communicating R2P and provides specific recommendations as well as an agenda for further public opinion research. Chapter 3, *Principle versus Practice: A Meta-Analysis of Public Opinion Concerning Genocide*, looks at support for interventions among American and international institutions and the general public. It also summarizes public opinions regarding issues related to R2P in Darfur and Iraq.

The second section, Chapters 4–7, focuses on the UN reforms necessary to bring R2P into force. Chapter 4, *Pursuing a UN Declaration on R2P*, assesses the possibilities, models, and alternatives to pursuing a UN Declaration on R2P. Chapter 5, *Reform of the Security Council Veto*, describes the limitations of the Security Council veto and the proposals for its reform. Chapter 6 details the issue of backsliding countries—those that have shifted their stance regarding the R2P mandate since agreeing to its basic principles at the 2005 World Summit. The list includes China, Russia, Pakistan, Egypt, Venezuela, Cuba, Indonesia, Qatar, Peru, South Africa, and Japan. Finally, Chapter 7, *Case Studies: Applying R2P Principles to Past Conflicts*, looks carefully at East Timor, Burundi, and the Republic of Macedonia as case studies for past application of R2P principles.

The report concludes with three appendices. Appendix A is an annotated list of organizations that promote R2P, either directly or indirectly. Appendix B is a messaging guide for R2P, and Appendix C proposes an agenda for further public opinion research on R2P.

This report aims to serve as a resource for the new Global Centre for the Responsibility to Protect, and for all R2P advocates working to make R2P a new paradigm for helping the international community prevent, react to, and rebuild after mass atrocities in the 21st century.

The Editors

I. Getting the Message Out: R2P Advocacy

A Brief History

The current movement toward advancing the responsibility to protect has grown from a recognition of the global community's inadequate response to the 20th century's "grotesque and morally indefensible" mass atrocities: the Holocaust, Cambodia, Rwanda, Kosovo, and Bosnia.[1] In each of these situations, international leaders sat by as genocides, war crimes, and crimes against humanity transpired in the most systematic and brutal ways. Inaction was defended on the grounds that state sovereignty trumped the international community's responsibility to protect the victims.

At the dawn of the 21st century, then UN Secretary-General Kofi Annan issued a challenge to the international community. "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty," asked Annan at the UN Millennium Assembly in 2000, "how should we respond…to gross and systemic violations of human rights that affect every precept of our common humanity?"[2]

In response, the Canadian government convened the International Commission on Intervention and State Sovereignty (ICISS), a group of prominent international human rights leaders chaired by Gareth Evans, former Foreign Minister of Australia and now president of the International Crisis Group, and Mohamad Sahnoun, an Algerian diplomat and Special Advisor to the UN Secretary-General. In December 2001, the group issued a report, "The Responsibility to Protect," which answered Annan's challenge by reconceptualizing the "right to intervene" as the "responsibility to protect," thus framing the issue around the victims of conflict rather on those exercising power.[3]

R2P recognizes that the responsibility to protect any given population lies within the sovereign state. However, if a state is unable or unwilling to protect its population, or is itself the cause of the threat, the international community of states has a responsibility to protect those populations against genocide, war crimes, ethnic cleansing, and crimes against humanity. Although R2P's biggest innovations involve changing the paradigm of civilian protection from a right to a responsibility, and legitimizing the use of force as a last resort, the responsibility to protect encompasses the responsibility to prevent, the responsibility to react, and the responsibility to rebuild, thereby ensuring sustainable and lasting peace for the world's citizens whose lives are jeopardized by mass atrocities.[4]

In 2004, Secretary-General Annan created the *High-Level Panel on Threats, Challenges, and Change* to identify major threats to peace and security facing in the international community and to develop potential policies and institutions to address these challenges. The panel's findings

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[1] See http://www.crisisgroup.org/home/index.cfm?id=5116&l=1.

[2] See http://www.iciss.ca/menu-en.asp.

[3] For the report in its entirety, see http://www.iciss.ca/pdf/Commission-Report.pdf.

[4] For a more detailed definition of R2P as well as all key documents, see the International Crisis Group's site at http://www.crisisgroup.org/home/index.cfm?id=4521&l=1.

were issued in "A More Secure World: Our Shared Responsibility," a report that endorsed R2P as an "emerging norm" and reiterated the ICISS definition of the doctrine as a threefold responsibility to prevent and respond to atrocity crimes and to rebuild societies neglected by their own governments in the face of a catastrophe.

The broader world community affirmed R2P at the 2005 World Summit, when 192 member states met at the United Nations to discuss areas of development, security, human rights and reform of the United Nations. At the conclusion, countries signed the 2005 World Summit Outcomes document, which stated that the UN has a responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. In 2006, the Security Council passed two resolutions, 1674 and 1706, both of which reaffirmed the provisions regarding R2P in the World Summit Outcomes document, and committed the Security Council to action to protect civilians in armed conflict. In 2007, NGO advocates continued to support R2P, and worked behind the scenes to create the resources for a new organization that can help organize R2P advocates into a movement with focus and vision.

"In just five short years, a remarkably brief time in the history of ideas," said Gareth Evans at a 2007 speech in Sri Lanka, "the responsibility to protect concept evolved from a gleam in an international commission's eye, to what now has the pedigree to be described as a broadly accepted international norm, and one with the potential to evolve further into a rule of customary international law."[5] Now, the question is how?

As UN action rarely occurs without pressure from outside the vast organization. This chapter examines the role of NGOs in raising R2P awareness with different audiences, including diverse regional actors and organizations, the UN, and the general public. It concludes with recommendations for advancing the R2P agenda to high-level advocates, grassroots organizations, and the Global Centre.

NGO Advocacy

In recent years, the NGO community has begun to weave R2P awareness into its activities. The organizations highlighted in Appendix A use R2P language in their genocide-prevention work, albeit to varying degrees. This report highlights four highly respected international NGOs that have taken the lead in R2P activism: the **World Federalist Movement (WFM)**, **Oxfam International**, **Human Rights Watch (HRW)**, and the **International Crisis Group (ICG)**. Additionally, in the United States the Chicago-based **R2P Coalition** has worked to create a community of R2P activists and advocates committed to educating key stakeholders and the public about R2P.

These organizations all have differing approaches to promoting R2P. For example, WFM aims to build a broad-based movement for support of global democratic institutions.[6] WFM also hosts the Institute for Global Policy (IGP), which concerns itself with research and policy matters. Oxfam has both an operational and humanitarian component to its work, as well as a policy

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[5] See http://www.crisisgroup.org/home/index.cfm?id=4967.
[6] "World Federalist Movement: Our Vision," at http://www.wfm.org/site/index.php/pages/1.

advocacy branch. HRW and ICG focus on fairly specific policy and research mandates. A more detailed picture of the work of these NGOs follows.

The **World Federalist Movement (WFM)** is perhaps the most active on an international scale. Its work focuses on education and raising awareness at the grassroots level, operating on the assumption that it is easier to spread awareness from the ground up than from the top down. Geographically, WFM's campaign has focused primarily on Africa, Europe, and Asia.

WFM has created a campaign and website devoted to its efforts on R2P; "Responsibility to Protect – Engaging Civil Society (**R2PCS**)"[7] aims to raise awareness and "[build] a network of [NGOs] that support these principles and subsequently seek their adoption by governments and regional and international organizations."[8] The R2PCS campaign targets civil society in promoting R2P and was instrumental in disseminating information about the ICISS report of 2001. Additionally, for more than a decade, William R. Pace has served as WFM-IGP's Executive Director, and in recent years, Mr. Pace has been one of R2P's most vocal advocates, writing and speaking on the issue frequently.[9]

As a humanitarian advocacy and relief agency, **Oxfam International** has begun to press for the adoption of R2P as a new international norm. Its website reflects multiple levels of advocacy directed at UN agencies, with a focus on encouraging the UN's Office for the Coordination of Humanitarian Affairs (OCHA) to develop its role in carrying out R2P obligations. It also participates in conferences on the issue at the grassroots level in Africa.

Despite the fact that its primary mission is humanitarian, Oxfam supports the R2P premise that armed interventions are sometimes a necessary last resort. According to Oxfam's Deputy Director of Policy Krista Riddley, "Oxfam is one of the few humanitarian agencies that embraced R2P, and has no blanket policy stating that we cannot support military intervention."[10] Oxfam's willingness to cooperate with new partners, such as the military, and embrace tactics previously held at a distance, such as the use of necessary force, bolsters the chance of R2P's acceptance as a new global norm.

In its advocacy work, Oxfam regularly invokes R2P as the reason that the international community should not sit idly by while genocides or humanitarian disasters occur. For example Oxfam, along with 39 other NGOs, released a press release in late October 2007 on the unfolding humanitarian catastrophe in South Central Somalia: "335,000 people already need immediate lifesaving assistance in Mogadishu and the Shabelle regions. The international community and all parties to the present conflict have a responsibility to protect civilians, to allow the delivery of aid and to respect humanitarian space and the safety of humanitarian workers."[11] By invoking

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[7] See http://www.responsibilitytoprotect.org.
[8] "Creating Lasting Peace; Preventing Conflicts, Protecting Civilians," at http://www.wfm.org/site/index.php/articles/19.
[9] See http://www.iccnow.org/?mod=convenorstaff.
[10] Conference, "Stopping Mass Atrocities: International Conference on the Responsibility to Protect," Human Rights Center (University of California, Berkeley), 15 March 2007.
[11] Oxfam, "International NGOs Cannot Adequately Respond to the Unfolding Humanitarian Catastrophe in Somalia," press release, 30 October 2007, http://www.oxfam.org/en/news/2007/pr071030_humanitarian_catastrophe_in_somalia.

R2P as the rational for international support in this and other contexts, Oxfam has already taken important steps towards normalizing the mandate.

As a research and advocacy organization, **Human Rights Watch (HRW)** reminds governments and international agencies of their responsibility to protect, particularly in genocidal situations like Darfur.[12] In fact, in a December 2006 open letter from HRW to UN Secretary-General Ban Ki-Moon, HRW places R2P at the top of what it believes should be the UN's agenda. Writes HRW:

> The UN's greatest challenge and its best known failures involve its response to mass atrocities… Recognition of the responsibility to protect (R2P) was in some sense the culmination of Annan's tenure as Secretary-General...Your challenge is to make the agreed principle a reality. Your office and the Special Advisor should act as watchdogs for situations in which the responsibility to protect is implicated, and they should be willing to speak loudly and often when the responsibility to protect is not being met.[13]

Clearly, HRW believes the UN should prioritize R2P. However, despite the fact that the question of how to operationalize R2P arise frequently in HRW's meetings with international agencies, the NGO has devoted only limited resources to R2P.[14] For example, no single staff member is responsible for coordinating its R2P activities. That said, the organization is considering a position focused on R2P in the future, and many of its volunteers are involved in advancing R2P at the local and national level.

As a watchdog organization that conducts field-level analysis and high-level advocacy to prevent and resolve deadly conflict, the **International Crisis Group (ICG)** has devoted a great deal of work to the issue of R2P. Behind the scenes, Vice-President for Multi-Lateral Affairs Don Steinberg has been a tireless advocate of R2P, and has worked doggedly to bring the new Global Centre into existence. In addition, the most public and eloquent spokesman of R2P continues to be ICG President Gareth Evans, who co-chaired the International Commission on Intervention and State Sovereignty (ICISS) and promotes and publicizes R2P at every opportunity. Through his speeches, all of which are posted on the ICG website, Evans has elaborated with sophistication and nuance what R2P is, what it isn't, and how to go about making it into a new international norm.

While ICG's promotion of R2P is often warmly received, it can become controversial when applied to specific situations. For example, an August 2007 speech, in which Evans declared Sri Lanka to be an example requiring R2P, evoked heated letters in the Sri Lankan press, as well as a lengthy, point-by-point response from the Sri Lankan Secretariat explaining "Why Sri Lanka is NO R2P situation."[15] ICG has also invoked R2P in its recommendations and reports on preventing conflict in the cases of Sudan, Uganda, and Zimbabwe. As Evans and ICG recognize, the point is to make states that are oppressing their citizens feel the watchful glare of the

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[12] Michael Clough, "Darfur: Whose Responsibility to Protect," Human Rights Watch, January 2005, http://hrw.org/wr2k5/darfur1.htm.
[13] HRW, "Letter to UN Secretary-General-designate Ban Ki-moon,"
http://hrw.org/english/docs/2006/12/12/global14832_txt.htm.
[14] Steve Crawshaw, Human Rights Watch, telephone interview, 19 July 2007.
[15] See http://www.defence.lk/new.asp?fname=20070801_08.

international community and be sufficiently afraid of intervention that they will voluntarily cease their crimes against humanity.

ICG's website highlights R2P as one of its "thematic issues" and offers a range of downloadable resources on the concept. With analysts in 125 countries, ICG is well-positioned to continue to give early warning of conflicts that could brew into mass atrocities if the international community does not act.

The only organization created specifically to promote R2P is the **R2P Coalition**. The Coalition works to engage the American public and government to embrace the norm as a domestic and foreign policy priority. In 2006 and 2007, the Coalition organized conferences held in Chicago for leading R2P advocates, and in 2007 it released a white paper laying out a framework for a strategy to educate American governments and civil society on these issues.[16] Its Steering Committee and Advisory Board include many of the leaders who have been public supporters of a more robust R2P mandate. The Coalition has also been active in raising public awareness and mobilizing the support necessary to pass resolutions supporting R2P at the local and state level.

Research has not revealed any organizations in other countries devoted solely to promoting R2P, although some NGOs have designated staff whose primary responsibility is promoting the principle. For example, the **National Council of Churches in Australia (NCCA)**, in conjunction with its humanitarian organization, the **Christian World Service (CWS)**, has appointed one part-time staff member to work on R2P, and other staff members also work on the issue. NCCA focuses on outreach to Australian and Asian governments.[17] Another example is the **Institute for Public Policy Research (IPPR)** in the UK. The IPPR organized a 15-month research project on "'The Responsibility to Protect' in Africa," which examined existing mechanisms for preventing and reacting to large-scale violent conflicts and gross human rights abuses in Africa, and set out a new proposal for strengthening national, regional, and international responses to these conflicts and abuses.[18]

Other domestic organizations, in the United States and internationally, carry out R2P-related work as part of their campaigns to reform the UN or halt atrocities in Darfur. The work of these organizations is described more thoroughly in Appendix A.

R2P at the UN

As Ramesh Thakur eloquently lays out in his book *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, the history of the UN's role in peacekeeping operations has been a long and arduous one; one in which its ability to keep the peace is at odds with its ambitions. That said, despite the myriad difficulties associated with

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[16] The conference was convened by the Chicago Council on Global Affairs, the International Crisis Group, the R2P Coalition, the International Human Rights Law Institute at DePaul University, and the Northwestern University School of Law, 15–17 November 2006.

[17] Alistair Gee, National Council of Churches in Australia, telephone interview, 19 July 2007.

[18] See http://www.ippr.org/research/teams/project.asp?id=1246&tID=96&pID=1246.

endowing the UN with the responsibility to protect citizens from their own states, it is the internationally community's best option.[19]

In an effort to make R2P a new international norm, the WFM and other R2P advocates were highly involved in educating governments at the UN Mission level during negotiations for the World Summit Agreement. WFM and others worked closely with supportive governments to have most of its preferred language included.[20] The 2005 World Summit Outcome document—the product of the largest gathering ever of heads of state and government—endorsed the concept of R2P by the UN General Assembly.

Since 2005, advocates have continued to encourage the UN to refer to the concept in resolutions and public speeches. In April of 2006, the Security Council unanimously adopted Resolution 1674 on the Protection of Civilians in Armed Conflict, and in August 2006, it passed Resolution 1706, which called for 22,500 UN troops and police officers to support the 7,000-member AU force in Sudan. These resolutions contain the first official Security Council references to the responsibility to protect.

Since 2006, engagement with UN agencies has continued to occur in an ad hoc fashion. New York–based NGOs have developed relationships with various UN agencies and encouraged them to include R2P as part of their existing programs. For example, Oxfam has engaged the Office for the Coordination of Humanitarian Affairs and the Office of the High Commissioner for Human Rights on R2P, and WFM's Bill Pace has established one-on-one communications with the Department of Political Affairs. However, gaps remain. For example, the Department of Peacekeeping Operations, and the new Special Advisor to the Secretary General on the Prevention of Genocide (SAPG) are both key players in the realization of R2P, and need to be prioritized by NGOs. All NGO representatives interviewed for this report agreed on the need for planning and coordination with the various UN agencies that are involved with the prevention of genocides, war crimes, and crimes against humanity.

Several recent developments have ushered in a new wave of optimism regarding the potential for making R2P a new paradigm for stopping mass atrocities. First, the new Secretary-General has publicly endorsed the concept. He has called preventing mass atrocities among "the United Nations'…most sacred callings," and recognized that Rwanda, Cambodia and the Balkans "stand silent witness to the brutality that passed unchecked by an international system lacking both the will and the vision to act." The Secretary-General claims that because of the UN's historic shortcomings in this area, he has, since his "very first day in office…made Darfur [his] highest priority."[21]

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[19] Ramesh Thakur, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect* (Cambridge: Cambridge University Press, 2006). In this thoughtful and rigorous book, Thakur explores many of the key issues concerning the UN, including the procedural norms that emphasize multilateral approaches for deciding to use force, the distinction between legality and legitimacy in international intervention, the U.S.-UN relationship, and the UN's role in promoting the rule of law as the core of international relations. All of these issues are key to understanding and implementing R2P, although they extend beyond the purview of this report.
[20] Interview with Sapna Chhatpar, 10 July 2007.
[21] See http://www.un.org/apps/news/story.asp?NewsID=24260&Cr=ki-moon&Cr1=.

In addition to prioritizing R2P, Secretary-General Ban has already made two key appointments: a Special Representative for the Prevention of Genocide, with the distinguished Sudanese diplomat Francis Deng at the post, and more recently, a newly created Special Advisor for the Responsibility to Protect, with Columbia's School of International and Public Affairs Professor Edward Luck intended to be appointed.

Finally, the launch of the new Centre for the Responsibility to Protect at the Bunche Institute at CUNY, with leadership from Gareth Evans and Mohamed Sahnoun, the same people who spearheaded the ICISS report in 2001, is of historic importance, as it will play a central role in bringing R2P to the forefront of the UN.

R2P Awareness around the World

Although direct lobbying of UN bodies is important, NGOs also need to promote R2P with local, state, and national governments. Despite the efforts of R2P advocates in the NGO community, our research indicates a general lack of awareness of R2P principles at the capital levels. For example, at a March 2007 meeting of the Community of Democracies, an organization that brings together high-level officials from countries committed to promoting and strengthening democracy worldwide, an R2P advocate was surprised to discover that with the exception of the Italians and the Americans, no government representatives were aware of R2P or realized that their governments had made a commitment to the norm in the World Summit 2005 outcome document.[22]

One of the reasons for governments' lack of awareness lies in the constant turnover of politicians by election: many current governments are not the same that made commitments at the World Summit.[23] To address this problem, WFM has produced a fact sheet for governments entitled, "How Can Parliamentarians Support R2P." This sheet appears to be the only public document addressed to elected officials at an international level, and we do not know how widely it has been disseminated.

While R2P awareness is generally low, it still varies significantly from continent to continent and country to country. In the following section, we detail to what extent R2P awareness has permeated at the national and regional level.

North America

In the United States, policy makers express a fair amount of awareness of R2P. Opinion polls indicate widespread endorsement of R2P principles by the American public, particularly in relation to Darfur.[24] However, it remains to be seen whether the American public would support active application of the doctrine. (See Chapter 3 for analysis of public opinion.)

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[22] Charles Brown, former President of Citizens for Global Solutions, phone interview 26 July 2007. For information on the Community of Democracies meeting, see
http://www.iai.it/sections_en/convegni/CONFERENZE/conf070301.asp.
[23] Conference, "Stopping Mass Atrocities."
[24] Opinion poll, WorldPublicOpinion.org and the Chicago Council on Global Affairs, 5 April 2007,
http://www.worldpublicopinion.org/pipa/articles/home_page/340.php?nid=&id=&pnt=340&lb=hmpg1.

If Darfur is the litmus test for the acceptance of R2P by the U.S. government, it does not look promising. According to Don Cheadle and John Prendergast, coauthors of *Not on Our Watch: The Mission to End Genocide in Darfur and Beyond*, explanations for this reluctance include the allocation of most of the U.S.'s resources to international military operations in Iraq and Afghanistan; the dominance of counter-terrorism as America's primary foreign policy framework; the absence of political cost for inaction (without pressure from voters, the government will not move); and suspicion from some parts of civil society surrounding the concept, due in part to the Bush administration's loose use of the principles to justify its action in Iraq.

In the United States, many grassroots campaigns have sprouted up to lobby against genocide and for action in Darfur, but these campaigns have seen limited success. According to one NGO leader, "a massive educational campaign on Darfur has not really moved that along. I don't say that critically but factually. The unfortunate outcome of the educational campaign is that a lot of people know about Darfur and feel good that they feel bad about Darfur, but not much has happened. We need to investigate why this campaign has not moved the ball in relation to others."[25]

At the March 2007 conference at UC Berkeley, speakers identified at least four reasons why Darfur activism and R2P activism do not necessarily go hand in hand. First, Darfur has not been consistently linked to R2P, leaving civil society largely unaware of it obligations to protect. Second, the failure to link R2P to Darfur may be due to a lack of understanding of R2P among NGOs. Even when NGOs are aware of R2P, most are hesitant to link the principle with a practical context. Third, NGO leaders agreed that without clear historical precedent, organizations don't yet feel comfortable mentioning where R2P arises. And fourth, R2P does not pull at the heartstrings. According to one conference participant, "the reality is that right now R2P is about as abstract a concept as there is in humanitarian ideals. These arguments tend to appeal to governments, but the very act of framing it so that it appeals to the broadest number of governments has created a challenge in relation to dealing with the broadest number of people."[26] In short, while some U.S. officials are aware of R2P principles and advocacy efforts, the U.S. government lacks strong domestic support for R2P, as NGOs and the public have yet to fully embrace the concept. Chapter 2 of this report focuses more in-depth on these issues.

In Canada, by contrast, R2P already has somewhat more traction, in large part because the Canadian government has consistently put R2P on the world agenda. It pioneered the concept, and in September 2000, the Canadian government commissioned ICISS to examine the relationship between sovereignty, human rights, and intervention.[27] Since then, Canadian leaders and public intellectuals, such as Gisèle Côté-Harper and Michael Ignatieff have worked to include the principles of R2P in human rights literature and policy. Heidi Hulan of the Permanent Mission of Canada to the UN is one of many voices at the UN who have been tireless advocates for thinking strategically about how Canada can continue to push R2P forward.[28] For better or

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[25] Brown, 26 July 2007.
[26] Brown, 26 July 2007.
[27] Alex J. Bellamy and Paul D. Williams, "Responsibility to Protect and the Crisis in Darfur," *Security Dialogue* 36 (2005), 27.
[28] "The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty," ICISS (2001), available at http://www.idrc.ca/en/ev-9436-201-1-DO_TOPIC.html.

worse, many believe that R2P's success or failure will hang on the extent to which Canada, as a middle power, can spearhead a movement to garner widespread support. ICG, for example, has urged Canada to play a leading role in the Darfur conflict, and believes that its involvement "will determine whether responsibility to protect is a living instrument or a dead letter."[29] As a strong Western country that lacks both the colonial heritage of European countries or the U.S.'s reputation as the global hegemon, Canada is well-positioned to bring other middle powers on board by dispelling concerns that R2P is just another ruse for Western imperial ambitions.

Latin America

Educational work in Latin America has also been limited. While the main proponents of the R2P norm at first were from Latin America, and many governments have supported conceptual shifts to the R2P principle, others have rejected it as yet another pretense of American hegemony.[30] This has made partnering with local NGOs difficult for international organizations.[31] According to Stephen Baranyi,

> ICISS's regional consultations with government and civil society interlocutors confirm the depth of these historic concerns. They underscore the preference for non-military measures to protect democracy and human rights. Yet, they also indicate an emerging willingness to find better ways of balancing the principles of non-interference with the responsibility to act in the event of massive human rights violations. They suggest that regional support for such measures will be conditioned on the carefully-circumscribed multilateral use of force as a last resort, under the aegis of the UN, and linked to more effective strategies for both postwar reconstruction and early structural conflict prevention.[32]

While regional organizations may hesitate to work explicitly with the U.S. on R2P advocacy, Canada has a unique opportunity to expand its relations with Latin America, through Mexico and the OAS in particular on this issue. Taylor Owen and David Eaves point out that currently, Canadian foreign policy is making "a major regional shift in policy towards Latin America and a corresponding thematic shift to democracy promotion and trade liberalization."[33] In sum, although R2P has not yet garnered much support in Latin America, the Global Centre could be effective and mobilizing support, provided it recognizes Latin Americans' concerns.

Africa

In Africa, both governments and NGOs on the ground express support for R2P but to varying degrees. The WFM and Oxfam in Africa have been able to build strong connections to run

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[29] David Mozersky and Allan Rock, "Canada Should Lead In Darfur, 'Responsibility to Protect' More Than A Slogan," *The Toronto Star*, 24 October 2006, at http://www.crisisgroup.org/home/index.cfm?id=4466&l=1.
[30] William Pace, "The Critical Role of CSOs in the Evolution of R2P," *Oxfam International Conference: The African Union and the Responsibility to Protect*, at
http://www.responsibilitytoprotect.org/index.php?module=uploads&func=download&fileId=422.
[31] Chhatpar, 10 July 2007.
[32] Stephen Baranyi, "Inter-American Institutions and Conflict Prevention," policy paper, Canadian Foundation for the Americas (FOCAL), March 2005, at http://www.idrc.ca/uploads/user-S/11213489671conflict05.pdf.
[33] Taylor Owen and David Eaves, "Africa Is Not a Liberal Idea," *Embassy*, 3 October 2007,
http://embassymag.ca/html/index.php?display=story&full_path=/2007/october/3/africa/.

educational campaigns, albeit on an ad hoc basis. However, educational campaigns do not necessarily translate into widespread support. For example, Professor Paul Williams of the University of Warwick discusses the complexity of incorporating R2P into the security culture and norm localization of Africa. He stresses that despite the fact that the African Union Charter has endorsed R2P, it has been internalized unevenly among African states. Whereas some countries, including Benin, Rwanda, and Tanzania have all given strong and explicit support for the idea, other countries, including Algeria, Egypt, and Sudan, do not yet embrace the concept.[34]

Of all regional organizations, the African Union has endorsed R2P most strongly. In practice, this has seen some limited success in Darfur, with the AU contributing several peacekeeping forces over the course of the conflict.[35] Yet the AU is only one of several bodies charged with mediating conflicts on the continent. In order for the concept of R2P to be integrated into practices of conflict resolution, the UN and African nations with histories in conflict prevention, such as South Africa and Nigeria, must be on board.

Europe

Governments in Europe have been largely supportive of R2P. However, some countries—France and the UK in particular—are reluctant to push R2P at the UN due to concerns that active advocacy would damage the "protection of civilians" debate. Thus far, international NGOs have not focused on lobbying European governments, so it remains to be seen how effective such efforts would be.[36]

While the EU has not overtly endorsed R2P, all EU member countries endorsed the World Summit document. At a speech in July 2007, ICG President Gareth Evans recently highlighted how the EU might better support R2P, and identified the Organization for Security and Cooperation in Europe (OSCE) as a good base from which to develop policy principles to coordinate the action of member states.[37] The OSCE is the world's largest regional security organization, whose 56 participating States (mostly European and Eurasian) span from Vancouver to Vladivostok.[38] A 2005 statement by then–OSCE Chairman Rupel directly referred to R2P:

> As the UN high-level panel report points out, "the principle of non-intervention in internal affairs cannot be used to protect genocidal acts or other atrocities, such as large-scale violations of international humanitarian law or large-scale ethnic cleansing." Rwanda, Srebrenica and now Darfur have taught the world that we can not sit back and

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[34] Paul Williams, "From Non-Intervention to Non-Indifference: The Origins and Development of the African Union's Security Culture," *African Affairs* 106:423 (April 2007), 277.

[35] Anthony Mitchell, "African Union Leaders Agree to More Than Triple Peacekeepers in Sudan's Darfur Region," *Associated Press*, 28 April 2005. Available at http://www.responsibilitytoprotect.org/index.php/articles_editorial/86?theme=alt1.

[36] Chhatpar, 10 July 2007. Steve Crawshaw agrees that HRW's educational efforts are not strong in Europe.

[37] Gareth Evans, "The Unfinished Responsibility to Protect Agenda: Europe's Role," Address to EPC/IPPR/Oxfam Policy Dialogue on "Europe's Responsibility to Protect: What Role for the EU?" (Brussels) 5 July 2007, http://www.crisisgroup.org/home/index.cfm?id=4936.

[38] See http://www.osce.org/.

watch while thousands of people are killed. We have to intervene. We have a
responsibility to protect.[39]

Nonetheless, given the region's widespread anti-American sentiment, the more R2P is seen as a U.S. initiative, the more effort will be required to gain the cooperation of European states and the EU.

Asia

In Asia, neither governments nor NGOs have embraced R2P, due to their belief that R2P will compromise state sovereignty. To breach the chilly initial reception, NGO advocates have had to break down the norm and talk about it in stages, approaching the doctrine by focusing first—and thus far, exclusively—on the state's responsibility to protect.[40] This strategy has yielded gradual support among governments of the Philippines, Japan, Cambodia, and Thailand.

Current negotiations over revising ASEAN's Charter present an opportunity for including R2P principles. Although based in Australia, the Australian National Council of Churches has actively encouraged its Asian neighbors to adopt the norm, at least to secure their agreement that a state has a responsibility to protect its own civilians. Both the WFM and NCCA recognize that it is unrealistic to expect an outright endorsement of the World Summit 2005 Outcome document, but believe it is better to secure some R2P language in the Charter rather than leaving it unaddressed completely. Thus, they have worked with the Philippines' representative to draft wording for the Charter that includes an acknowledgement of the need for governments to protect their own citizens from genocidal crimes. However, it does not speak to the question of intervention. According to Alistair Gee, Director of Christian World Service, "Once it is listed as a priority, we can build up the R2P premise…they have not wanted to go down the R2P path in the charter—this is the best we could hope for at this stage."[41] Congruent with R2P advocacy elsewhere in Asia, even gradual acceptance of the doctrine is an ambitious goal.

In conclusion, global awareness and acceptance of R2P has seen the least results in Asia and South America, where an absence of NGO partners who can provide connections at a local level has hindered advancement of the norm. Due to this dearth in resources and networks, educational efforts for the general public have been limited. Moreover, issues of state sovereignty are particularly sensitive in a political landscape dominated by Chinese and Indian influence. In Australia, Europe, and Africa, NGOs have organized occasional community forums and are receptive to the R2P concept, but the issue is often considered secondary to other priorities.

Recommendations

We believe that a coordinated international educational campaign is critical to move R2P forward. Efforts thus far, though well intentioned, have not benefited from an overarching strategy. The new Global Centre for the Responsibility to Protect should consider how to ensure

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[39] Speech by OSCE Chairman-in-Office Dr. Dimitrij Rupel at the Conference of the American Society for International Law, Washington, D.C., 30 June 2005.
[40] Chhatpar, 16 July 2007.
[41] Gee, telephone interview, 19 July 2007.

that the campaign is truly international, how to define R2P principles so that they are applicable in specific cases, and how to address the genuine concerns of those who do not yet support R2P. Finally, the Centre should decide which R2P messages should be promoted to various stakeholders.

In order to accomplish these goals, we recommend the following strategies.

High-Level Advocates and International NGOs

At this level, organizations should concentrate on cultivating partnerships with local NGOs and Using new opportunities at the UN. The importance of cultivating partnerships with NGOs in the field cannot be understated. As Steve Crawshaw of Human Rights Watch explains, "if it comes across smelling of the U.S. and EU, then we have lost the argument before starting. In a way, lighting the fire in the South may be most important."[42]

Likewise, Alistair Gee of NCCA asserts that governments may be more supportive of the work of the Centre if it is truly representative, not just in terms of global North and South, but also in terms of academic, governmental, nongovernmental, and victims' involvement. Some of the NGOs contacted for this research have lists of organizations in Africa and Asia that are open to developing R2P principles further, but they do not have the resources to reach out to these organizations themselves.

In addition, international NGOs tend to direct their educational activities toward national or regional organizations, due, in part, to their power to influence the Security Council.[43] Promoting R2P principles at a regional level will help pave the way for developing the principles internationally and on the ground.

The creation of new UN institutions and positions, such as the Special Adviser for the Prevention of Genocide, offers new opportunities to expand R2P advocacy at a high level. WFM intends to publish a report on how NGOs can maximize these opportunities, and the report may serve as a basis for developing a comprehensive strategy.

Mobilizing Grassroots Support

In order to make R2P an actionable reality, national and international leaders must see support for the idea from their constituencies. More than 20 organizations and campaigns are currently working to mobilize grassroots support for action in cases involving R2P (see Appendix A for a select list). This section identifies gaps in current efforts to build political will and offers recommendations for bridging these gaps.

In addition to the international organizations described above and a few organizations in Africa, Canada, Australia, and Europe, most organizations working on anti-genocide efforts are based in the United States and focus on building constituencies in this country.

Most of these recommendations respond to the current reality that the core membership of organizations working on R2P consists of people who are already highly motivated to strengthen

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[42] Crawshaw, 19 July 2007.
[43] Conference, "Stopping Mass Atrocities."

international law and international institutions.[44] Nonetheless, the R2P message will be more effective if conveyed to interest groups by their own members. Thus, we recommend pursuing this strategy in the following ways:

Work with Faith-Based and Interfaith Organizations

We recommend partnering with the various Christian and Jewish groups who are involved in Darfur campaigns, as they have a wide reach and are sympathetic to the R2P's moral foundation. The biggest challenge here will be encouraging these groups to think of Darfur within the broader context of genocide, war crimes, and crimes against humanity, and to make their activism have a long-term (i.e., R2P-oriented) vision in addition to targeting Darfur specifically.

It appears that few Muslim groups work actively on R2P. While reasons for this are not entirely clear, one underlying explanation may be that intervention in Darfur is perceived to be an anti-Muslim measure. Citizens for Global Solutions attempted to involve Muslims in lobbying for action in Darfur, but have now discontinued this work because, as its former President Charles Brown explains, "they would not pull the trigger on the project. The bottom line is that there is tension in the Muslim community over the Darfur issue."[45] At ICG's recent conference for Arab journalists, journalists agreed that a genocidal conflict in which Muslims are widely identified as the perpetrators is highly unlikely to garner either press coverage or grassroots support in the Muslim world.[46]

Interfaith groups have the potential to contribute to mobilizing action internationally, and prayer and meditation have been used as tools to engage large numbers of people in the Darfur campaign.[47] An interfaith movement has begun in Africa, headed by the bishop of the Anglican Church, who has now joined with leaders of other African churches to confront the Darfur genocide.

Work with Students

Student activism around Darfur has been critical, particularly since the founding of STAND: A Student Anti-Genocide Coalition. STAND helps student groups in high schools and colleges to develop grassroots efforts, unify their message, and coordinate their activities. STAND now boasts more than 600 college, university, and high school chapters across the United States and around the world. With promotional materials that are tech-savvy and make use of online resources, STAND appeals to students interested in social activism. STAND has the possibility of sparking real change in a way that few student movements in recent decades have.

Identify and Cultivate New Communities of Support

Participants at the Berkeley conference noted the importance of professional, geographic, ethnic, and socioeconomic diversity among those involved in the Campaign to Ban Landmines, and that such a diverse base would help the R2P movement as well.

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[44] Brown, 24 July 2007.
[45] Brown, 24 July 2007.
[46] Laurence Pintak, "Covering the Forgotten Story," *Arab Media and Society*, May 2007.
[47] Alistair Gee, telephone interview, 15 July 2007.

Conference participants also agreed that a coalition to support R2P should include professionals such as lawyers, doctors, engineers, and business people, as well as military representatives. Others felt that the so-called "Middle Powers"—those countries without a colonial past and possessing moderate military capability—have an opportunity to promote the R2P agenda that the United States does not.

Promote Role for Survivors

Few witnesses to genocide have been involved in the planning stages of the R2P movement. On the occasions when campaigns have asked Sudanese and Rwandan survivors to speak, the impact has been notable.[48] However, victims and survivors need to be engaged beyond serving as poster children. Participants at the UC Berkeley conference agreed that it is essential to involve survivors and those most affected by mass atrocities. This will add a human element to R2P's theoretical nature.

Global Centre for the Responsibility to Protect

Support the Diverse Base

Ideally, the Global Centre itself should have affiliates from each geographic area, major religion, and professional sector. Further research is needed to identify key people who can provide this representation. More important, the Centre must effectively support the numerous organizations that look to it for guidance as they try to convince their constituencies of its merits.

Promote the Development of R2P Principles

One reason for NGOs' reluctance to embrace R2P is a lack of understanding and agreement on when a situation triggers an obligation to act under R2P. The Global Centre is well placed to coordinate work on integrating R2P principles. It is important that the multiple stages of R2P— prevention, response, and rebuilding—are considered. The Centre should bring together NGOs, academics, and international agencies to develop criteria for each element. The Centre can further coordinate efforts and fill any gaps to ensure that the principles are developed comprehensively.

Steve Crawshaw of HRW suggests starting with developing the prevention element of R2P for two reasons. First, it enables R2P advocates to postpone development of the principles around intervention, which may lead to further debate and backsliding. Second, by focusing on prevention, atrocities may be averted and reduce the need to implement the more controversial "intervention" measures.

Tailor R2P Messages to Address Local Concerns

Branding the concept of R2P is complicated, particularly given the range of understanding and acceptance of the norm. In each region, the Global Centre should consult with domestic NGOs and academics working in the field to develop effective messages. (See Chapter 2 for further suggestions.)

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[48] Cheadle and Prendergast, 166.

Questions to consider include:

- How can the doctrine of R2P become appealing to governments, in particular where backsliding may have occurred? Should R2P be diluted to ensure its widespread acceptance?

- How can R2P be made attractive for civil society? What emotional argument will be the most compelling?

- Should R2P be linked to a specific situation (such as Darfur)?

- How can R2P be best presented in relation to the war in Iraq?

- How can the Centre work most effectively with regional organizations to operationalize the norm, particularly with regard to intervention and prevention?

In North America, especially in the United States, much of the coalition-building will involve motivating organizations already advocating for R2P principles to mention the norm explicitly in their mandates and missions.

Maximize Cooperation and Communication among Campaigns

The Global Centre for R2P should facilitate communication among activists working toward a common message around R2P. Their message may be strengthened if they work together as interest groups in "mini-coalitions." For example, if religious leaders internationally spoke as one voice, the impact would be significant.[49] Other communities include those with interests in certain geographic regions. R2P advocates in Asia, for example, might include international aid organizations, Muslim and Christian organizations, refugee organizations, and local academic institutions and NGOs. The mini-coalitions could be brought together through conferences that could include training for NGO staff.

While some collaboration among organizations addressing conflict situations exists, further coordination and sharing of resources should be encouraged. Common interests may include protecting refugees, advocating for deployment of peacekeepers and/or military intervention, rebuilding communities, and lobbying the U.S. government to act in R2P situations.

Organizations articulate R2P principles variously, based on their mission and geographic region. While it may be regarded as positive that the R2P concept is being used, the varied and often competing messages deflate the full impact that R2P potentially holds. Anita Sharma, formerly of ENOUGH, explains, "In the U.S. each NGO or group takes their component (e.g., the Stimson Centre focuses on the military component, and Oxfam focuses on the protection component). It is difficult to weave these together."[50] Thus, it would be helpful to create a directory or single document to guide NGOs' work on R2P, and to facilitate the integration of their efforts.

Similarly, most grassroots campaigners do not draw upon R2P language when attempting to mobilize support for Darfur. This is due, in part, to a lack of understanding regarding the

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[49] Ruth Messinger, Address at Conference, "Stopping Mass Atrocities: International Conference on the Responsibility to Protect," Human Rights Center (University of California, Berkeley), 15 March 2007.
[50] Anita Sharma, ENOUGH, telephone interview, 20 July 2007.

circumstances that would trigger a response under R2P. Sharma notes that "many people who have some awareness of R2P think it deals with military intervention or only issues relating to protection, rather than covering the entire spectrum. What is required is a wholesale rethinking and reorganization around R2P messaging."[51]

Activists are clearly looking for education regarding how to articulate and advocate for R2P principles. Using a "train-the-trainer" model would be cost-effective and assist in building partnerships and collaborations. The Global Centre could train representatives from local mini-coalitions who are then responsible to train those in their own organization. The Centre can adapt each training package for the message the mini-coalition is emphasizing.

While each mini-coalition will emphasize different elements of R2P, the Centre should take a leadership role in unifying the messages together at a global level and function as a clearinghouse of information and ideas that supports and coordinates the efforts of NGOs working in the field. It will solicit information, report on and analyze unfolding developments, and disseminate its findings and recommendations to its affiliates, who can draw on these experiences to deepen and broaden their work.

Conclusion

The campaign to introduce these ideas to government leaders, NGO officials, and the general public must have a cohesive goal—to establish R2P as an international norm in the charters, laws, and ultimately, the ethos of all nations. This goal of this campaign can be reached through increased cooperation between international NGOs and the local populations they are trying to reach. The campaign would benefit from increased efficiency among coalitions, something the new Global Centre can help to facilitate. The campaign would also gain from increasing the diversity of its advocates and activists; actors from different disciplines and backgrounds such as the military and professional fields should be encouraged to take an active role, particularly when it comes to capitalizing on local and regional support.

As Gareth Evans suggested at a recent conference at the UN,

> If ridding the world once and for all of mass atrocities is to be doable, we need three kinds of strategies: *conceptual*, to frame the issues involved, and to embed that framing in policymakers minds and instincts in a way that there's no preliminary stumbling block…*institutional*, to create structures and processes, both in intergovernmental and national settings, which will be capable of delivering the preventive and reactive responses required; and *political*, to ensure that when each new atrocity or potential atrocity situation comes along the actual response is effective.[52]

This first chapter has focused on **how** to get the R2P message out—just one component of the work ahead. In the next chapter, we look at **what** messages will resonate in the United States, given what we know about American political culture and the current political climate. It is to these questions that we now turn.

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[51] Sharma, 20 July 2007.
[52] "Preventing Mass Atrocities: Making the Responsibility to Protect a Reality," 10 October 2007, http://www.crisisgroup.org/home/index.cfm?id=5116&l=1.

II. R2P: Messaging Challenges and Opportunities

Introduction

This political season presents unprecedented opportunities for a campaign on the responsibility to protect to "break through" with messages that engage the public and commit political leaders to action in 2009. Interest in global affairs, and in the U.S.'s role in the world, is very high. The responsibility to protect fits three public-opinion dynamics: the desire to rebuild respect for the United States abroad; to see a more cooperative, bridge-building approach to the rest of the world; and to see U.S. policies flow out of basic common values. Public opinion research confirms that Americans see the issue as one of core values and strongly endorse intervention to protect peoples against atrocities committed by their own governments.

The doors would thus seem to be wide open to messaging on the responsibility to protect, but there are important—and potentially fatal—impediments. Public support for responses to genocide is broad in theory but declines precipitously when a specific case and proposed response are presented. Support for intervention, particularly military, has fallen sharply as public support for the Iraq war has waned; so has the belief that Americans can solve the world's problems. The public may well understand possible responses to atrocities in exclusively military terms; it is unlikely to have much sense that effective multilateral and non-military responses are possible. Moreover, despite all the efforts of issue campaigners, the public reports very low awareness of current mass killings (e.g., Darfur).

This set of obstacles makes how the message is presented vitally important. The most successful messages will focus on responsibility to protect as a values issue that can reach diverse groups of Americans; that show how the United States will be one among a coalition of countries sharing responsibility; and that demonstrate how policy changes can be effective and produce practical results. It will also be critical to start with the level of knowledge the public has—not assuming too much—while avoiding jargon and appeals to guilt, both of which are ultimately disempowering.

So is this the right time to talk about the responsibility to protect? Many presidential candidates say yes—they have already picked up the issue of genocide, specifically the need to focus on values issues, return U.S. prestige to previous heights, and rebuild our habits of international cooperation. Advocates not only should engage now, but actually must engage if they want to be the ones who define the issue.

This chapter sets out these arguments in more detail and offers specific recommendations. Perhaps most importantly, it includes an agenda for further public opinion research. A successful messaging campaign will be informed by targeted research that takes what the limited existing research tells us and either confirms, sharpens, or refutes it. This chapter deliberately does not take a position on some of the questions of language and terminology that have divided the nascent R2P movement—debates like atrocities vs. genocide and "to R2P or not R2P" can and should be researched, but only after the broader outlines of a campaign to move the debate forward are set.

Toward a 2008 Campaign on R2P: What Is Already Happening, What Is Feasible Now, and What Will Have to Wait

The Political Environment

The 2008 campaign season is extraordinary by many measures. Much more attention than usual is being devoted to national security and foreign policy, and international issues—terrorism, the war in Iraq, energy policy—are high on voters' lists of concerns.[53]

At the same time, the debate over the Iraq war is crowding out public discussion of most other global issues and shaping the context in which all international issues are presented. The war and the possibility of another terrorist attack, and the debate over how to combat terrorism, form two bookends which leave little airtime or intellectual and emotional space to present broader global and humanitarian issues.

The public, although it is deeply concerned with those issues, is also concerned with tangible policy matters such as jobs and energy, and less tangible questions about how the United States behaves and is perceived globally. Americans know that international regard for the United States has fallen and overwhelmingly believe that a decline in America's moral authority is a serious problem.[54]

A variety of public opinion researchers have commented on the rise of two somewhat contradictory trends in public opinion: on the one hand, Americans in general have grown highly skeptical of government and political discourse. In the international arena, progressives in particular have begun to turn away from the idea that it is possible for the United States to achieve any moral outcomes in its foreign policy, and to see U.S. disengagement from the world as the least harmful course.

At the same time, the public seems to have a vision that is fairly clear—and shared, in its broadest outlines, across party lines—of what it wants in foreign policy leadership: effectiveness, accountability, a spirit of cooperation and teamwork that also maintains U.S. strength and allows both Americans and others to believe again that the United States is living up to its core values.

Candidates are eager to respond to a perceived public desire:

- To see the United States more highly respected in the world
- To feel that our actions abroad are more consonant with our values
- To perceive an approach to global policy based more in cooperation than unilateralism

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[53] Poll by Knowledge Networks, "Global Views 2006" sponsored by the Chicago Council on Global Affairs, 23 June to 9 July 2006.
[54] Poll by Gallup Organization, 1–4 February 2007.

How R2P Does—and Doesn't—Fit In

The responsibility to protect is a good fit for these dynamics in several ways:

- It represents a cooperative, bridge-building approach to the rest of the world
- It offers the opportunity to rebuild respect for the United States abroad
- It flows from the most basic American and globally-shared value, respect for human life

"Values" issues have been of particular interest in this and recent campaigns, both because of their perceived potential to attract and mobilize specific (especially faith-based) constituencies and, more generally, because of increased understanding among political professionals that voters approach issues through values, and not vice versa. In other words, as the political psychologist Drew Westen has written: "candidates should use policy positions to illustrate their principles, not the other way around."[55]

This points, however, to the significant obstacles facing R2P in this political environment. It is, in the current form of discussion, abstract, intellectual, non-specific, almost entirely hypothetical, and tied to the UN and the very complex set of rules about what can happen when.

Public support for the UN, while it has rebounded from its low at the time of the invasion of Iraq, has not regained its historically high levels.[56] Candidates in general, and Republicans in particular, perceive more mileage to be gained from critiquing or calling for the UN to reform, rather than proposing new responsibilities for it.

Public support for response to mass killing and genocide is very strong in the abstract, but, as demonstrated in the public opinion meta-analysis that follows, dramatically weakens when specific, usually military, options are presented.

Public awareness of possible responses to genocide appears to be focused strongly on military options, which are increasingly unpopular in the wake of Iraq. Again, the meta-analysis documents this in more detail. At the same time, public awareness of specific current genocides and successful prevention or halting of genocides in the past is very limited.

Candidates and policy elites are well aware of the enormous financial, political, and structural challenges involved in implementing R2P both at the national and global level, and are not indicating that they would make such challenges the first among many priorities awaiting the next president.

Candidates, and progressives in particular, are very concerned about being branded as "weak" or insufficiently focused on national security. As a result, some will be reluctant to focus too publicly or extensively on an issue area which opponents have successfully branded in the past as a misuse of money and especially U.S. troops, even if that is not a measure being considered.

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[55] Westen, *The Political Brain*, 2007, 138.
[56] World Public Opinion.org's comprehensive analysis of polling on the UN, May 2007; available online at
http://www.worldpublicopinion.org/pipa/articles/brunitedstatescanadara/356.php?lb=btun&pnt=356&nid=&id=

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What Are Candidates Already Saying?

In a very specific form—response to genocide and mass killing, particularly Darfur—R2P has already penetrated the presidential race across the political spectrum. Most candidates (almost all Democrats and half of Republicans) and all the leading candidates have recognized in speeches, debate remarks, and campaign materials, that genocide is a serious problem that should be addressed. (See the summary of candidates' specific messages below.)

All Democrats' comments anticipate or explicitly call for a U.S. role in responding to genocide. Only Sam Brownback does so among Republicans; others speak of it as a responsibility of the UN or the international community (generally in the context of pointing out that international organizations have failed to respond).

Genocide is well-established as an issue for the candidates but is very much a subsidiary issue. Only Brownback identifies it as his central human rights issue, one of the half-dozen central issues he promotes on his website; for the others, it is a subsidiary point under a larger frame.

The ways candidates frame and present the issue differ considerably. Candidates from both parties frequently link the issue with **UN capacity** (or incapacity) and **reforming or replacing the UN**. Many Democrats and some Republicans frame it as a **moral issue**, implicitly (Romney, Clinton) or explicitly (Edwards, Brownback). Some candidates (Richardson, Edwards) link effective action against genocide with **restoring the U.S. global image** and/or **rebuilding relationships with allies**.

By and large, candidates focus specifically on Darfur, or present the issue as an African problem, not a global one that needs a longer-term, more systemic response. Just three candidates (Clinton, Giuliani, McCain) explicitly frame genocide as a larger foreign policy challenge than the specific situation in Darfur or Africa.

Key Opportunities

Broadening the issue. The fact that a few candidates are already framing genocide as a larger foreign policy issue than Darfur suggests that a key opportunity presents itself in the next year to "frame" mass atrocities in the public mind as something for which a better systemic response can be put in place—by working with candidates but also opinion leaders and the media, so that the question "What do we do about Darfur?" is more often followed by the question "How can we prevent the next Darfur?"

Firmly establishing mass atrocities as a bipartisan moral/values issue. Efforts with faith groups might well bear fruit with some Republican candidates, who frame the issue not as a moral imperative but merely as an example of the UN's failings, and get the issue established with GOP voters in a way that endures beyond 2008. Similarly, Democrats are looking for reasons to feel good about their candidates' values, and R2P provides a good one.

Establishing the issue as a priority. Since the issue is already on most candidates' lists, there is a reasonable likelihood that some targeted efforts with campaigns and the media, as well as advocacy techniques like planting questions at public forums, can help raise its profile. This will make action by the next Administration and Congress seem more desirable, likely, and even inevitable.

Setting policy benchmarks for the next Administration and Congress. The above steps can be followed up—more with the Hill and media than directly with presidential campaigns—by an effort to establish what an "R2P Agenda" for 2009 would look like, the goal being to familiarize policy and opinion leaders with what could and should happen, and the public with the idea that specific steps could halt existing mass atrocities and prevent new ones.

It is worth stressing that all these opportunities can and should be pursued outside the direct presidential track as well, by means of general media work, bills in Congress, efforts with Senate and House candidates, media education, and the like, because of the echo effect among the media, the campaigns, Congress, and the public at large. Often this will be easier than targeting the half-dozen presidential candidate foreign policy advisers, and outside media coverage and questions from citizens will have more impact on campaigns than direct advocacy approaches.

Pitfalls to Avoid

Don't ignore the public opinion unknowns. Very little effort, given the amount of advocacy dollars already spent, has been put into understanding how the public thinks about this issue and what kind of campaign it would respond best to. Yet a survey of available data suggests that campaigning to date has had a limited effect on public opinion. More research should be done to test and refine the points that follow before expending significant amounts of new resources.

Don't repeat old mistakes. Polling numbers indicating how little the public knows about Darfur and other genocides, despite years of work by advocacy groups, are sobering. So also is the possibility that all those efforts may have reinforced feelings of hopelessness and guilt among large numbers of citizens, even as they empowered others. A new approach is required.

Don't get caught in the UN debate. Broad public support for the UN is matched by broad skepticism about its effectiveness; moreover, there is a well-established media storyline about UN corruption and failure that will surely come up in an election year in which some candidates are calling for a return to multilateralism. R2P should not be so closely identified with the UN that it can be tarred with this brush before it is even established in the public mind.

Be cautious about mixing appeals to values with pragmatic anti-terrorism appeals. As is noted in the public opinion analysis, the public appears to frame the issue primarily around values and norms. Some segment of the public will respond to attempts to link genocides elsewhere to our own security; others, however, are unconvinced of the link and may in fact be unable to consider the importance of others' lives when reminded of threats to their own.

Don't get too technical on specific policies. The first challenge is changing the mindset of citizens from support for responding to genocide in principle but not in practice, to a belief that the United States could be one part of a larger, effective approach. Campaign-year media coverage is a dramatically poor environment for debating methods to implement this approach.

What They've Said: Presidential Candidates on Genocide and Related Issues

Summary Points

- Most candidates (almost all Democrats and half of Republicans) recognize that genocide is a serious problem that should be addressed.

- Candidates from both parties frequently link the issue with UN capacity (or incapacity) and reform or replacement of the UN.
- Many Democrats and some Republicans frame it as a moral issue, implicitly (Romney, Clinton) or explicitly (Edwards, Brownback).
- Some candidates (Richardson, Edwards) link effective action against genocide with restoring the U.S. global image and/or rebuilding relationships with allies.
- Democrats' comments anticipate or explicitly call for a U.S. role in responding to genocide; among Republicans, only Brownback does so.
- Just three candidates (Clinton, Giuliani, McCain) explicitly frame genocide as a larger foreign policy challenge than the specific situation in Darfur or Africa.

Quotes from Campaign Materials

Democrats

Joe Biden

Genocide/Role of the UN: Joe Biden has been a leader in the effort to end the genocide in Darfur and believes we must act now—diplomatically and militarily. Joe Biden was the first Democratic candidate for president to push for a No Fly Zone in Darfur. He has traveled through the region and led a Congressional Delegation to the United Nations to encourage leaders there to step in with an international peacekeeping force. (http://www.joebiden.com/issues/?id=0018)

This administration rightly called what's going on in Darfur genocide, but it has failed to match its words with deeds. Joe Biden has been calling for NATO to declare and police a "No Fly Zone" over Darfur; for an international peacekeeping mission we should impose if Khartoum says no; and serious sanctions against the regime which is aiding and abetting the slaughter of innocents. (http://www.joebiden.com/issues/?id=0012)

Hillary Clinton

Genocide: We have to renew those alliances around the world, around a common set of goals including combating genocide…

Role of the UN: The United Nations must do more to hold its member countries responsible for meeting basic human rights standards. And the United States must do more to create an environment in which countries are willing to place their resources at the disposal of the mission to end genocide.

(Both quotes from a speech to the Center for a New American Security, 27 June 2007.)

Chris Dodd

Genocide: Africa is stricken by HIV/AIDS, malaria, continuing poverty and genocidal civil conflict, and most importantly the lack of hope for a better future.

Values/Role of the UN: International institutions and alliances are not perfect, nor are they panaceas for all problems. But they are critical for creating a framework for international dialogue – for an international system that will uphold American values.

(Both quotes from "Beyond Iraq and Into an Era of Bold Engagement," 4/11/2007.)

John Edwards

Genocide/values: There comes a time when we must say, never again… We can turn the corner in both countries, put the region back on the road to peace and help restore America's moral leadership in the world. (http://johnedwards.com/issues/darfur_uganda/)

We must reengage with our tradition of moral leadership on issues ranging from the killings in Darfur… ("Reengaging with the World," Foreign Affairs, September/October 2007) (http://johnedwards.com/issues/darfur_uganda/)

Role of the UN: John Edwards believes we should work with NATO, one of the world's most effective security organizations, to make sure the UN process will be as rapid, tough, and effective as possible.

(http://johnedwards.com/issues/darfur_uganda/)

Barack Obama

Genocide: In Africa, we have allowed genocide to persist for over four years in Darfur and have not done nearly enough to answer the African Union's call for more support to stop the killing. I will rebuild our ties to our allies in Europe and Asia and strengthen our partnerships throughout the Americas and Africa. ("Renewing American Leadership," *Foreign Affairs*, July/August 2007.)

Senator Obama has been a leading voice in Washington urging the end of genocide in Sudan. He worked with Senator Sam Brownback (R-KS) on the Darfur Peace and Accountability Act, a version of which was signed into law. Senator Obama has traveled to the United Nations to meet with Sudanese officials and visited refugee camps on the Chad-Sudan border to raise international awareness of the ongoing humanitarian disaster there.

(http://www.barackobama.com/issues/strengtheningamerica/)

Bill Richardson

Genocide/ICC: And it means respecting the Geneva conventions and joining the International Criminal Court. The United States once was – and again must be – a human rights example to which others aspire. We must be impeccable in our own behavior, and we must reward countries which respect the Universal Declaration on Human Rights. And we must negotiate, constructively but firmly, with those who do not. Because we care about human rights, we need to start taking Africa seriously. The two most horrendous recent genocides have taken place in Rwanda and now Darfur. History teaches us that if the United States does not take the lead on genocide, no one else will. We need to step up to the plate on Darfur, and let the world know that when genocide threatens, the United States will lead the world to stop it. (from "The New Realism and the Rebirth of American Leadership," 2/08/07; also in *Harvard International Review*, September 2007.)

Republicans

Sam Brownback

Genocide: My belief in the value of human life is what inspired my concern over the international genocides taking place in countries like Darfur. I traveled to Darfur and Rwanda in early 2006 to see firsthand the tragedies that have taken place there. The suffering was unlike any I have ever seen. I believe that we must show compassion to these people. America is a great nation, and we have a role to play in protecting innocent life at home and abroad. (http://www.brownback.com/s/Home/tabid/127/Default.aspx)

Rudy Giuliani

Genocide: The international community must also learn from the mistakes that allowed the genocide in Darfur to begin and have prevented the relevant international organizations from ending it. The world's commitment to end genocide has been sidestepped again and again. ("Toward a Realistic Peace," *Foreign Affairs*, September/October 2007.)

Role of the UN: I don't have great expectations that the U.N. is going to live up to its original commitment to promote a freedom for people and peace. But I do think that they can carry out their lesser commitments better--the humanitarian mission with less corruption. And we should discipline them to do that. (Interview with *Wall Street Journal* editorial board, 25 June 2007; http://www.opinionjournal.com/extra/?id=110010280)

John McCain

Role of the UN/League of Democracies: The new League of Democracies would form the core of an international order of peace based on freedom. It could act where the UN fails to act, to relieve human suffering in places like Darfur… To be successful international leaders, we need to be good international citizens. This means upholding and strengthening international laws and norms, including the laws of war. (Address to the Hoover Institution, 1 May 2007.)

Ron Paul

Role of the UN: …World governmental organizations like the International Criminal Court (ICC), NAFTA, GATT, WTO, and CAFTA are a threat to our independence as a nation. They transfer power from our government to unelected foreign elites. The ICC wants to try our soldiers as war criminals. (http://www.ronpaul2008.com)

Mitt Romney

Genocide/Role of the UN: Genocide ravages Darfur even as the world stands frozen… Clearly, the United Nations has not been able to fulfill its founding purpose of providing collective security against aggression and genocide. Thus, we need to continue to push for reform of the organization… We should also look for new ways to strengthen regional cooperation and security partnerships with responsible actors in order to confront challenges such as the genocide in Darfur. ("Rising to a New Generation of Global Challenges," *Foreign Affairs*, July/August 2007.)

Fred Thompson

Genocide/Role of the UN: Recently, the new UN Secretary General Ban Ki-moon said that the root cause of the current genocide in Darfur is…global warming. Now if you've been following the tragedy of the Darfur region in the African nation of Sudan, you know how absurd that statement is… UN Secretary General Ban Ki-moon is arguably the most powerful man in the international community today. We know he's unwilling to blame those who actually gave the orders to commit genocide in Darfur. And apparently he's happy to shift the blame for ongoing deaths to those living peaceful, productive lives in the West. (http://www.townhall.com/columnists/FredThompson/2007/06/28/the_darfur_genocide_and_global_warming)

Others

Candidates whose public statements and websites include little or nothing on these issues (as of 15 September 2007): Mike Gravel (D), Dennis Kucinich (D), Mike Huckabee (R), Duncan Hunter (R), Tom Tancredo (R).

Messaging for 2008

Overview

At its most basic, messaging on responsibility to protect for 2008 should always touch on three components:

- Values
- Practicality and effectiveness
- International partnership and shared obligation

A great deal of work remains to be done to better understand public opinion, develop the strongest possible set of R2P policies, and then marry the two, before final campaign messages should be developed. The following points outline overarching themes—"big ideas"—about R2P and offer suggestions for turning them into advocacy messages to which specific policy proposals can be attached. They also sketch broadly the various targets for these messages.

Messaging Goals

Any campaign mounted in the next 12 months should focus on the following goals:

- Introducing R2P to elites, the media and the public as a practical, effective way to address shared moral concerns. It is clear that public awareness of genocide and of effective ways to address it is extremely low. Changing the perception among elites and the general public that things cannot be any different is perhaps the most important task.
- Rooting R2P in shared national and global values. The comments already made by presidential candidates indicate that many consider the question of response to genocide an important opportunity to communicate shared values with potential voters. A campaign can build on this with both a faith-specific stream for those (especially

conservatives) who can be reached primarily through faith groups AND through broader rhetoric about values and shared global norms for others (especially progressives).

- Stressing that R2P is an international response in which the United States is one partner and burdens are broadly shared. In the wake of Iraq, the public has few models for genuinely international responses to mass atrocities; concern that the United States is "doing it all" appears to be one important factor suppressing support for specific responses to specific atrocities.

- Situating R2P as an integral part of a post-Bush foreign policy that is both pragmatic and decent. Elites have been grappling for months with the question of how—after the experience of Iraq and the cycle of excitement and disillusionment with the neo-conservative intellectual framework—to organize and talk about the role of the United States in the world. An R2P campaign should work to make international partnership to protect the vulnerable a priority and a value within a new U.S. foreign policy framework. This will also allow the R2P concepts to arise as part of the answer whenever candidates talk about rebuilding U.S. moral standing, or strengthening cooperation with allies, while making it clear that R2P is a moral imperative in its own right, not something we do cynically because it makes us look good.

Messaging Targets

Reaching the presidential campaigns is about much more than reaching foreign policy advisers—at least two campaigns are advised by members of the R2P community who have themselves, in other capacities, contributed to bringing R2P forward.[57] With dozens of issues and good causes jockeying for attention, the challenge is making this issue salient enough to rise to the top of the heap—and that means working with the media, elite audiences, and key citizens' groups to have them raise the issue with the campaign as follows:

Media: Develop a version of an R2P initiative that is easily understandable; work to educate key writers and commentators; publish extensively in the specialist and quasi-specialist press, then leak back over to the general press; develop champions among media professionals.

Elites: Bring R2P issues directly to the opinion leaders who work with campaigns and politicians; hold forums and publish articles that deliberately reach out beyond the R2P specialist community. A strategy with a Capitol Hill component will also increase awareness among legislators and opinion leaders who will have key roles in making R2P policy changes in 2009.

Key citizens' groups and constituencies: Raise R2P's salience in the faith community and among local groups that focus on support for the UN and for U.S. global engagement. Such groups can then take the issue back to campaigns and the media, by asking questions at debates, town hall meetings, etc.

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[57] Samantha Power with Obama and Lee Feinstein with Clinton.

Needed Messaging Tools

R2P advocates are a diverse group, and they need not do everything in lockstep. But they should try to agree on a basic messaging framework of shared core ideas to draw from in messaging and advocacy work. Advocates need a messaging toolkit: a common story, relevant examples of success, trusted messengers, and public opinion research on frames and language.

Common story: The foundation of building an R2P movement is a set of common elements which diverse groups use in different ways, making their messages distinct but also recognizable as being about the same big issues and values.

Examples: The movement needs short, accessible examples of how the international community and the U.S. work together to accomplish R2P goals: e.g., non-violent, non-military prevention by the international community in Macedonia; extensive negotiations to build a peace process and prevent recurrence in Burundi; successful (Australian-led) end to a potentially genocidal conflict in Timor; U.S.-trained and supported African peacekeepers in West Africa; and the like. (See Chapter 7 for three case studies.)

Trusted messengers: Educate and recruit leaders in media, politics, religion, and civil society who are trusted by large groups of people and can take the message out to them. Examples include the journalist Nicholas Kristof's work on Darfur and trafficking; evangelical Franklin Graham (son of Billy) on AIDS; actor Laurie David on global warming. They need not be movie stars and media figures; retired generals, for example, or well-known academics or political figures who are prominently associated with international affairs can also be successful ambassadors, especially in communicating with elites.

Targeted public opinion research: More information is needed about the little-understood aspects of how the public hears, understands, and responds to messaging on these issues. The agenda for further research in Appendix C sets out several categories of concern that should be pursued as part of campaign planning.

Sample Messages

With the strong caveat that more research is needed about language—what response "genocide" triggers as opposed to "mass killings," whether "responsibility to protect" can be turned into a resonant catch phrase, and whether "never again" helps or hurts—we offer some sample language. Each example is very general, but specific policies, whether related to national or international rapid response, prevention, or peacekeeping, could be inserted to follow.

A common story.

Americans, like others around the world, believe deeply that it is part of our common humanity to do all we can to stop genocide. We can move toward that goal in a way that is practical and realistic—by sharing the burden with other countries and by building a strong common front to stop atrocities quickly once they happen or even prevent them before they start. The United States has worked with partners over the last decade in Europe, Africa, and at the UN to do this in a few small countries: Macedonia, Burundi, Timor. Now is the time to work together and scale up these small successes into a global commitment to basic safety for every citizen, something the UN calls "the responsibility to protect."

Big Idea: R2P is a practical, effective way to address shared moral concerns.

If we start early and reach out to others, we can help stop or even prevent mass killings like those in Darfur, Rwanda, Kosovo, and elsewhere. Other countries and the UN share our desire to prevent such events. Together we've succeeded in places like Macedonia and Burundi. It's a matter of a practical focus on steps that everyone can agree to and actions that everyone will follow up on. We don't need to feel powerless in the face of mass killings and genocide—working together, we can take actions that will make a difference.

Big Idea: R2P is rooted in common national and global values.

As Americans, we look to the community to protect and support the individual. At the global level, we look to the international community to protect individuals when their own governments fail to do so—or when their own governments are actively attacking and killing them.

"Life, liberty, and the pursuit of happiness," as our Declaration of Independence says, is the most fundamental rights human beings expect. We can be a part of global efforts to extend those rights to others, even as we keep working to secure them more fully for ourselves.

(A more specifically faith-based appeal could simply add: if we all work together, we can be our brother's keeper.)

Big Idea: R2P is an international response in which burdens are broadly shared.

The most effective way to prevent and end genocide is to collaborate with others. In recent years the United States has helped the European Union prevent ethnic killings in Macedonia in the Balkans; worked with the United Nations to break the cycle of genocide in Burundi in East Africa; and let Australia take the lead in stopping genocidal violence in Timor. Now we should build on those successes by acting with others not just to stop current genocides but prevent future ones.

By reinvigorating the UN and refocusing on America's global partnerships, we can share the responsibility and strengthen international capacity to step in and end genocides and tragedies like Darfur.

Big Idea: R2P should be integral to our nation's approach to the world.

Among the core challenges we face today is ensuring basic human safety and security—for ourselves here at home and others around the world who can be our allies, friends, and business partners, but only if they, too, are secure. We're part of an interconnected world, and genocide and mass killing undermine the security of us all, in addition to being morally abhorrent. We're at our strongest—and our values shine brightest—when our friends and partners around the world are secure. As we work to build new kinds of cooperation and strengthen the UN, ending mass killings should be one of our highest priorities.

III. Principle versus Practice: A Meta-Analysis of Public Opinion Concerning Genocide

"The true greatness of a nation is founded on principles of humanity." —Thomas Paine

Introduction

In principle, Americans are horrified by genocide and endorse immediate steps, including military measures, to prevent it. In practice, a number of impediments prevent Americans from acting on their principles.

In principle, the vast majority of Americans believes the nations of the world should intervene when a government commits mass atrocities against its own people, and genocide prevention gets more support from Americans than any other reason for committing U.S. troops. Values cues such as "moral obligation" shape people's understanding of this issue and lead to high levels of public support for human rights principles. In practice, human rights and genocide are mid- to low-level public priorities, few have heard very much about the violence in Darfur, and levels of support for intervention in Darfur do not match the strong response for genocide generally.

How can one reconcile the public's principled view with its practice? Research across international issues provides some guidance. First, Americans need to see multilateral action on issues, because they believe international teamwork is fairer and more effective. In the absence of an overt role for the international community, Americans assume the United States is shouldering the burden alone. Furthermore, the crisis orientation of most media coverage obscures solutions, and overwhelms and disempowers the public. Finally, the continuing occupation of Iraq has led the public to be wary of major international interventions, particularly military interventions.

The central challenge for advocates is to help the public put its principles into practice. While existing research provides some clues about how to achieve that end, a great deal of investigation remains to be done before advocates can confidently embark on a new communications strategy on this issue.

Specifically, research needs to answer the following questions:

- What kind of conversation will empower the public to act?
- How does the public "understand" this issue and what more does it need to know about why genocide happens and what can prevent it?
- Does the public assume the only solutions are military? If so, will featuring non-military interventions build public support?
- What are the best ways to overcome the damaging public perceptions that are a consequence of Iraq?
- How can international teamwork be most effectively, and realistically, conveyed?
- If "moral obligation" is the most relevant value, what does that mean? Are there other relevant values, such as obligation to others, religiosity, duty, empathy, self-preservation, and the like?

Support for Intervention

In principle, Americans endorse intervention to protect people of the world against atrocities committed by their own governments. While Americans respect national borders and worry about interfering with another nation's autonomy, they also believe some actions, like genocide, require action by the international community.

Conceptually, the vast majority of Americans believes the nations of the world should intervene when a government commits mass atrocities against its own people. Fully 77 percent agree "the United States and other Western powers have a moral obligation to use military force, if necessary, to prevent one group of people from committing genocide against another" (up from 69% in July 2005; PSRA 2006). Sixty-seven percent of Americans agree "there are some times when other countries should have the right to intervene to protect people from their own government" (Harris).

They recognize national sovereignty is not absolute. Three-quarters (74%) agree that "the old idea of national sovereignty which did not allow foreign interference in the domestic affairs of any country, even if it killed many of its own people, is no longer acceptable and must change" (Harris). In fact, when asked to choose between two opposing views, 62 percent side with the statement, "While respect for national borders is important, when large scale atrocities, such as genocide, are being committed, this justifies military intervention by the international community," and only 29 percent side with the perspective, "As a general principle, even if atrocities are being committed within a country, the international community should not intervene with military force because this would be a violation of the country's national sovereignty" (PIPA).

U.S. Role

Similarly, in principle, Americans want the United States to lead in addressing genocide and they are willing to commit American troops to such an effort. At the same time, genocide and human rights typically rank as mid to low priorities for foreign policy. Reconciling this high level of support for the principle of intervention with the low priority level for addressing genocide is a key question for further research. Existing publicly available research provides some clues, but does not fully answer this question.

When it comes to developing solutions to address mass atrocities, Americans want the United States to be a leader. A large majority (62%) agrees "the United States should play a leading role in developing new and better ways to prevent and react to international problems like Bosnia, Kosovo, Rwanda and Darfur." An even higher percentage agreed in 1999 (70%).

Genocide prevention gets more support from Americans than any other reason for committing U.S. troops. Of a series of purposes for military action, the three reasons gaining the most support from Americans have to do with genocide, humanitarian crisis and Darfur.

% Favor the Use of U.S. Troops (Knowledge Networks)	
To stop a government from committing genocide and killing large numbers of its own people	71%
To deal with humanitarian crises	66%
To be a part of an international peacekeeping force to stop the killing in Darfur	65%
To stop Iran from obtaining nuclear weapons	62%
If Iran attacked Israel	53%
To be part of an international peacekeeping force to enforce a peace agreement between Israel and the Palestinians	51%
To ensure the oil supply	45%
If North Korea invaded South Korea	45%
As part of an international force to help keep the peace between India and Pakistan	40%
If China invaded Taiwan	32%
To install democratic governments in states where dictators rule	29%

At the same time, genocide and human rights are not top public priorities for U.S. foreign policy. Genocide, human rights, and the specific case of Darfur, are typically rated as mid to low priorities. Of thirteen priorities offered, genocide ranks eighth and human rights ranks eleventh among long-range foreign policy goals. While response shifted slightly right after the events of September 11, 2001, most priorities have resumed their pre-9/11 priority. Genocide did not move in priority, but promoting human rights and improving living standards increased slightly while democracy promotion declined slightly.

Long-Range Foreign Policy Goals
% Top Priority, 2001–05
(PSRA/Pew 2005)

33
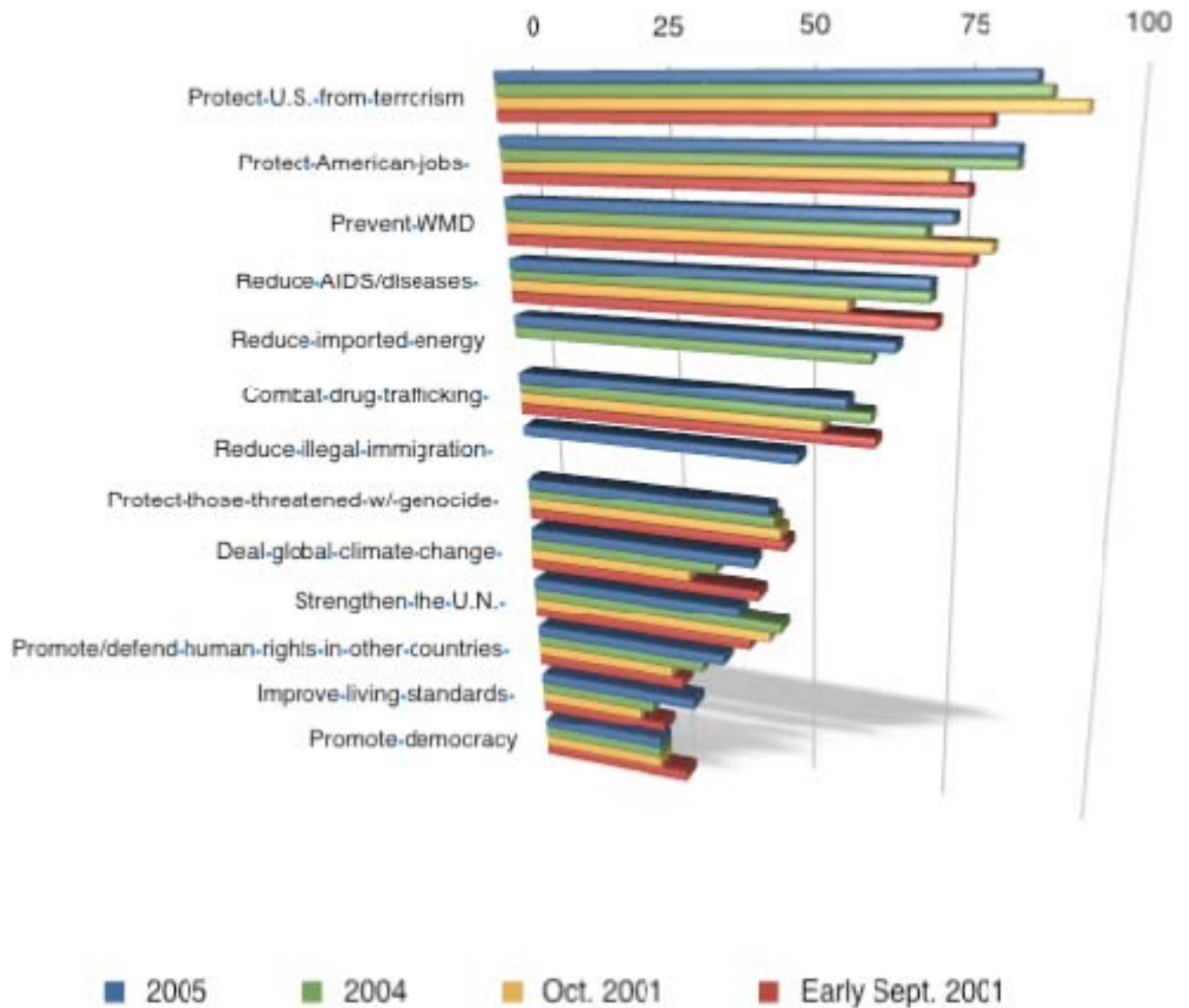
As recently as May 2007, Americans confirmed that human rights and Darfur are not urgent public priorities. Of 36 foreign policy and national security goals, "advancing human rights" ranked 18th (43% "top priority") and "ending the mass ethnic violence in the Darfur region of Sudan" ranked 24th (36% "top priority") (Marttila). Democrats are more likely than Republicans to prioritize these two goals.

Americans give the United States government middling ratings for its performance in dealing with genocide and human rights, suggesting that Americans are neither highly satisfied nor dissatisfied with government action on these issues. The American public gives high grades to the United States for helping other countries in natural disasters, equipping the military and giving attention to the war on terror. The public gives the lowest performance grades to the government's effort to limit the money we owe other countries, protect jobs, stop drugs and have good relations with Muslim countries. Protecting people from genocide ranks in the middle of a range of issues, and living up to our ideals of human rights fares only slightly better.

Grade U.S. in Each Area % Responding "A or B" and "A" (Public Agenda)		
	% A or B	% A
Helping other countries when natural disasters strike	77	42
Making sure we have a strong, well-supplied military	59	29
Giving the war on terror the attention it deserves	50	24
Hunting down anti-American terrorists	42	16
Helping improve the lives of people living in poor countries	42	15
Having good working relations with other countries	42	11
Stopping countries or groups from getting nuclear weapons	38	15
Living up to our ideals of human rights and justice in the way we conduct our foreign policy	*38*	*11*
Doing our best to bring peace between Israel and the Palestinians	36	14
Helping to create democracy in the rest of the world	36	11
Conducting effective US intelligence operations	36	11
Protecting people or nations that are threatened with genocide or ethnic cleansing	*33*	*10*
Avoiding trade agreements that harm the United States	26	8
Succeeding in meeting our objectives in Afghanistan	26	7
Working with other countries to reduce global warming	25	9
Protecting our borders from illegal immigration	21	8
Succeeding in meeting our objectives in Iraq	21	7
Becoming less dependent on other countries for our supply of energy	21	6
Having good relations and reputation with Muslim countries	20	5
Stopping illegal drugs from coming into the country	18	7
Protecting American jobs from moving overseas	18	6
Limiting the amount of money we owe other countries	16	5

How can one reconcile the public's high level of support for intervention with its low priority for action for this issue? Existing public opinion research does not provide a great deal of insight to answer this question, but elements of the answer may include: 1) the public's desire for shared (not sole) responsibility; 2) low awareness of current crises and possible solutions to those crises; 3) the difference between theory and reality; and 4) negative consequences of the war in Iraq.

Role for International Institutions

One element of reconciling high support for intervention in principle with low priority for action is making international teamwork visible. Americans do not want to carry the burden of the world's problems; they want to share leadership because cooperative problem-solving is fairer and more effective. Without clarification, Americans assume the United States is expected to act in isolation. Instead, they want the United Nations to take the lead in bringing the nations of the world together to address genocide, and they support U.S. participation in the International Criminal Court to punish war criminals.

Americans value international teamwork and cooperation. Of three approaches to international relations, very few (9%) side with the view, "As the sole remaining superpower, the U.S. should continue to be the preeminent world leader in solving international problems." However, only 16 percent prefer the opposite view: "The U.S. should withdraw from most efforts to solve international problems." Instead, most Americans (72%) prefer international teamwork: "The U.S. should do its share in efforts to solve international problems together with other countries" (KN/PIPA 2006). Nearly two-thirds (63%) side with the view, "We should cooperate with other countries as often as we can, even if this means we have to compromise on occasion. America should only act alone as a last resort," while only 32 percent side with the opposing view, "We should put American interests first at all times—even if this means pulling out of international agreements or frequently acting alone" (Marttila).

Furthermore, the public is increasingly interested in working through international institutions rather than going it alone. Asked to choose between two views, a substantial percentage (69%) say, "As the world becomes more interconnected, and problems such as terrorism and the environment are of a more international nature, it will be increasingly necessary for the U.S. to work through international institutions," over the competing view: "International institutions are slow and bureaucratic, and often used as places for other countries to criticize and block the U.S. It is better for the U.S. to try and solve problems like terrorism and the environment on our own instead" (23%). Since 1999, the percentage supporting the cooperative view jumped by 13 points, while the opposing view declined by 16 points (KN/PIPA 2006).

On this particular issue, Americans support a leading role for the UN Security Council. Nearly three-quarters (74%) say, "The UN Security Council has the responsibility to authorize the use of military force to protect people from severe human rights violations such as genocide, even against the will of their own government" (KN/WPO June 2006). Just as many (71%) agree, "We need to have some kind of truly international army, with troops from many countries, that can be used in places like Bosnia, Kosovo, Rwanda and Darfur where national governments fail to protect the lives, or even encouraged the killing, of their own people" (Harris).

Of the different actions for which they believe the UN Security Council should be able to authorize military action, genocide tops the list.

UN Security Council Should Have the Right to Authorize Military Force % Yes (Knowledge Networks 2006)	
To prevent severe human rights violations such as genocide	83%
To defend a country that has been attacked	83%
To stop a country from supporting terrorist groups	76%
To prevent a country that does not have nuclear weapons from acquiring them	62%
To restore by force a democratic government that has been overthrown	57%
To prevent a country that does not have nuclear weapons from producing nuclear fuel that could be used to produce nuclear weapons	57%

Furthermore, as they consider ways to strengthen the UN, the public is most likely to point to efforts that help the UN address human rights and genocide.

Steps to Strengthen the United Nations % Favor (Knowledge Networks 2006)	
Giving the UN the authority to go into countries in order to investigate violations of human rights	75%
Creating an international marshals service that could arrest leaders responsible for genocide	75%
Having a standing UN peacekeeping force selected, trained and commanded by the United Nations	72%
Giving the UN the power to regulate the international arms trade	60%
Giving the UN the power to fund its activities by imposing a small tax on such things as the international sale of arms or oil	45%

Americans also endorse U.S. participation in and support for the International Criminal Court, even when told it could lead to trials of Americans. Three-quarters (74%) believe the United States should participate in the ICC when they hear that it will "try individuals for war crimes, genocide, or crimes against humanity if their own country won't try them." Even when told the United States "should not support the Court because trumped-up charges may be brought against Americans, for example, U.S. soldiers who use force in the course of a peacekeeping operation," two-thirds (68%) continue to support the ICC (KN/WPO April 2006). A slim majority (53%) sides with the view, "Some people believe that the United States should help the International Criminal Court by sharing intelligence about the genocide that would build its case against the government of Sudan's leaders, who are accused of planning and implementing the genocide," while 38% side with the opposing view, "Others believe that the United States should not help the International Criminal Court because there is some chance that, in the future, its prosecutors

might try to prosecute U.S. military personnel for their actions in Iraq or in other military missions around the world" (GQR).

The Current Reality: Darfur

Other possible reasons for the public's low priority for this issue may be a lack of awareness of current crises and solutions to those crises, or a shift in perception when people are considering a real situation compared with a general principle. Few have heard much about the violence in Darfur. In addition, support for action in Darfur is much lower than public support for intervention generally, even when the support is described as multi-lateral.

Few have heard a lot or closely watch news about Darfur, and many believe there is too little news coverage of the situation. Just one in five (22%) say they have heard "a lot" about Darfur (PSRA June 2007), and only 12 percent very closely watch new stories about "ethnic violence in the Darfur region of Sudan," a figure that has remained fairly constant since 2004 (PSRA, most recent June 1–4, 2007). Nearly half of Americans believe news organizations are giving too little coverage to Darfur:

% "News Organizations are Giving Too Little Coverage"
(PSRA/Pew June 1–4, 2007)
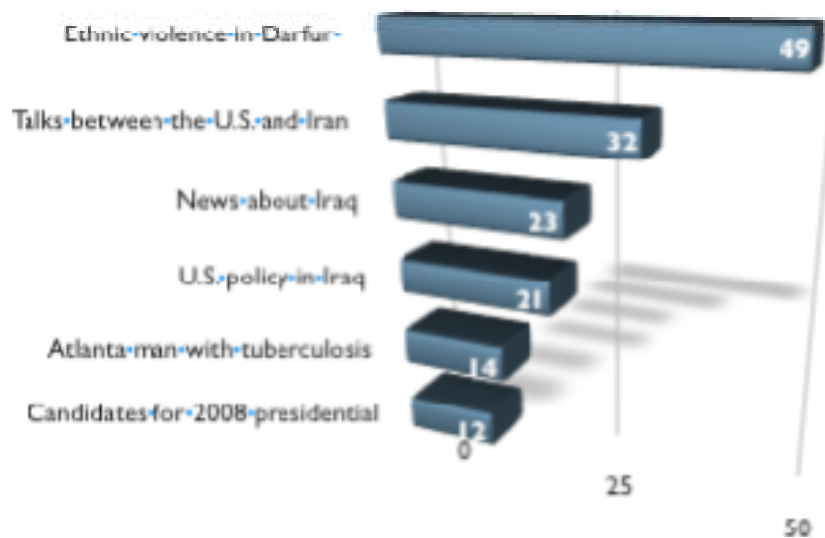
Lack of awareness can explain the low level of priority for addressing genocide as a foreign policy goal, but it does not explain the low level of concern when people are made aware of the violence in Darfur. As noted earlier, Americans endorse U.S. intervention in mass atrocities on a conceptual level. However, in the specific instance of Darfur the public is less supportive. While

there is more support than opposition, less than a majority (49%) says, "The United States has a responsibility to do something about the ethnic genocide in Darfur" (PSRA/Pew 2007).

Given the great deal of media attention to this issue, why are so many Americans unaware and unmotivated to act? The crisis orientation of media coverage may contribute to the public's inability to connect to this issue or understand viable solutions to address the problem. It may be that the tone of the media coverage overwhelms and incapacitates the public to such an extent that the public stops listening to the coverage. Future research should investigate the extent to which crisis-oriented coverage influences the public's awareness, perception of solutions, and motivation to act on this issue.

Some of the public's reluctance to act in a specific instance like Darfur may be due to an assumption that "action" means military action. When presented with an economic intervention, close to two-thirds favor U.S. action, compared with far lower levels of support for military interventions (statements shortened from actual wording):

Actions by the United States
% Favor
(GQR)

Multi-lateral action is supported at higher levels than unilateral action, but even when people's desire for international teamwork is addressed, public support for a U.S. role remains low. Only 45 percent favor (37 percent oppose) the "use of United States troops in Darfur as part of a multinational force to help end the ethnic genocide there" (PSRA 2007). Support for U.S. military intervention drops further when described as a unilateral action that will cost U.S. lives: "Suppose the only way to end the violence in Darfur involved sending roughly ten thousand U.S. troops to the Darfur region of the Sudan on an aggressive peace keeping mission that may cost more than one hundred U.S. lives." In that instance, a majority opposes intervention (58% oppose, 37% strongly), while only 37 percent favor it (12% strongly) (GQR).

Americans believe the UN Security Council is responsible for action on Darfur. When specifically asked about Darfur, 48 percent say the U.N. Security Council has a responsibility to authorize intervention, 35 percent say it has the right, but not a responsibility, to authorize intervention, and 11 percent say it does not have the right to authorize intervention (KN/WPO June 2006). When asked who should have primary responsibility for addressing genocide in the Sudan, most Americans point to the UN followed by neighboring nations. Just 8 percent say the U.S. should staff a force of peacekeepers:

"In the Sudan, rebel groups have been fighting with the Sudanese government and militia. While exact numbers are not known, estimates are at least 400,000 people, mostly civilians, have died and more than one million civilians have been forced to flee their homes. What do you think the best solution should be to this situation?"

40% The United Nations should send in peacekeeping troops to protect civilians.

35% Other African nations should help to create stability in their region by sending in peacekeeping troops.

8% The United States should help create and staff an international force of peacekeepers to help civilians.

4% No other country should go in to the Sudan as they are a sovereign nation. (Harris)

The public's lack of enthusiasm for action in Darfur compared to high levels of support for addressing genocide may also be due to a difference in opinion when people are considering theoretical action vs. the reality of a specific situation. A detailed current case of genocide rates slightly lower in priority than the principle of addressing genocide. In a recent survey sponsored by the Genocide Intervention Network, survey respondents were first asked about a series of priorities including genocide in Darfur. So most respondents had Darfur in mind when asked about genocide generally. A subsequent question clarified public priority for action in Darfur specifically. At a conceptual level or in the specific instance of Darfur, fewer than one in five say dealing with genocide should be a top priority:

Priority of Genocide/Darfur (GQR)		
	Absolute Top Priority	High, but not Top, Priority
"How high of a priority do you think it should be for America to do something about a humanitarian crisis like genocide?"	19%	43%
"In 2003, fighting broke out in Africa between the government of the Sudan and rebels in the western region of Sudan, an area called Darfur. While putting down this rebellion, the Sudanese government has attacked not only these rebels but also ethnic groups in an effort to kill them or drive them out of the region. To date, two to four hundred thousand have been killed and over two and a half million have been driven from their homes. President Bush and the Congress have called the situation genocide, but the violence continues today…how high of a priority do you think it should be for America to do something about the genocide happening in the Darfur region of the Sudan?"	17%	40%

This dynamic is not necessarily limited to Darfur. For example, just a slim majority of the public supported the U.S. role in Kosovo—levels of support much lower than the two-thirds to three-quarters who say we have a responsibility in principle.

In 1999, 77 percent of Americans agreed with the statement, "There are some times when other countries should have the right to intervene to protect people from their own government" (Harris). However, support for the United States being part of NATO's mission in Kosovo hovered around a slim majority.

"As you may know, the military alliance of Western countries called NATO has launched air and missile attacks against Serbian military targets in Yugoslavia. Do you favor or oppose the United States being a part of that military action?"

(Gallup 1999)
% Favor

May 7–9	55
April 30 – May 2	58
April 26–27	56
April 21	51
April 13–14	61
April 6–7	58
March 30–31	53
March 25	50

Even though the question specified a role for the international community, support for U.S. military action in Kosovo was not at the level of support to act in principle.

Consequences of the Iraq Occupation

The priority of addressing human rights and genocide was low before the start of the war in Iraq. However, the continuing occupation of that country, with its high cost in lives and dollars, undoubtedly causes Americans to be wary of major military ventures. They have less confidence in military solutions and are less likely to express confidence in American problem-solving generally. If, as we suspect, most Americans assume all responses to genocide are military, the public's current wariness of military intervention may be a significant undercurrent in public response to Darfur.

After the events of September 11th, there was a surge in support for international engagement among Americans. While support for engagement remains high, there are indications of softening support. Three-quarters agree "we should pay less attention to problems overseas and concentrate on problems here at home" (77% agree, 38% "completely agree"). Americans are slightly more likely to agree with this statement compared with 2002, but sentiment is not nearly as high as it was in the early and mid 1990s (PSRA/Pew, January 2007). Americans are increasingly likely to agree with the view, "The U.S. should mind its own business internationally" (42% agree, +12 points from 2002) (PSRA/Pew 2005). In addition, the percentage responding that not getting "involved in trying to solve the problems of other countries" is a "very important" way to reduce terrorism in the future stands at 41 percent, a 9-point increase from 2002 (PSRA/Pew August 2006).

Dissatisfaction with the war in Iraq has undermined American confidence in military solutions. A majority of Americans no longer believe "the best way to ensure peace is through military strength" (only 49% agree, the lowest rating since Pew started tracking this perception in May 1987). In comparison, at the start of the build-up to the war in Iraq, in August 2002, 62 percent agreed (PSRA/Pew 2007). In addition, a plurality (43%) feels the United States is spending too much for national defense and military purposes—the highest percentage Gallup has measured since the early 1990s and 26 points higher than one year before the U.S. invasion of Iraq (Gallup, Feb. 2007).

Importantly, the American Can-Do spirit has also been diminished. The percentage agreeing with the statement, "As Americans we can always find a way to solve our problems and get what we want" is at a low point (PSRA/Pew Jan. 2007).

"As Americans we can always find a way to solve our problems and get what we want."
% Agree (PSRA Jan. 2007)

41
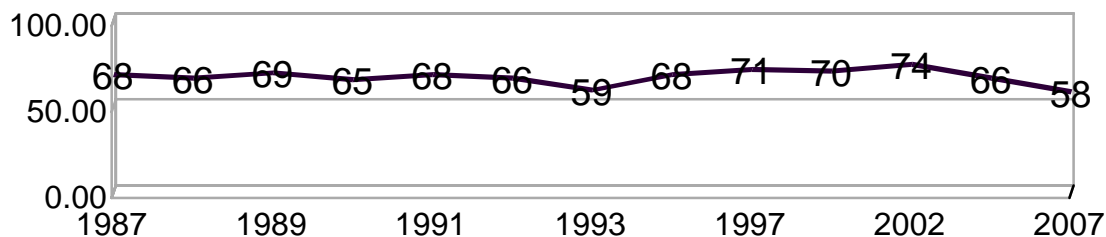
At the same time, Americans continue to reject isolationism. Though they are increasingly dispirited and concerned about U.S. actions around the globe, Americans continue to believe it is important to be involved in world affairs. According to Pew trends, fully 86 percent agree (42% completely agree), "It's best for the future of our country to be active in world affairs." While this is a huge endorsement of international engagement, trends demonstrate the percent responding "completely agree" is at its lowest point since May 1993 (PSRA/Pew Jan. 2007).

Motivation to Intervene

Values always play an important role in shaping people's understanding of an issue and in motivating them to act on that issue. Determining which values are relevant is a central task for communications research. For example, stewardship and responsibility to future generations are core values on environmental issues. Which values are relevant on this issue: obligation to others, religiosity, duty, empathy, self-preservation, or others?

Three years ago, before a strong majority of Americans became disenchanted with the war in Iraq, Americans valued "following moral principles" and being "cautious" and "decisive" over being "forceful" or "idealistic" in conducting foreign policy. But what do Americans mean by "moral principles" and would that directive apply to genocide? Apparently, Americans do not necessarily equate moral principles with religious principles or idealism. There is some other interpretation at work that is not clear from existing survey research.

Approaches in Conducting Foreign Policy
% Top Priority
(PSRA/Pew 2004)
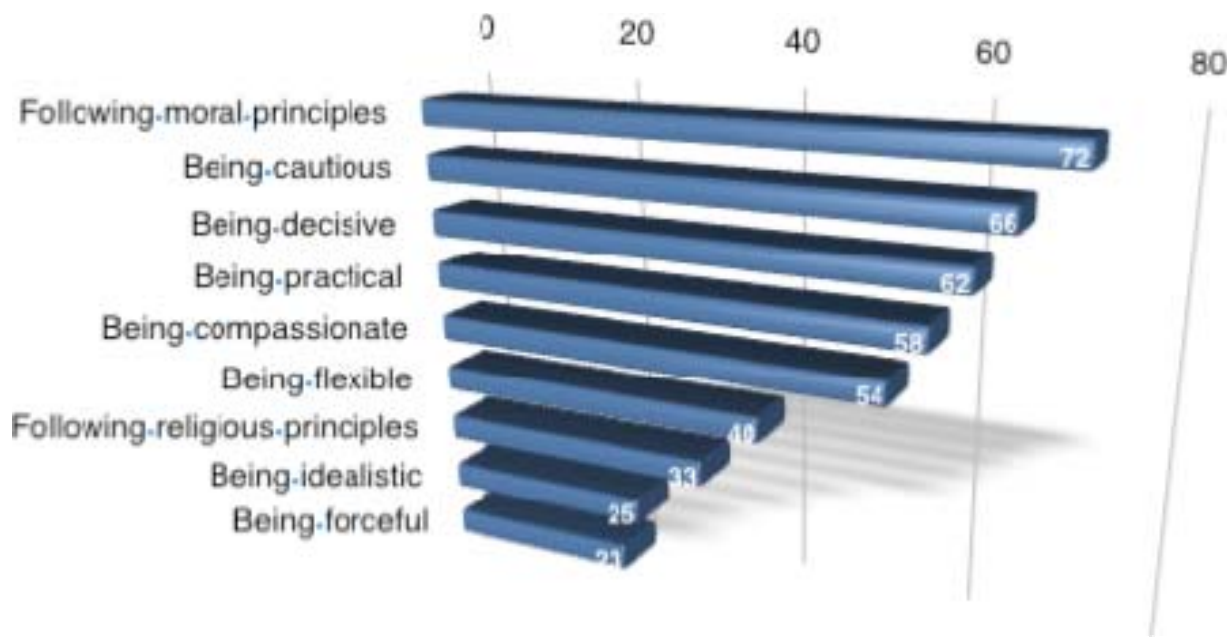
Of the very limited available research concerning the public's reasons to support intervention, moral obligation is the most compelling motivation. Fully 77 percent agree "the United States and other Western powers have a moral obligation to use military force, if necessary, to prevent one group of people from committing genocide against another" (up from 69 percent in July 2005) (PSRA 2006).

In 1999, during the Kosovo intervention, the Program on International Policy Attitudes asked people to respond to a number of reasons to support U.S. involvement in the conflict. "Moral obligation" and "moral catastrophe" are more compelling than the spread of war or the risk to American soldiers. However, there a number of other values that might be important to the dialogue that are not included in this list:

<div align="center">% Convincing (PIPA)</div>

69%	"The Serbs' effort at 'ethnic cleansing' through killing many ethnic Albanians and driving hundreds of thousands of them out of Kosovo is a form of genocide. The U.S. has a moral obligation to join in efforts to stop this genocide."
66%	"It may or may not have been wise to launch the military strikes against Yugoslavia, but now that we have done so, we must persist and prevail. For NATO and the U.S. to promise to reverse ethnic cleansing and then fail would be a moral catastrophe for ourselves and the world."
61%	"The U.S. government under both Presidents Bush and Clinton said that if Serbia conducts ethnic cleansing in Kosovo, the United States would intervene with military force. Now that this is happening, the U.S. must follow through."
56%	"If the ethnic cleansing in Kosovo continues, there is a chance that neighboring countries may become involved, leading to the spread of war in the region. Therefore the NATO effort to stop ethnic cleansing in Kosovo is good insurance."
53%	"There are many areas of the world where atrocities and even genocide have been committed, such as Rwanda and the Sudan, and we have not intervened there. Until we are ready to intervene in a consistent way, it is best to simply stay out of such situations, including Kosovo."
52%	"The longer the NATO operations in Yugoslavia continue, the more likely it is that American soldiers will be killed. We should get out now before Americans come back home in body bags."
51%	"While NATO has been bombing around Belgrade, the Serb forces have been continuing ethnic cleansing in Kosovo. It is wrong to continue a military campaign that fails to confront the problem directly and effectively."
41%	"Kosovo is far from the U.S. and we have no real interests there. Therefore it is wrong to risk the lives of American soldiers in a NATO operation there."

While "moral obligation" performs the strongest of the few frames tested, there are also indications that Americans are willing to set aside ideals for pragmatism. For example, Americans divide between two opposing views: 47 percent side with the statement, "The U.S. should not work with countries that violate human rights" while just as many (48%) believe,

"Our national interest requires us to work with governments with which we do not necessarily agree or approve" (Marttila). Finally, three-quarters (75%) agree, "In the last few years, the U.S. has focused too much on lofty ideals. We should focus instead on real threats to our own security" (Penn).

Conclusions and Questions for Further Research

What We Think We Know	What We Need to Know
While Americans support intervention in principle, in practice genocide is not an urgent priority for action.	How can we reconcile those two dynamics and find ways to empower the public to match its principles with policy?
Despite fairly significant media attention, Americans continue to have little knowledge of the violence in Darfur and knowledge has not turned to action.	What are the missing links in communications that will help Americans see this issue in a new light? How can we build understanding that leads to action? Clearly, the "crisis" orientation of current media stories is ineffective.
The role of the international community needs to be front and center; people need to understand the United States would not be acting alone.	How much of a U.S. role will people support? Is it enough to simply state "international community" or do people assume the U.S. is the primary actor unless some other organization is clearly leading?
The public more readily supports economic sanctions than military intervention.	How can we address American concern and build support for military intervention if needed? Are Americans concerned about being spread too thin militarily, the loss of American lives, the cost, or are they worried about becoming entangled in an ill-fated venture like Iraq?
Moral obligation appears to be the most effective of the tested values in building a compelling case for action.	Are there other relevant values that should also be developed in communications? Other than values, what pieces of the conversation need to be more fully developed?
It is likely that people assume solutions to genocide are military in nature, and the continuing occupation of Iraq undermines support for military ventures.	How do we minimize the effects of the Iraq War? Does it help to highlight non-military actions to address genocide?
	Do different labels engage the public in different ways? If so, what terms are strongest to motivate action – genocide, mass atrocities, mass killings, etc.?

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IV. Pursuing a UN Declaration on R2P

Background and Introduction

Recently, a debate has arisen among those active with R2P regarding the pursuit of a UN General Assembly Declaration specifically on the principle. At this time, is it worth NGO and activists' efforts to rally for such a declaration?

Over the past few years, the UN has begun to incorporate R2P into its thinking and practice. The 2005 World Summit outcome document formalized R2P by declaring that states have a responsibility to protect their populations against genocide, war crimes, ethnic cleansing, and crimes against humanity (paragraph 138), and that the UN is authorized to take "collective action" provided it goes through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate (paragraph 139).

The explicit mention of the responsibility to protect marked a watershed in the UN's identity, and signaled a subtle but profound shift from an organization focused on protecting rights to enforcing responsibilities. According to Ramesh Thakur, distinguished fellow at the Centre for International Governance Innovation in Waterloo, Canada, this development, along with the creation of the International Criminal Court (ICC), was one of the UN's "most significant normative advances since 1945."[1]

In the two years since this document was released, two other resolutions, 1674 (2006) and 1769 (2007), have been released, both of which further specify the responsibility to protect. Resolution 1674 affirms the protection of civilians in armed conflict, and 1769 authorizes the deployment of a 26,000–strong United Nations–African Union (UNAMID) force to Sudan's western Darfur region, with explicit reference to UNAMID's authorization for the use of force to protect civilians. UNAMID is scheduled to have initial operational capacity by October 2007.

Aside from these three important documents, the UN has yet to adopt a more detailed official definition of R2P. In the words of Secretary General Ban Ki-Moon, "we must take the first steps to move the Responsibility to Protect from word to deed…the time has come to build consensus among member states about how we can operationalize that will."[2] As Ban Ki-Moon realizes, while a theoretical support for R2P is easy to garner, the real challenge lies in defining the term in such a way that allows for implementation.

For activists and supporters of R2P, the question is this: Is it desirable and/or feasible to promote the adoption of a Single Declaration on R2P in the long term, particularly given that it is a relatively oblique concept for which it is almost impossible to establish hard international law?

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[1] Ramesh Thakur, "The Responsibility to Protect—And Prosecute?" *The Hindu*, 10 July 2007.
[2] Ban Ki-Moon, "Creating a New Golden Era for the United Nations," The Center for Strategic and International Studies (Washington, D.C.), 16 January 2007. Available at http://www.csis.org/component/option,com_csis_events/task,view/id,1184/.

Possibilities for a Declaration

The creation of a single R2P declaration could help R2P gain traction and momentum. While a General Assembly declaration is not strictly binding on states, it would become a statement of intent regarding R2P principles.

An expanded version of the World Summit outcome document could take the form of a one-page resolution that captures the essence of qualified sovereignty, and explicitly sets forth the international community's responsibilities. Such a document could use straightforward, unequivocal language to define what it means for each state to have the responsibility to protect its citizens, and what the international community's responsibilities should be when a member state fails to meet these well-defined obligations.[3]

Such a declaration would have more force and specificity than the World Summit outcome document. It could provide clear criteria for understanding when the doctrine should be invoked, the processes and protocols for its use, and guidelines for the use of military force. The goal would be a document that is narrowly focused and useable in operational terms.[4]

Should the General Assembly undertake this project, the process could be structured so that the final document addresses the concerns of those states that have heretofore been unsupportive of R2P, particularly members of the Group of 77, representing developing countries of the global south. Many of the countries that expressed reservations have done so due to long histories of colonialism and an understandable fear of R2P being utilized by strong Western states to serve their own economic or political self-interest.[5] Ideally, this document should address these concerns directly, and explain how R2P's definition will minimize the likelihood that it would be misapplied.

The most important variable in bringing such a declaration into force is timing. Some fear that, given the current climate at the UN around R2P, further debate on the issue may lead to backsliding by some nation states. Says one UN official, "clearly now, in a period where there are deep political divisions amongst members of the General Assembly and not a high level of knowledge around R2P and the suite of policy options for operationalizing those, [a declaration on R2P] is not feasible."[6]

But while now may not the best time to advocate for more rigorous R2P language, a time may come that is better suited for such a push. According to one expert, "we are likely to encounter another mass crisis at some point that will create greater receptivity. In the General Assembly they are dealing with such a variety of issues that despite acknowledging that the set of issues has a special place in the General Assembly's responsibilities, it is nonetheless not urgent. We

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[3] The ICISS report and other material could create an important starting point for the Declaration.
[4] Heidi Hulan, Permanent Mission of Canada to the UN, telephone interview, 13 July 2007.
[5] See for example Venezuelan President Hugo Chavez' address to the 60th General Assembly to the U.N., September 15, 2005; available at www.embavenez-us.org/php?nid=1745. These concerns include that the doctrine will serve the interests only of the powerful nations by granting them freedom to interfere into the affairs of the weaker nations. For further information refer to the Chapter on Backsliding Countries.
[6] Hulan, 13 July 2007.

would be unable to mount that hill short of a political event, a high-level event that drives policy, like the summit, or a humanitarian event that drives action."[7]

To elucidate possibilities or challenges that a General Assembly Declaration on R2P may face, we present two brief case studies on movements that also attempted to effect change through UN documents.

Case Study One: The Landmine Campaign

Like the current work on R2P, the landmine campaign was also initiated and directed by nongovernmental organizations.[8] From its launch in 1991, the International Campaign to Ban Landmines defined itself as a flexible network of organizations that share common objectives. The movement was successful in creating enough momentum so that the Mine Ban Treaty was passed in only six years, which is rapid by UN standards.[9] Today, the Campaign is a network of over 1,400 NGOs in over 60 countries and still remains active on local, national, and international levels.[10]

The landmine campaign provides an excellent model on which to build work surrounding R2P in terms of its fluidity, flexibility, and timeline of events. However, there are two significant differences between the landmines movement and the R2P movement that suggest passing a declaration on R2P may not be as simple as the Mine Ban Treaty, even though a declaration is theoretically simpler to achieve than a treaty.

First, the Mine Ban Treaty lays out clear and specific universal obligations in relation to the use, production, and trade of certain landmines and the means by which to deal with existing landmines. In contrast, R2P is a more oblique concept and will differ in its application depending on the situation. Thus, R2P proponents will likely face greater debate in the General Assembly regarding its usage that may ultimately prevent its passage.

Second, the Mine Ban Treaty, while requiring states to take action within their own country, does not challenge a state's sovereignty more than any other convention does. By contrast, R2P calls for intervention when a state does not protect its citizens, and thus is more likely to be opposed by any state concerned about infringement on its sovereignty.

Case Study Two: Declaration on the Rights of Indigenous People

The Declaration on the Rights of Indigenous People in some ways offers a better case study for R2P. Like R2P, the Indigenous Declaration also challenges state sovereignty in its recognition of an unrestricted right to self-determination of indigenous peoples.[11] After over two decades of debates, advocates have achieved the adoption of the Indigenous Declaration by the Human Rights Council and its recommendation to the General Assembly. Currently, the conservative governments of Canada and Australia—the same governments who spearheaded the Declaration

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[7] Hulan, 13 July 2007.

[8] Conference, "Stopping Mass Atrocities."

[9] For details on the timeline on negotiation and passing of the treaty, see "Chronology of the ICBL and the Ban Movement," at http://www.icbl.org/campaign/history/chronology.

[10] "Campaign History," The International Campaign to Ban Landmines, http://www.icbl.org/campaign/history.

[11] See Article 3 of the Declaration, at http://www.ohchr.org/english/issues/indigenous/docs/declaration.doc.

twenty-four years ago—are holding up the Indigenous Declaration before the General Assembly.[12] If the Indigenous Declaration is any indication, backsliding may continue to undermine any attempts to expand officially on R2P. Furthermore, the dearth of current material and lack of widespread support suggests that this issue has fallen to the wayside. Thus, this model points to the dangers of attempting to push the codification of R2P prior to building a broad-based popular coalition to provide support. Such stagnation may hinder rather than help R2P activism on all fronts. As the landmine campaign example indicates, a well-orchestrated and coordinated public campaign is essential to effect change at the UN level.

Alternatives to a Declaration

While there are many benefits to pursuing a declaration, there are drawbacks as well. As one NGO leader explained, "Given the nature of consensus-driven negotiations at the UN, where any one country can basically kill a good idea and dictatorships' intransigence tends to pull democracies away from their core principles, all we would get is something weaker than what we already have."[13] In other words, R2P's current status, albeit vague, may be preferable to another that a future document might specify.

An increasing number of scholars believe that the current requirement for UN authorization obstructs the protection of basic human rights in internal conflicts. What is needed, they suggest, is an alternative for authorizing the use of force.[14] For example, Allen Buchanan advocates the creation of a treaty-based regime, signed by human-rights respecting states committed to agreed-upon criteria for permissible intervention. This treaty could bypass the requirement of Security Council authorization, and thereby replace the United States as the world's policeman.[15]

Stanley Hoffman suggests an alternative treaty, one that would be open to all states, act through a secretariat, and still report to the UN, but could authorize humanitarian intervention as a last resort. Tom Farer revises on Hoffman's model, and believes that the treaty should explain their interventions to the Security Council, even though they do not require its approval.[16]

Furthermore, the role of regional actors in humanitarian interventions should be considered in addressing this issue. Recent articles, including Badescu's "Authorizing Humanitarian Intervention: Hard Choices in Saving Strangers" (March 2007) and Bellamy and Williams' "The UN Security Council and the Question of Humanitarian Intervention in Darfur" (June 2006),

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[12] Ellen Lutz, Cultural Survival Network, telephone interview, 31 July 2007.
[13] Charles Brown, telephone interview, 26 July 2007.
[14] For examples of such scholarship, see Stanley Hoffman, "Delusions of World Order," *New York Review of Books,* 9 April 1992; Tom Farer, "A Paradigm of Legitimate Intervention," in *Enforcing Restraint: Collective Intervention in Internal Conflict,* ed. Lori Fisler Damrosch (New York: Council on Foreign Relation Press, 1993); Allen Buchanan, *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law* (Oxford: Oxford University Press, 2004).
[15] Buchanan, 440–474.
[16] Farer, "A Paradigm of Legitimate Intervention."

offered models for understanding the relationship between the Security Council, regional organizations, and humanitarian interventions more thoroughly.[17]

Conclusion

Regardless of the decision whether to pursue a General Assembly declaration, we believe there are more pressing concerns surrounding R2P. Only by first increasing awareness of and activism for R2P will it be possible to implement the concept. If these steps are taken, when leading NGOs do decide to push for a UN Declaration, there will be sufficient support among the general public, as well as among currently skeptical or wary member-states, to make such a declaration a reality. Thus, at this time, we recommend that the global coalition focus its work on building support for the principle and then revisit the issue of a Declaration in a few years.

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[17] Alex J. Bellamy and Paul D. Williams, "The UN Security Council and the Question of Humanitarian Intervention in Darfur," *The Journal of Military Ethics* 5:2 (June 2006), 144–160, see http://taylorandfrancis.metapress.com/index/Q05561332477052Q.pdf.

V. Reform of the Security Council Veto

Introduction

The UN Security Council is regarded by some as anachronistic, unrepresentative, and, increasingly, lacking moral authority. The veto power of the five permanent members (P5)[1] has been described as the "bane" of the Security Council and a tool of inaction that limits its effectiveness and causes dysfunction. On the other hand, some P5 members believe that the veto represents the sustaining force of the system of collective security. The use of the veto by P5 members has hindered the Security Council's ability to respond to conflict situations where mass atrocities, including genocide and crimes against humanity, are being committed. Reforming the veto power by placing limits on its use could facilitate the exercise of the responsibility to protect by the UN and its member states.

Reform Measures to Date

The question of equitable representation on and increasing the membership of the Security Council was first raised in the General Assembly in 1979. In 1993, the President of the General Assembly established the *Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.* However, after more than a decade of discussions, no concrete result had been achieved.

At the 2005 World Summit, Kofi Annan pledged substantial reform at multiple levels of the UN. World leaders stressed the need to include Security Council reform as an essential element of the overall effort to reform the UN and agreed to reform the Security Council in order to make it more transparent, accountable, and equitably representative.

The Secretary-General's High-level Panel on Threats, Challenges and Change published a report in 2005, *A More Secure World: Our Shared Responsibility*, which included models for Security Council reform. In addition, several reform proposals have been developed by various blocks of states, including the G4 proposal put forth by Brazil, Germany and India; the S5 proposal[2] put forth by Costa Rica, Jordan, Liechenstien, Singapore and Switzerland; the African Union

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[1] The five permanent members of the Security Council with the power of the veto are Great Britain, China, Russia, France, and the United States.

[2] The S-5 Proposal, supported by Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland, states, "No permanent member should cast a non-concurring vote in the sense of Article 27, para.3, of the Charter in the event of genocide, crimes against humanity and serious violations of international humanitarian law." Follow-up to the outcome of the Millennium Summit/Costa Rica, Jordan, Liechtenstein, Singapore, and Switzerland: draft resolution/Improving the working methods of the Security Council, 17 March 2006, A/60/L.49. See also Comparison Chart/Reform of the Working Methods of the UN Security Council, 16 August 2006, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.

proposal put forth by Ghana, Nigeria, Senegal, and South Africa, and the proposals by Uniting for Consensus (UFC) and the Non-Aligned Movement (NAM).[3]

All the proposals address the following issues:

- By what criteria should the Security Council be expanded? Criteria discussed include: 1) evaluating a state's contribution to promoting peace and security and 2) increasing regional representation.

- How should the Security Council be expanded? Some proposals include the creation of new permanent seats, others include the creation of new, non-permanent seats.

- Should permanent seats include the power of veto? Some proposals call for the creation of new permanent seats with veto privileges, others for permanent seats without the veto.

- How should the veto power be reformed?

Given the highly contentious nature of Security Council reform and the lack of progress being made, in January 2007, the President of the General Assembly (GA) appointed five consultants to lead discussions with GA members on topics related to Security Council reform in hopes of identifying common ground.

- Categories of membership, Ali Hachani (Tunisia)

- The question of the veto, Andreas D. Mavroyiannis (Cyprus)

- The question of regional representation, Mirjana Mladineo (Croatia)

- The size of an enlarged Security Council, Heraldo Munoz (Chile)

- The working methods of the Security Council and the relationship between the Security Council and the General Assembly, Frank Majoor (Netherlands)

The facilitators were charged with conducting open, transparent, and inclusive consultations to assess the status of Security Council reform.[4]

Andreas Mavroyiannis' consultations with GA members on the question of the veto revealed how far apart the positions are between the wider GA membership and the P5. Many states recognized that eliminating the veto was not politically feasible at this time. Instead, some suggested restricting the veto as follows:[5]

- Exclude its use in instances such as genocide, war crimes, crimes against humanity;

- Establish criteria for when and in which situations the veto can be used;

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[3] NAM calls for the limitation of the use of the veto in cases of violations of *jus cogens* norms. Center for UN Reform Education, "Member States Discuss the Five Facilitators' Report on the 'Way Forward' to Security Council Reform, 7 May 2007, www.centerforunreform.org.
[4] *Report of the Facilitators to the President of the General Assembly on the Consultations Regarding "The Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council,"* 19 April 2007, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.
[5] Ibid, 10–11.

- Formalize explanations for the use of the veto;

- Limit the scope of applying the veto (i.e., either restrict it to Chapter VII decisions or disallow its use in Chapter VI decisions);

- Restrict its use to only vital issues;

- Bar the veto where a permanent member is a party to a conflict;

- Change its weight (require two negative votes to reject a draft resolution);

- Overrule it;

- Cap the total number of negative votes that can be cast by permanent member.

Among states in support of expanding permanent or non-permanent members, three general positions emerged: 1) the veto should not be extended to new permanent members; 2) the veto should be extended to new permanent members, but they should commit to suspend its use until a future review; 3) the veto should be extended automatically to new permanent members.

In general, the P5 members believe that

> the veto is at the core and is the sustaining force of the system of collective security. It is considered inherently different from other elements discussed in the reform process, as it is the result of a political understanding that pre-existed the Charter and thus could not be reformed by the wider membership . . . General Assembly involvement in matters falling within what permanent members consider to be exclusive competence of the Security Council is not amenable, nor is explanation of the use of the veto before the General Assembly (the P5 consider the two organs on equal footing). Most P5 members based their acceptance of enlargement and other reform of the Council on preserving the essence of their veto power.[6]

However, the P5 did acknowledge concerns expressed by the wider membership and did not exclude the prospect of finding ways amongst themselves to appease those concerns by restricting veto use through voluntary efforts or by an oral understanding to a non-binding agreement. However, in general, P5 members expressed their opposition to the abolition of the veto or to modifications that would be ratified through Charter amendment, including General Assembly guidelines on how the veto shall be exercised.[7]

Others have also noted that it may be problematic to implement restrictions on the veto that originate with the General Assembly. One high-level government official who works closely with the United Nations said[8]

> [I]t just doesn't matter what the GA says on that issue, unless we were going for a charter change. But charter change requires ratification of all P5 members….It is a widely held

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[6] Ibid, 11–12.
[7] Ibid, 12.
[8] Telephone conversation with anonymous government official, June 2007.

view in the UN that the veto has no place where R2P exists—but it would be counterproductive if we tried to push for [restrictions on the veto] from the GA.

Some members discussed ways in which the veto may be diluted or weakened. One suggestion involved an "affirmative strike" by the General Assembly. The GA should do more to exercise its powers under articles 10 through 12 of the Charter, including by examining matters of peace and security and calling on the Security Council to take action on particular situations. The implication is that if the GA expressed its opinion on an issue, P5 members would be less likely to veto action on it.[9] Other members thought that expansion of the SC membership itself would decrease the influence wielded by P5 members and could limit the use of the veto because with increased membership, the use of the veto will have a more profound political effect (i.e., one veto negating the vote of 14 states v. 24 states).

The consultants ultimately recommended "intermediary" or "transitional" decisions regarding Security Council reform, given the stark differences of opinion on salient issues, including the size of an enlarged SC, the veto, and whether new permanent seats should be created. This recommendation, intended to reconcile disparate positions, represents a compromise.[10] Within this intermediary framework, further study was recommended on ways to limit the use of the veto.

Self-Regulation or Voluntary Restraint

Voluntary restraint or self-regulation of the veto has been suggested in multiple venues. The Secretary-General's High-Level Panel report recommended that P5 members refrain from using of the veto in cases of genocide and large-scale human rights abuses and also recommended introducing a system of "indicative voting," an unofficial show of hands without any legal force before the actual voting occurs. Scholar Thomas Weiss notes that "this cooperative, non-legislated action holds the potential for the P5 to demonstrate foresight, leadership, and voluntary restraint. Momentum could lead to change in other areas."[11]

Referring to the work of Diego Arria,[12] Weiss writes that key innovations at the Security Council have been the result of informality. Arria pointed out during an interview that "the Council's 'Provisional Rules of Procedure' had been 'provisional' since 1946. He emphasized the importance of successful experiments becoming traditions rather than being formally codified. That is, it would be a mistake to spell out any procedures for the Arria formula or other experiments."[13] Weiss cautions, "In tactical terms, even those interested in actually amending the

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[9] Id.

[10] *Report to the President of the General Assembly on the Consultations Regarding "The Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council"* 26 June 2007, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.

[11] Thomas G. Weiss, *Overcoming the Security Council Reform Impasse: The Implausible versus the Plausible*, Friedrich Ebert Stiftung, January 2005, 29.

[12] Diego Arria is Venezuela's former ambassador to the United Nations. He served as the chairperson of the Security Council from 1992–'93. He initiated the 'Arria Formula,' an informal consultation process which affords members of the Security Council the opportunity to hear persons in a confidential setting. These meetings are presided over by a member of the Council as facilitator for the discussion and not by the President of the Council.

[13] Weiss, 32.

Charter should well ponder whether initiating a series of small steps to maintain momentum is more sensible than giant steps."[14]

Nicola Reindorp, formerly of Oxfam International, agrees. "Inevitably, we have to look at informal mechanisms because there is so little room to maneuver given P5 resistance to losing their prerogative of the veto. Can you persuade governments to withhold the veto in an informal process? It will be an uphill battle, but it is possible. It will require hard campaigning to make it very uncomfortable for the P5 to use the veto in an R2P situation informed by careful testing of the waters to inform the campaign strategy." [15] Of the P5, Reindorp identifies both the British and the French as possible allies.

In fact, a senior representative of one P5 member has proposed in an exploratory way that the Permanent Five agree to a "code of conduct" for using the veto with respect to actions needed to stop or avert a significant humanitarian crisis. The idea is that a permanent member, in matters where its vital national interests were not involved, would not use its veto to obstruct the passage of what would otherwise be a majority resolution. The expression "constructive abstention" has been used in this context.[16]

Countries that have expressed support for restricting the use of the veto in instances of genocide and large-scale human rights violations and thus may be allies in such a campaign are:

- Andorra[17]
- Canada[18]
- Chile[19]
- Costa Rica (part of the S5)[20]
- Egypt[21]
- Iraq[22]
- Jamaica[23]

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[14] Ibid.
[15] Telephone conversation with Nicola Reindorp, 9 August 2007.
[16] *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty,* December 2001, 51.
[17] Member State Positions on Security Council Reform, 9 August 2006, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.
[18] "The Security Council should be more representative…but we believe it is even more important that the Council be effective. Too often, Permanent Members have used the veto—real or threatened—to prevent effective action…clearly, we need expanded guidelines for Security Council action to make clear our responsibility to act…The 'Responsibility to Protect' is one such guideline." 2005 World Summit Excerpts/Security Council Reform, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.
[19] Ibid.
[20] Ibid.
[21] Ibid.
[22] Ibid.
[23] Ibid.

- Jordan (part of the S5)[24]

- Peru[25]

- Switzerland[26] (part of the S5)

- Uruguay[27]

Conclusion

Scholarship and reporting on the topic of restricting the veto to protect against genocide and other mass atrocities is limited. However, some of the literature available indicates that any attempt to achieve this through an amendment to the UN Charter or other formal channels would be met with great resistance. One option is to encourage the P5 to enter into an informal, non-binding agreement whereby permanent members agree to constructively abstain from using the veto to prevent, halt, or rebuild in the wake of mass atrocities including genocide, war crimes, or crimes against humanity when their vital national interests are not involved. However, this option has not been fully explored and requires further investigation, particularly with regard to the politics of developing of key alliances among the P5 and GA members and a sustainable and effective campaign to create political pressure and build public awareness and support.

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[24] Ibid.

[25] "[I]t is worth stressing the importance that the permanent members of the Security Council be able to join their disposition in order not to use their veto power when dealing with cases of genocide, ethnic cleansing, war crimes or massive or systemic violations of human rights, as these circumstances endanger peace and international security." 2005 World Summit Excerpts/Security Council Reform, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.

[26] Switzerland expressed stronger language on working methods (no veto on genocide and large-scale human rights abuses). Overview of Member States' Positions: Member State Positions on Draft Resolutions on Security Council Reform as Expressed During the GA Plenary Sessions on Security Council Enlargement, http://www.reformtheun.org/index.php/issues/1737?theme=alt4.

[27] Ibid.

VI. Backsliding Countries

One of the most critical issues facing R2P is the struggle to maintain support from member nations. Backsliding remains an important challenge to the acceptance and implementation of R2P. Indeed, Gareth Evans prioritizes holding the line against backsliding if R2P is to be genuinely consolidated. He delineates two basic classes of backsliding. The first is "the cynically self-interested [enemy]…countries who continue to have something to hide or be ashamed about in terms of their own internal behavior and are deeply reluctant to acknowledge, as a result, any limitations on their sovereignty…The second class of enemy is less crudely self-interested, and more high-minded and ideological: those who retain a strong aversion to imperialism, or perceived neo-imperialism or neo-colonialism, in any shape or form."[1] The following countries oppose R2P for both reasons.

China

Despite signing the World Summit document in 2005, China's public commitment to R2P has been tepid, at best. China's leaders have never mentioned either Darfur or the responsibility to protect in their General Assembly addresses.[2] Furthermore, WFM's Institute for Global Policy notes that China denounces R2P principles. Instead, leaders emphasize that the rights and responsibilities of sovereign states should be respected and argue that "it is inadvisable to make hasty judgment that the State concerned is unable or unwilling to protect its own citizens and rush to intervene."[3] This cautious, wary stance summarizes China's policy on R2P.

According to Alex Bellamy, an Australian academic whose work focuses on UN reform and humanitarian intervention, "the Chinese government had opposed the Responsibility to Protect throughout the ICISS process and insisted that all questions relating to the use of force defer to the Security Council."[4] In its position paper on UN reform, however, China accepted that massive humanitarian crises should legitimately concern the international community, but tempered its position by stressing that:

> Each state shoulders the primary responsibility to protect its own population. However, internal unrest in a country is often caused by complex factors. Prudence is called for in judging a government's ability and will to protect its citizens. No reckless intervention should be allowed...Wherever it involves enforcement

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[1] Gareth Evans, "The International Responsibility to Protect: The Tasks Ahead," address at seminar on "Africa's Responsibility to Protect," The Centre for Conflict Resolution (Cape Town, South Africa), 23 April 2007, available at http://www.crisisgroup.org/home/index.cfm?id=4801&l=1.

[2] "What the World is Saying about Darfur and R2P: Almost Nothing," Human Rights First, see http://www.humanrightsfirst.org/international_justice/darfur/about/member_states.asp.

[3] "State-by-State Positions on the Responsibility to Protect," World Federalist Movement report, available at http://reformtheun.org/.

[4] Alex J. Bellamy, "Preventing Future Kosovos and Rwandas: The Responsibility to Protect after the 2005 World Summit," Policy Brief no. 1 of the initiative "Ethics in a Violent World: What Can Institutions do?" (New York: Carnegie Council, 2006), http://www.cceia.org/media/Bellamy_Paper.pdf.

actions, there should be more prudence in the consideration of each case.[5]

It is presumably on this basis that China (along with Russia) took a stand against the 2006 resolution to send a peacekeeping mission into Darfur.[6]

China's reticence to put R2P into practice may have much to do with its own economic interests. For example, the Chinese have a strong vested interest in Sudan, since they buy much of the oil Sudan exports and, according to James Traub, China acts as "Khartoum's chief protector."[7] Similarly, it is not surprising that China used its veto powers to block a Security Council resolution that would have applied the R2P framework to Burma—another country in which it has strong economic interests.

In conclusion, it is important to note that despite the Chinese government's cool reception of R2P, the Chinese people seem to be very supportive of the doctrine. In a recent survey of 12 countries, the Chinese public showed the highest level of support for the idea that the United Nations has a responsibility to protect (76%). Also, 72 percent of Chinese citizens held that the UN Security Council should have the right to intervene and use military force in order to prevent human rights violations such as genocide.[8]

Russia

Like China, Russia signed on to the 2005 World Summit document but has shown hesitation regarding its implementation. Russia's leaders have never mentioned either Darfur or the Responsibility to Protect in their General Assembly addresses.[9] In their official paper, "Position of Russia at the Sixty-First Session of the UN General Assembly," the Russian delegation refers to R2P as the "protection of population," stating:

> The section of the 2005 World Summit Outcome on the protection of population should be considered as a well balanced one. It confers the principal responsibility for such protection on states, with an 'auxiliary' role of the international community. The latter shall act through the Security Council when all peaceful means are exhausted or proved ineffective. Obligations arising from the concept of responsibility for the protection of population relate only to the prevention of the gravest crimes under international law (genocide, crimes against humanity, etc.).

[5] "Position Paper of the People's Republic of China on the United Nations Reforms," Permanent Mission of the People's Republic of China to the United Nations, 7 June 2005, http://www.fmprc.gov.cn/ce/ceun/eng/zt/gaige/t199101.htm.

[6] William G. O'Neill, "The responsibility to protect Darfur: The UN should send a peacekeeping force to Darfur, even without Sudan's consent," *Christian Science Monitor*, 28 September 2006, at http://www.csmonitor.com/2006/0928/p09s01-coop.html.

[7] James Traub, "The World According To China," *New York Times*, 3 September 2006, p.24.

[8] http://www.worldpublicopinion.org/pipa/articles/home_page/340.php?nid=&id=&pnt=340&lb=hmpg1.

[9] "What the World is Saying about Darfur and R2P: Almost Nothing."

> Russia will strongly object to any attempts to broadly interpret or tacitly revise the relevant provisions of the Outcome in other UN documents.[10]

Thus, much like China, Russia equivocates on R2P's implementation. While Russia supported the rhetoric of the responsibility to protect, it shares China's belief that no action should be taken without Security Council approval. At the Summit, Russia also argued that the UN was already equipped to deal with humanitarian crises and suggested that by countenancing unauthorized intervention, R2P undermined the Charter.[11] Russian UN officials have also suggested that there is not sufficient understanding of the concept of R2P and endorse changing the heading in the draft outcome document (DOD2) to "Responsibility to Protect Civilian Populations."[12]

As noted above, Russia stood against the 2006 resolution to send a peacekeeping mission to Darfur, although they did not veto it. Writes Jentleson, "while Russia's ambassador dutifully deliberated in the Security Council, Russia was selling the very military aircraft used to bomb villages in Darfur."[13] Russia shares China's economic interests in Burma and used its veto powers to block a Security Council resolution that would have applied the R2P framework to that country in January 2007.[14]

Pakistan

Pakistan has staunchly opposed R2P from its inception and attempted to block its passage at the 2005 World Summit.[15] Pakistan's leaders have mentioned neither Darfur nor the responsibility to protect in their General Assembly addresses.[16] In the report by the Secretary-General's High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*, Pakistan's position is summarized: "Explicitly rejects R2P. States that any form of international intervention contravenes international law. Believes that all cases addressed by

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[10] "Position of Russia at the Sixty-First Session of the UN General Assembly," Permanent Mission of the Russian Federation to the United Nations, 13 July 2007. Available at http://www.un.int/russia/new/MainRoot/docs/interview/060831indexen.htm.
[11] Alex J. Bellamy, "Whither the Responsibility to Protect? Humanitarian Intervention and the 2005 World Summit," *Ethics & International Affairs* 20:2, 143–169. Available at http://www.blackwell-synergy.com/doi/full/10.1111/j.1747-7093.2006.00012.x?cookieSet=1.
[12] "State-by-State Positions on the Responsibility to Protect," World Federalist Movement report, available at http://reformtheun.org/.
[13] Bruce W. Jentleson, "A Responsibility to Protect: The Defining Challenge for the Global Community," *Ethnic Conflict* 28:4 (Winter 2007), http://hir.harvard.edu/articles/1525/2/.
[14] Gareth Evans, "The Responsibility to Protect: The Power of an Idea," Address at Conference, "Stopping Mass Atrocities: International Conference on the Responsibility to Protect," Human Rights Center (University of California, Berkeley), 15 March 2007, http://www.crisisgroup.org/home/index.cfm?id=4780.
[15] "Small Number of Countries Holding UN World Summit Hostage on Human Rights, Security, Poverty," *Human Rights News*, 5 September 2005, available at http://hrw.org/english/docs/2005/09/07/global11694.htm.
[16] "What the World is Saying about Darfur and R2P: Almost Nothing."

the R2P principles could be prevented given full utilization of currently available mechanisms."[17] Pakistan's stance is similar to that of Russia.

With regard to Darfur, Pakistan worked with China to keep the issue off the UN agenda. Pakistan was among the Muslim countries that considered any interference in Sudan's affairs a violation of national sovereignty.[18] Pakistan's discomfort with R2P policy and terminology is made clear in their official document, "Pakistan's Position towards UN Reform":

> We stress the need to carefully study and consider within the General Assembly the expression "responsibility to protect" and its implications on the basis of principle of non-interference and non-intervention as well as the respect of territorial integrity and national sovereignty of the State, bearing in mind the provisions of the charter of the United Nations, international law and international humanitarian law.[19]

India

India's leaders have never mentioned Darfur nor the responsibility to protect in their General Assembly addresses,[20] and India is among the countries that attempted to block R2P at the 2005 World Summit.[21] In informal comments, Indian UN officials have suggested that the role of the international community is limited to encouraging states to use peaceful means and that the reference to Chapter VI is sufficient. The failure of the Security Council to act (in situations such as Darfur) is due to a lack of political will and not due to a lack of authority.[22]

A majority of Indians believe the United Nations has the responsibility to stop severe human rights violations, though with large numbers abstaining. In a recent survey, a slight majority (51%) believes the Security Council has the "responsibility" to intervene militarily when severe human rights violations are occurring and only one in four (25%) disagree, while the same number (25%) chose not to answer. The size of this majority is smaller than in most other countries. Sixty-three percent believe that the UN Security Council should have the right to authorize the use of military force in order to prevent such violations while 28 percent say it does not.

Egypt

Egypt is among the countries that attempted to block R2P's inclusion in the 2005 World Summit document.[23] According to informal statements by Egyptian officials at the UN, there is no shared responsibility outside of the responsibility of the state to protect its own citizens and the

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[17] "A More Secure World: Our Shared Responsibility," Report of the Secretary-General's High-Level Panel on Threats, Challenges, and Changes. See http://www.un.org/secureworld/.
[18] Traub, "The World According to China."
[19] "Pakistan's Position towards UN Reform," Pakistan Mission to United Nations. See http://www.pakun.org/unreform/index.php.
[20] "What the World is Saying about Darfur and R2P: Almost Nothing."
[21] "Small Number of Countries Holding UN Hostage on Human Rights, Security, Poverty."
[22] "State-by-State Positions on the Responsibility to Protect."
[23] "Small Number of Countries Holding UN Hostage."

responsibility of the Security Council to address matters of international peace and security. Egypt would like to change the heading in the draft outcome document (DOD2) to "Responsibility to Protect Civilian Populations." Egypt does not believe R2P should be referred to as a "concept"; while the protection of civilians is a moral obligation, it must be measured against sovereignty.[24]

However, Egypt's developing policy regarding R2P is mixed. Despite the West's insistence that it should be doing more, Egypt has shown some activism regarding the Darfur issue and offered a peace plan in May 2007.[25] Egypt's leaders have never mentioned R2P but have mentioned Darfur in a General Assembly address, encouraging the UN and AU to pressure the Sudanese government to address the situation, however, "without prejudice to the sovereignty of Sudan. This calls for a positive dialogue that steers the UN away from the language of threat or confrontation. A dialogue that aims at reaching a swift solution through negotiation and cooperation."[26]

Venezuela

Venezuela is among the countries that attempted to block R2P's inclusion in the 2005 World Summit document.[27] In short, Venezuela believes that R2P will only serve the interests of powerful states.[28] The Venezuelans characterized the process by which R2P was introduced by a small group of 15 powerful countries (including the United States and Canada) as being highly secretive, exclusionary, and discriminatory. Calling the Summit's 35-page outcome document invalid and illegal, Venezuelan President Hugo Chavez lashed out at the responsibility to protect: "This is very suspicious…Tomorrow or sometime in the future, someone in Washington will say that the Venezuelan people need to be protected from the tyrant Chavez, who is a threat… They are trying to legalize imperialism within the United Nations, and Venezuela cannot accept that."[29]

Cuba

Cuba is also among the countries that attempted to block the inclusion of R2P in the World Summit document and rejects the imposition of the principle. A Cuban official stated that R2P, "will only facilitate interference, pressure and intervention in the domestic affairs of our States by the superpowers and their allies." Cuba would like to change the heading in the draft outcome document (DOD2) to "Responsibility to Protect Civilian Populations" and does not believe R2P should be referred to as a "concept."[30] Like Venezuela, Cuba also complained of the manner in

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[24] "State-by-State Positions on the Responsibility to Protect."
[25] "Egypt to Launch a new peace plan on Darfur," *The Associated Press*, 9 May 2007, see http://www.iht.com/articles/ap/2007/05/09/africa/ME-GEN-Egypt-Sudan-Darfur.php.
[26] "What the World Is Saying."
[27] Maria Banda. "The Responsibility to Protext: Moving the Agenda Forward," United Nations Association in Canada, March 2007, http://www.unac.org/en/library/unacresearch/2007R2P_Banda_e.pdf.
[28] "State-by-State Positions on the Responsibility to Protect."
[29] Anthony Fenton, "Legalized Imperialism: 'Responsibility to Protect' and the Dubious Case of Haiti," Briarpatch Magazine, 3 December 2005. Available at http://briarpatchmagazine.com/news/?p=48.
[30] "State-by-State Positions on the Responsibility to Protect."

which R2P introduced. Cuba sees the international response to collective violence in Haiti as a direct threat.[31]

Indonesia

According to WFM, Indonesia supports many of the principles of R2P but hopes to "improve the text." Indonesia supports R2P in that the first and foremost responsibility of a state is the protection of its citizens. Indonesia also supports the responsibility to help states do so, using Chapter VI and Chapter VIII. It argues there should be due diligence with respect to the use of Chapter VII powers.[32]

Indonesia has a tumultuous history with R2P principles. The Indonesian military engaged in a scorched-earth attack of East Timor following East Timor's vote for independence. After the application of substantial pressure from international financial institutions and bilateral military and development assistance programs, Jakarta consented to international military intervention in East Timor. Resolution 1264 (1999) welcomed a September 12 statement by the Indonesian president that expressed readiness to accept an international force.[33] Yet, there is hope that today Indonesia and other Southeast Asian nations are no longer willing to shelter abusive Burmese generals and have reportedly told them they are on their own at the UN.[34] (See Chapter 7 for a discussion of Indonesia and East Timor.)

Qatar

Qatar abstained, along with Russia and China, from the Security Council vote on Resolution 1706, the first instance in which the Security Council referred to the responsibility to protect in a specific country situation where armed UN peacekeepers were to be deployed to Darfur under Chapter VII powers.[35] Qatar sees a UN peacekeeping force in Darfur as a threat to Sudanese sovereignty. On 19 September 2006, Qatar made the first contribution to the $150 million pledge of the Arab League to fund the African Union Mission in Sudan (AMIS), providing $2.3 million of its $7 million share. Qatar has said that it supports financial and logistical support of AMIS as an alternative to implementing Resolution 1706.[36] Unfortunately, one year later, Arab countries have contributed only $15 million—just ten percent of their pledge.[37] ICG notes further that,

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[31] Fenton, "Legalized Imperialism."
[32] "State-by-State Positions on the Responsibility to Protect."
[33] "East Timor, 1999—" International Development Research Centre, 2 January 2002, available at http://idrinfo.idrc.ca/archive/corpdocs/117681/coldwar4_e.htm.
[34] William G. O'Neill, "The Responsibility to Protect Darfur: The UN should send a peacekeeping force to Darfur, even without Sudan's consent," *Christian Science Monitor,* 28 September 2006. Available at http://www.csmonitor.com/2006/0928/p09s01-coop.html.
[35] O'Neill, "The Responsibility to Protect Darfur."
[36] "The UN Security Council and the Darfur Crisis: A Country-by-Country Analysis," Africa Action, 21 October 2006, available at http://www.africaaction.org/resources/page.php?op=read&documentid=2183&type=6&issues=1024.
[37] Nadim Hasbani, "About the Arab Stance Vis-à-vis Darfur," *Al-Hayat*, International Crisis Group, 21 March 2007, available at http://www.crisisgroup.org/home/index.cfm?id=4722.

since 2004, Qatar voted in support of weakened resolutions in Khartoum's favor or abstained from voting altogether.[38]

Peru

Peru has pointed to the violence in Darfur as a situation that demands UN protection of civilians, emphasizing that the Darfur Peace Agreement (DPA) has provided little benefit for the region's population. In a 28 June 2006 statement, Ambassador Rivero said, "in the case of Darfur, my delegation considers that is urgent to give AMIS a strong mandate to protect civilians and to transfer its functions by the end of this year to a United Nations force with the adequate capacity to implement the DPA."[39]

On 31 August 2006, Peru voted in favor of Resolution 1706.[40] In December 2006, as Peru took its turn as President of the Security Council, Permanent Representative to the UN Oswaldo De Rivero emphasized that Peru "has stressed the importance of an ongoing focus by the Council on the concept of the responsibility to protect." De Rivero went on to say that "acceptance of the concept of the 'responsibility to protect' and its effective implementation by the Security Council are now extremely important for enhancing the credibility of the United Nations."[41]

South Africa

South Africa's record on R2P is mixed. At the World Summit in 2005, South Africa led sub-Saharan countries in arguing for R2P, yet South Africa voted against a resolution for R2P in Burma.[42] The Institute for Security Studies, based in South Africa, has published many reports and recommendations as to how best to implement R2P in African conflicts and counts numerous government officials as participants in its conferences.[43] Some have suggested that R2P be applied to South Africa for its failure to contain the HIV/AIDS epidemic. Stephen Lewis, the former UN Special Envoy for HIV/AIDS in Africa, is co-director of AIDS-Free World, a new international advocacy organization. Lewis argues that R2P should apply equally to AIDS. "If a government like that of South Africa, refuses to roll out anti-retroviral treatment to save the lives of millions of its people, then the international community has a responsibility to

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[38] Hasbani, "About the Arab Stance."

[39] "The UN Security Council and the Darfur Crisis: A Country-by-Country Analysis," Africa Action, 31 October 2006, http://www.africaaction.org/resources/page.php?op=read&documentid=2183&type=6&issues=1024.

[40] "The UN Security Council and the Darfur Crisis."

[41] "Excerpted Statements from the Security Council Debate on the Protection of Civilians," The Responsibility to Protect: Engaging Civil Society, 24 December 2006. See http://www.responsibilitytoprotect.org/index.php/united_nations/746?theme=alt1.

[42] Evans, "The Responsibility to Protect: The Power of an Idea."

[43] For examples of such recommendations, see http://www.issafrica.org/search/search.php?zoom_query=responsibility+to+protect&zoom_per_page=10&zoom_an d=1&zoom_sort=0.

intercede."[44] While this argument may be more figurative than realistic, it may explain South Africa's hesitation to promote R2P vigorously.

Japan

Japan's Ambassador on issues of Human Security, Kinichi Komano, explained Japan's position at a meeting of the Human Security Network in May 2005:

> We do not deny that there could be some extremely catastrophic cases such as genocide, mass killing or ethnic cleansing. If all the non-military efforts do not produce any good outcome, we understand that the responsibility to protect these suffering people should fall upon the international community, which may have recourse to military intervention, or "humanitarian intervention," as a last resort. I believe that this is the core of the notion of "responsibility to protect" and I also appreciate the excellence of the intellectual exercise to define the criteria required for military enforcement measures in humanitarian crises.[45]

Since 2005, Japan has continued to emphasize the principles of R2P; at the 2006 Security Council Open Debate on the Protection of Civilians in Armed Conflict, Japan's representative Kenzo Oshima stated, "we regard as especially important the reference to women and children in armed conflict, the acknowledgement—for the first time at the head-of-State level—of the Guiding Principles on Internal Displacement and the clear enunciation of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity."[46]

In Japan's statement at the 3rd Open Debate on the Protection of Civilians, the government lamented that, although "world leaders formally acknowledged 'the responsibility to protect populations' at the 2005 Summit, and it was reaffirmed by the Security Council in its resolution 1674…these words have not adequately been translated into action."[47]

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[44] "Lewis: World is Blind to AIDS Armageddon in South Africa," *Time Colonist*, 20 August 2007, http://www.canada.com/victoriatimescolonist/news/comment/story.html?id=b3b06cfc-e9e4-4e78-8088-a11d72fc2035&p=1.

[45] Kinichi Komano, Address, Seventh Ministerial Meeting, the Human Security Network (Ottawa, Canada) 18–20 May 2005. Available at http://www.mofa.go.jp/policy/human_secu/state0505.html.

[46] Security Council, Open Debate, "The Protection of Civilians in Armed Conflict," December 2006, http://responsibilitytoprotect.org/index.php/united_nations/746?theme=alt1.

[47] Kenzo Oshima, Permanent Representative of Japan to the United Nations, "The Protection of Civilians in Armed Conflict," United Nations Security Council, 22 June 2007, http://responsibilitytoprotect.org/index.php/government_statements/1040?theme=alt1.

VII. Case Studies: Applying R2P Principles to Past Conflicts

As an emerging international norm, the responsibility to protect has met with a mixture of praise and skepticism. To move the R2P campaign forward, these case studies provide a broader context for understanding how R2P may be applied and address several obstacles to its implementation. First, R2P is frequently discussed in only theoretical terms, and its practical application to a conflict situation is not well understood. Second, some do not believe that R2P would prevent or halt mass atrocities or help re-build in their aftermath. Third, a common misperception equates any call for states to fulfill their duties under R2P with a call for military intervention.

An analysis of past international and regional responses to conflicts in East Timor, Macedonia, and Burundi, provides three settings in which R2P components were employed or are being employed to prevent mass atrocities, halt them, and/or rebuild in their wake. These case studies seek to move discussions about R2P from the theoretical to the practical by providing concrete examples of how international actors can uphold these duties under R2P.

Furthermore, by analyzing the complexity of international and regional responses to past conflicts, the case studies demonstrate that R2P is not a one-dimensional norm requiring only military intervention but instead provides a wide range of actions to promote human protection. The policies feasible and optimal in these situations vary and require nuanced, contextual analysis. Facilitation of peace talks was an important international response in Burundi. Economic and military sanctions were applied in the case of East Timor, leading to consensual deployment of an international military force, an element also critical in Macedonia. As the case studies show, international actors used numerous policies, in addition to military intervention, to try to prevent or halt mass atrocities and support rebuilding efforts.

Case Study: East Timor 1999

Introduction

On August 30, 1999, East Timorese voted overwhelmingly for independence from Indonesia in a United Nations (UN)–supervised referendum. Anti-independence militias, controlled and supported by the Indonesian military, unleashed a massive campaign of violence to destroy the territory's infrastructure and expel much of its population. They killed 900 people; displaced over half the population of 800,000; and destroyed hundreds of schools, clinics, and public buildings. Nine days of intense diplomatic pressure culminated in sanctions. Indonesia agreed to withdraw from East Timor and accept deployment of an Australian-led, Security Council–authorized military force to protect civilians and disarm the militias. Australia's months of preparation and the Security Council's backing of a "coalition of the willing," rather than a traditional force under UN command, enabled help to arrive within days and quell the violence quickly. A massive, internationally funded state-building and reconstruction effort followed. Some analysts, however, argue that the international community could have stopped the violence earlier, saving hundreds of lives and untold destruction, and provided more effective and sustained aid for rebuilding.[1]

This case study describes efforts by international actors to prevent, react to, and help East Timor rebuild after crimes against humanity that occurred in 1999. The referendum constitutes a classic situation in which the Responsibility to Protect would apply. That doctrine, agreed by heads of state and government at the United Nations in September 2005, provides:

> Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity… The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means…to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. [The international community is] prepared to take collective action, in a timely and decisive manner…should peaceful means be inadequate and national authorities are [sic] manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.[2]

East Timor's official truth commission found that human rights "violations committed by the members of the Indonesian security forces during 1999 included thousands of separate incidents

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[1] This case study draws from a wide range of books, articles, and reports. The most important sources are Commission for Reception, Truth and Reconciliation, *Chega! The Final Report of the Commission for Reception, Truth and Reconciliation* (2005), report of the government of East Timor's truth commission, hereinafter "Truth Commission Report"; Ian Martin, *Self-Determination in East Timor: The United Nations, the Ballot, and International Intervention* (Boulder, Colorado: Lynne Rienner Publishers, 2001), memoir by Special Representative of the Secretary General in charge of the referendum mission, hereinafter, "Martin, *Self-Determination*"; Jamsheed Marker, *East Timor: A Memoir of the Negotiations for Independence* (Jefferson, North Carolina: McFarland & Co., 2003), memoir by Personal Representative of the Secretary General for East Timor, hereinafter "Marker, *East Timor*"; and Don Greenlees and Robert Garran, *Deliverance: The Inside Story of East Timor's Fight for Freedom* (Crows Nest, New South Wales: Allen & Unwin, 2002), hereinafter, "Greenlees & Garran".
[2] UN General Assembly, 2005 World Summit Outcome, 24 October 2005, paras. 138–39, UN Doc. No. A/RES/60/1.

which constituted crimes against humanity."[3] The Responsibility to Protect has been elaborated as including responsibility to prevent the enumerated crimes, to react and halt them when they occur, and—especially following a military intervention—to help the affected society rebuild.

Background: Under Portugal and Indonesia

East Timor occupies half of the island of Timor, a part of the Indonesian archipelago 2,000 kilometers east of Jakarta, Indonesia and 600 kilometers north-east of Darwin, Australia. It was ruled by Portugal as a colony from the early 18th century. In 1974 and 1975, after Portugal signaled its intention to withdraw, violence among East Timorese political factions claimed between 1,500 and 3,000 lives.

On 7 December 1975, Indonesia invaded East Timor and purported to annex it. That month and again in April 1976, the Security Council called on Indonesia to withdraw and asserted the right of East Timorese to self-determination. During the subsequent 24-year occupation the United Nations continued to regard East Timor as a Portuguese mandate. Beginning in 1983, Portugal and Indonesia held continuous talks on the territory's status under UN auspices. They made little progress, however, as Portugal advocated independence, while Indonesia refused to consider even limited autonomy for East Timor within Indonesia.

Indonesian security forces committed extensive, systematic, and gross violations of human rights from the first day of the invasion through the end of the occupation. During the first weeks, in Dili alone, military units killed hundreds of civilians, many in mass executions. Torture and arbitrary detention were common throughout the occupation. Counterinsurgency operations against the pro-independence resistance, FALANTIL, displaced rural residents and caused mass starvation. Estimates of the number of East Timorese who died during the occupation range from tens of thousands to 200,000, out of a population averaging approximately 700,000.[4]

Through the 1980s, international actors paid little attention to East Timor. Foreign ministries focused on Indonesia's size, location across commercially and strategically important shipping lanes, and status as the world's largest primarily Muslim state, not on its treatment of East Timor. However, the government of Portugal and a growing international movement of NGOs, academics, and East Timorese exiles protested Indonesia's occupation and human rights violations. The awarding of the 1996 Nobel Peace Prize to independence advocates José Ramos-Horta and Archbishop Carlos Belo of Dili marked East Timor's arrival in the top tier of the international human rights agenda. Under increasing bilateral pressure, Indonesian Foreign Minister Ali Alatas commented that the territory had become "a pebble in Indonesia's shoe."[5]

East Timor's prospects changed dramatically in 1998 with the fall of Indonesian President Suharto.[6] His successor, B.J. Habibie, embraced Alatas's recommendation to offer East Timor wide-ranging autonomy if it remained in Indonesia. In late January 1999, Habibie announced an even more radical policy change: if East Timorese rejected autonomy, he would support

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[3] Truth Commission Report, Part 8, 8.
[4] Martin, *Self-Determination*, op. cit., 17.
[5] James Cotton, *East Timor, Australia and Regional Order: Intervention and its Aftermath* (New York: RoutledgeCurzon, 2004), 16.
[6] Some Indonesians, including the late President Suharto and former TNI chief Wiranto, use only one name.

independence for the territory. Talks with Portugal revived and turned to the parameters of the autonomy offer and the mechanism by which East Timorese opinion would be assessed. (The East Timorese role in the negotiations was limited to consultation with the mediator, Personal Representative of the Secretary General [PRSG] for East Timor Jamsheed Marker.)

The Rise of the Militias

The Indonesian armed forces (TNI[7]) and its officers pervaded the government and dominated policymaking in Suharto's militarized regime. They continued to wield great power under Habibie. General Wiranto, Habibie's minister of defense and commander of TNI, and the other generals in the cabinet believed East Timorese would reject independence and thus decisively end international pressure on the subject. Many of their TNI colleagues were less confident, however, and distressed at the prospect of losing a territory where they and a generation of other TNI officers had served and lost friends. They also were concerned that independence for East Timor would bolster other separatist movements that threatened Indonesia's cohesion.

TNI as a whole, or at minimum a large number of its generals and their subordinates,[8] responded to the threat of losing East Timor with a systematic campaign of violence against East Timorese civilians. The East Timor truth commission found that "[i]n 1999 Indonesian security forces and their auxiliaries conducted a coordinated and sustained campaign of violence, designed to intimidate the pro-independence movement and then to ensure a pro-Indonesian result in the [referendum], organized by the United Nations."[9]

Most violence was committed by paramilitary militias, to allow TNI to deny responsibility. The militias were armed, trained, and directed by TNI, but the bulk of their members were East Timorese. Indonesian officials and TNI officers argued throughout 1999 that violence was two-sided, between independence supporters and integrationists, rather than a one-sided attack by the militias and TNI. Independence supporters did occasionally attack integrationists. Generally, however, they were overwhelmed by the militias and afraid to undertake even legitimate political activity. FALANTIL, meanwhile, maintained a unilateral ceasefire.

By early 1999, multiple pro-Indonesian militias were active in each of the territory's 13 districts. Many members were coerced into joining by threats to themselves and their families. TNI provided weapons, training, and supplies. The TNI commander in Baucau, East Timor's second largest city, later confirmed to a Carter Center observer that his units had organized, trained, and

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[7] The Indonesian armed forces were known as Armed Forces of the Republic of Indonesia until April 1999 and Indonesian National Military (TNI) thereafter. For simplicity, this account uses the latter name throughout.
[8] TNI's commanders in East Timor generally directed the militias and always retained sufficient military power to rein in any disobedient ones by force. Analysts disagree, however, on whether Wiranto personally approved and controlled the campaign of violence in East Timor, what his motives were, and how much control he had over his subordinates on the ground. Many conclude that Wiranto consented to the broad plan of intimidation through TNI support to the militias. Some, however, believe he was not the driving force and throughout 1999 had only partial control over TNI commanders on the ground, especially special forces (KOPASSUS). Others argue that Wiranto was a motivating force in a strategy that intended from the beginning to display TNI's independence from civilian control, undermine Habibie, and advance Wiranto's personal political ambitions, as well as retain East Timor and demonstrate to other regions of Indonesia the perils of separatist agitation. See, e.g., Desmond Ball, "Silent witness: Australian intelligence and East Timor," *Pacific Review* 14/1 (2001), 35–62.
[9] Truth Commission Report, Chap. 7.2, 308.

supplied the militias in the district.[10] TNI forces often participated in militia attacks on civilians, and were present and quiescent on many other occasions.[11] The civilian administration provided financial support. In April, East Timor's Indonesian police chief told the Australian ambassador he could not protect civilians, because "[w]e can handle the militia, but not the army."[12]

The militias attacked known and suspected supporters of independence, beating them, burning their houses, and sometimes killing them. They mandated attendance at mass rallies against independence. Villagers who refused to fly the Indonesian flag, to show support for autonomy, saw their homes burned. Militia leaders and TNI officers repeatedly warned that a vote for independence would turn East Timor into a "sea of fire." The TNI commander for the territory told Australian television, "there'll be no winners. Everything is going to be destroyed. East Timor won't exist as it does now."[13] Tens of thousands fled their homes, taking refuge from the militias in churches or the mountains in the interior of the island.

Two events in April dramatized the seriousness of the situation. On April 5, militias surrounded a church in the district capital Liquiça that held 2,000 refugees from rural areas. The district police station stood across the street and TNI headquarters was 100 meters up the road. A standoff ensued after priests refused to turn over one of the refugees, the pro-independence mayor of a nearby village. Militiamen poured into town over the next 24 hours. They attacked civilians as they arrived, including a 22-year-old mother whose back was slashed to the bone by a machete as she sheltered her baby. On April 6, the militias stormed the church, killed at least 30 civilians, and injured many more. Numerous witnesses reported that TNI and the police took no action to interfere, even though TNI's deputy commander for East Timor was sighted in town. A police investigation, ordered amid international outcry, reported: "Witnesses saw that the attackers were the *Besi Merah Putih* [militia] group and members of the *Kodim* [district TNI headquarters]…who at the time were wearing plain civilian clothes."[14]

Government complicity was yet more evident on April 17 in Dili. Thousands of militia members rallied in front of the Governor's House, in the presence of the East Timor territorial governor, police chief, and TNI commander. Police and TNI units looked on as militia leaders threatened independence supporters, then went on a rampage through the city. They burned and looted houses and commercial buildings and killed numerous civilians, including the son of a prominent pro-independence politician.

Over the first months of 1999, the United Nations and foreign governments exerted some pressure on Jakarta to rein in the militias, but apparently did not threaten specific consequences. PRSG Marker says in his memoirs that he frequently protested the violence to Foreign Minister Alatas. Secretary General Annan reported the April 17 incidents in Dili to the Security Council in an exceptionally blunt statement that focused on Indonesia's inaction. U.S. Assistant Secretary of State for East Asian Affairs Stanley Roth told Congress in February 1999 that "we are deeply

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[10] Geoffrey Robinson, "The fruitless search for a smoking gun: Tracing the origins of violence in East Timor," in Freek Colombijn and J. Thomas Lindblad, eds., *Roots of Violence in Indonesia* (Singapore: Institute of Southeast Asian Studies, 2002), 266.

[11] See, e.g., ibid., 267

[12] Greenlees & Garran, 141.

[13] Truth Commission Report, Chapter 3, 138.

[14] Quoted in Greenlees & Garran, 127.

concerned by numerous reports that the Indonesian army has been arming pro-integration militia groups" and that he had expressed this to Wiranto the previous week in Jakarta.[15] In early April, U.S. Secretary of State Madeleine Albright met Habibie and demanded that he contain the violence in East Timor. Such high-level attention from Washington was unusual, however, as Albright and the President focused throughout early 1999 on the crisis in Kosovo. On several occasions Australian Prime Minister John Howard and Foreign Minister Alexander Downer publicly urged Indonesia to end the bloodshed. After the Dili rampage, Howard met with Habibie in Bali and privately urged him to accept a UN peacekeeping force to keep order through the referendum. Habibie refused angrily, arguing this would offend Indonesian sovereignty, but agreed to accept several hundred UN civilian police (CIVPOL).

This pressure failed to end the violence. TNI took no steps to disarm or demobilize the militias and attacks continued through the referendum. The international response to the April incidents may have modestly diminished the lethality of later attacks: senior TNI officers have said Defense Minister Wiranto pressed his subordinates and the militias to abate the violence and no further large-scale massacres occurred before the referendum. TNI leaders may have wished the ballot to appear fair enough that the international community would accept the pro-autonomy vote that they expected.

The May 5 Agreement

On May 5, Indonesia and Portugal announced the terms of the autonomy package and the process by which the referendum would be held. Voters would choose autonomy within Indonesia or independence. A new United Nations Mission in East Timor (UNAMET) would register voters, educate them on the process, and conduct a free, universal, and secret ballot. The Indonesian government pledged to remain strictly neutral, using none of its funds or resources to support either side. The agreement gave it sole responsibility for ensuring security before, during, and after the referendum—even though TNI and its clients, the militias, were the primary threats to the peace. Indonesian authorities promised to "ensure that the [referendum] is carried out…in an atmosphere free of intimidation, violence or interference from any side."[16]

International actors had pushed for more reliable security arrangements. On April 30, Annan had written Habibie with a detailed list of steps Indonesia would need to take to provide the minimum level of security the UN would need to run the referendum. These included the disarming of all armed groups "well in advance" of the vote, the "prompt arrest and prosecution of those who incite or threaten to use violence," an "immediate ban on rallies by armed groups," and the confinement of TNI to "designated areas" one month before the referendum.[17] Indonesia already had refused to include similar requirements in the Agreement, however. Habibie did not acknowledge the letter and Alatas told Marker its contents were unacceptable. In the days before the announcement of the agreement, Marker, the United States, and Australia agreed not to press Indonesia further, lest the entire agreement fall through. A May 4 memorandum from Annan to Indonesia and Portugal again set forth many of the security provisions listed in his April 30

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[15] Prepared testimony of Stanley Roth to the Subcommittee on Asia and the Pacific, International Relations Committee, U.S. House of Representatives, 10 February 1999.

[16] Agreement Between the Republic of Indonesia and the Portuguese Republic on the Question of East Timor, 5 May 1999, art. 3, quoted in full in Martin, *Self-Determination*, App. 3.

[17] Quoted in Marker, *East Timor*, 152–53.

letter. This time the Secretary General presented them as standards that would guide his decision, after UNAMET finished deploying, whether to have the mission begin voter registration or to terminate the process. In Marker's words, however, these standards "remained little more than a wish list," as TNI made no serious effort to comply.[18]

UNAMET and the Ballot

The May 5 Agreement imposed an exceptionally rapid timetable for the referendum, reflecting domestic political pressures in Indonesia. It envisioned that voter registration would conclude by July 17 and the referendum would take place August 8. Before then, UNAMET would have to be authorized by the Security Council, recruit staff, muster equipment and vehicles, deploy to East Timor, establish offices throughout the territory, inform the population about the process, register hundreds of thousands of voters, and set up 700 polling stations. East Timor's poor infrastructure would hamper the process, as would militia and TNI attacks, which most observers expected to continue.

Such speed was almost unprecedented in UN history. UNAMET staff performed with extraordinary effectiveness, bravery, and efficiency, despite a nightmarish security environment and daunting logistical challenges that delayed the vote from August 8 to August 30.

Despite Indonesia's commitments in the May 5 Agreement, intimidation by TNI and the militias continued unabated through the UNAMET period. Militia leaders regularly threatened a "bloodbath" if voters chose independence and backed their words up with action. They constantly attacked independence activists, suspected sympathizers, and even people who failed to oppose independence with sufficient vigor. Many were killed, including five in Dili alone on the final day of the campaign. Rape was common. By June, an estimated 40,000 people had sought refuge in the hills, churches, or elsewhere. By mid-August, many towns were deserted except for UNAMET staff and militiamen. FALANTIL continued to observe its unilateral ceasefire and independence supporters were responsible for only isolated incidents of violence.

The militias also targeted UNAMET. They stoned the mission's Maliana office on the day it opened, June 29, injuring local people and an international UNAMET staffer. UNAMET received information indicating the attack had been directed by the TNI district commander. On July 4, militiamen attacked an aid convoy and a UNAMET helicopter in Liquiça. Similar attacks took place throughout the run-up to the vote. UNAMET staff endured frequent threats, including of death. A parallel propaganda campaign accused UNAMET of bias against autonomy supporters, using false allegations and even faked video footage.

TNI and the militias largely succeeded in their goal of preventing campaigning for independence. Rallies were rare, as those attending risked attack immediately or afterwards. Where Indonesian authorities permitted the pro-independence coalition to open offices, the militias burned them.

Secretary General Annan faced an acute dilemma in deciding whether to go ahead with the referendum under these conditions. TNI and the militias appeared to hope their attacks would cause the UN to cancel the vote. Annan feared for the safety of UNAMET staff and ordinary East Timorese. With one side silenced, the campaign could not be characterized as fair.

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[18] Marker, *East Timor*, 155.

Cancelling the referendum also might save lives, as militia attacks presumably would end. At the same time, nearly every analyst agreed that if the present window of opportunity closed, then years would pass before an Indonesian leader again found it politically acceptable to let East Timor go. In letting the referendum go forward, Annan sided with East Timor's most popular leader, Xanana Gusmão, and many other East Timorese.

UN officials in New York, Jakarta, and Dili made strenuous efforts throughout the UNAMET period to reduce the violence. UNAMET received a continuous stream of evidence – including eyewitness accounts and leaked TNI and Indonesian government documents – showing the integration of TNI, the local government, and the militias. Annan frequently called on Indonesia to fulfill its security obligations under the May 5 Agreement. UNAMET officials met regularly with TNI commanders and civilian authorities, presenting detailed evidence on militia activities and TNI support, and requesting specific actions to curb them. TNI took no serious steps to protect civilians, however, even though its solders far outnumbered the militiamen, and were far better armed and trained.

The Security Council was less consistent, with members differing over how to respond to numerous briefings on the violence. The United Kingdom and United States pressed for strong statements. Malaysia and Bahrain, however, undermined pressure on Indonesia by echoing its allegations of bias by UNAMET and praising Indonesia's cooperation with the mission.[19] As militia attacks intensified in late August, the Undersecretary General for Political Affairs urged the Council to demonstrate its concern by sending an ambassadorial-level delegation to Jakarta before the referendum, but the Council demurred.

During the UNAMET period, the Australian government's priorities in its bilateral relationship with Indonesia appear to have shifted from maintaining cordial relations to preventing mayhem in East Timor. Howard and Downer repeatedly called on Indonesia to rein in the militias. In late June, the Vice Chief of the Defense Force flew to Jakarta to confront top TNI officers with intelligence showing the depth of TNI's involvement with the militias. (They angrily rejected his demand for action.) By early July, two army brigades were on alert. The government told PRSG Marker they would be ready to deploy as part of any post-referendum peacekeeping force.

U.S. pressure on Indonesia rose as the referendum approached. During a visit to Jakarta, Assistant Secretary Roth warned Habibie that any delay in the vote due to violence would hurt bilateral relations. While a Congressional delegation was visiting the town of Suai in late July, militias tried to expel 2,000 people sheltering the local church. The delegation helped force the militia to back off and angrily confronted Habibie when they returned to Jakarta. President Clinton, Secretary of State Albright, and Defense Secretary William Cohen each contacted their Indonesian counterparts. How forcefully they expressed their concern and whether they threatened specific consequences are unclear, however.

The militias were never disarmed, appeared to move freely, and continued to attack and intimidate civilians. Some analysts nevertheless believe international pressure dampened TNI and militia violence somewhat during this period. On July 12, with voter registration delayed by violence, Habibie sent Wiranto and other ministers to East Timor. Militia activity subsided, enabling voter registration to begin four days later. On August 13, Wiranto replaced the TNI

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[19] Martin, *Self-Determination*, 120.

commanders for three districts and East Timor as a whole. On August 23, Habibie recalled to Jakarta one of the generals believed to have played a major role in the militia strategy. The general returned to East Timor two days later, however.

After the Referendum: Apocalypse and Intervention

August 30, the day of the referendum, passed peacefully in most areas. Nearly 99 percent of the 452,000 registered voters turned out, surpassing all predictions. In Ermera, however, militia attacked a polling station at the end of the day, killing two East Timorese UNAMET staff. They began burning homes in Maliana on September 2.

Violence exploded on September 4, when UNAMET announced that 78.5 percent of voters had chosen independence. TNI and the militias killed 900 people[20] and systematically destroyed the territory's infrastructure and resources. They burned or otherwise wrecked 70 percent of buildings, including nearly all schools, hospitals, and utility installations. Even telephone and electricity wiring was ripped out and carried off. Depopulation was another element of the TNI/militia strategy. Two hundred fifty thousand people crossed into Indonesian West Timor, many forced onto trucks at gunpoint. The same number—totaling more than half the population—fled their homes to other areas within East Timor.[21]

As reports of the conflagration seeped out, the long-established, global network of East Timor–focused NGOs launched a frantic campaign. They flooded government offices with calls and faxes, provided background information to the media, and organized public demonstrations.

The Secretary General and leaders of Australia and Portugal quickly devoted themselves to stopping the killing and destruction, but other countries, including the United States, reacted more slowly. Annan managed the crisis directly, monitoring reports from UNAMET and speaking frequently to Habibie and other key players, as well as to the press. On September 5 and 6 alone, he telephoned Habibie four times, Prime Minister Howard five times, Portuguese President Jorge Sampaio twice, and President Clinton once. Howard and Sampaio concluded immediately that TNI would not stop the destruction. From the beginning of September, they engaged in constant, vigorous diplomacy to line up international support for an international military intervention and persuade Indonesia to accept it.

On Saturday, September 4, Gusmão warned publicly that his people were at imminent risk of "genocide" and called for immediate deployment of an international force. By Sunday, UNAMET staff had evacuated the countryside and were huddled in the mission's Dili headquarters. Militias besieged the compound, threatening to storm it and firing automatic weapons at random. Thousands of displaced East Timorese had taken refuge as well and UNAMET staff feared the militias would massacre them.

On Sunday evening, in New York, the Security Council voted to dispatch an unprecedented emergency mission of five ambassadors, including those of the United Kingdom and Malaysia, to Jakarta. The next day, militias burned the Dili house of Nobel Peace Prize winner Bishop

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[20] Geoffrey Robinson, "East Timor 1999: Crimes Against Humanity," Annex 1 to Truth Commission Report, Chapter 12, 46.
[21] UNHCR, "UNHCR winds up West Timor operation," UNHCR Briefing Notes, 16 December 2005, at http://www.unhcr.org/news/NEWS/43a29dc34.html.

Carlos Belo and forced the 5,000 sheltering there onto trucks to West Timor. UNAMET continued to send hourly reports warning that the militias were threatening to invade its compound and attack the civilians inside. Information on events outside Dili was almost impossible to obtain. The few reporters left in the territory were trapped in the UNAMET compound and the countryside was almost depopulated. U.S. Secretary of State Albright told reporters that if Indonesia could not handle the situation, it would have to let the international community step in. On September 7, Annan gave Indonesia 48 hours to show progress in restoring order.

The Security Council mission arrived in Jakarta on September 8 and met Foreign Minister Alatas immediately. The foreign minister rejected foreign military assistance, a position Habibie reiterated the next day. As the mission received briefings from diplomats and UNAMET officials over the next three days, its members reported to Annan that Habibie's knowledge of events on the ground and control over TNI was tenuous, but that the violence was clearly orchestrated, rather than chaotic.[22] In conversations with Annan, however, Habibie continued to refuse peacekeepers.

International financial institutions now became involved. Indonesia was still recovering from the near-collapse of its financial system in late 1997 and its currency had fallen over 10 percent since the referendum. On September 8, World Bank President James Wolfensohn wrote Habibie: "For the international financial community to be able to continue its full support, it is critical that you act swiftly to restore order, and that your government carry through on its public commitment to honor the referendum outcome."[23] On September 9, the International Monetary Fund postponed a planned mission to Indonesia that was to prepare for the resumption of lending to the country.

On September 9, U.S. policymakers appear still to have believed that Indonesia might stop the destruction on its own, averting the need for an international force. They had tried to use the country's extensive military-to-military relationships to influence TNI. The Chairman of the Joint Chiefs of Staff telephoned Wiranto. On September 8, the commander of US forces in the Pacific flew to Jakarta and bluntly ordered the TNI chief to end the militia attacks immediately. The next day, with no progress apparent, President Clinton suspended the United States' wide-ranging military cooperation with TNI. If Indonesia could not stop the violence, he said, then "it must invite" the international community to intervene or risk a US veto of loans from international financial institutions.

Despite constant television images of militias raging outside the UNAMET compound, pressure still was not forthcoming from all quarters. In New Zealand, foreign ministers preparing for the Asian-Pacific Economic Cooperation (APEC) summit held a special meeting on East Timor. UK foreign minister Robin Cook flew in specially to represent the European Union. The Asian members of APEC participated only reluctantly, however, and no consensus statement emerged.

Habibie and Wiranto were gradually realizing the international consequences of inaction, however. On September 10, Annan told reporters Indonesia had failed and must immediately invite international military intervention. Failing to do so would leave it with "responsibility for

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[22] William Shawcross, *Deliver Us from Evil: Peacekeepers, Warlords, and a World of Endless Conflict* (New York: Simon & Schuster, 2000), 395.
[23] Quoted in Martin, *Self-Determination*, 108.

what could amount…to crimes against humanity."[24] Meanwhile, UNAMET reported that the militias were preparing to enter its compound. The Security Council delegation rushed to Dili the next day, accompanied by Wiranto. The defense minister appeared shocked by the level of destruction he saw on the ground.[25] Face-to-face contact with the militias brought home to the ambassadors the peril UNAMET staff and the sheltering East Timorese had been facing for a week. Malaysia's ambassador, once a staunch ally, told Habibie and Wiranto that Indonesia's actions were incompatible with its position as a leader of the Non-Aligned Movement.

On September 11, speaking at the APEC summit, President Clinton abandoned the position that Indonesia might stop the militias on its own and demanded that Habibie accept an international force. In private meetings, he lobbied the leaders of China, Japan, and South Korea to support this position. Later that day in New York, an extraordinary open session of the Security Council revealed Indonesia's isolation. Fifty countries made statements, most condemning the violence and highlighting Indonesia's failure to fulfill its obligations under the May 5 Agreement. Meanwhile, the United Kingdom announced it was suspending a long-planned arms sale.

Finally, early on September 12, Habibie contacted Annan to inform him that Indonesia would permit intervention by an international force with UN Security Council authorization. He requested deployment "as soon as possible."[26] Later that day, he told the Security Council mission that he had been unable to accept international troops until Wiranto visited Dili, implying that Wiranto previously had blocked that step. On September 15, the Security Council, acting under Chapter VII of the UN Charter, mandated an international force to intervene in East Timor and use "all necessary measures" to restore peace and security.

The International Force for East Timor (INTERFET) deployed with record speed, landing the first Australian troops in Dili on September 20. Australian forces conducted most operations against the militias and formed the force's backbone. Thai, Philippine, and Malaysian contingents showed the intervention's multinational character. INTERFET commanders anticipated sharp militia resistance and significant casualties, but most militia members quickly deserted or crossed to West Timor. INTERFET suffered no combat deaths. Violence diminished as INTERFET spread across East Timor in four weeks. On October 30 the last TNI units left the territory.

Rebuilding: September 1999 – May 2002

Portuguese colonial rule, Indonesian occupation, and the TNI and militia violence in 1999 devastated East Timor. When Indonesia withdrew, the territory possessed only minimal physical infrastructure, human capital, administrative apparatus, and political institutions. The United Nations Transitional Administration in East Timor (UNTAET) governed East Timor until its independence in May 2002 and spearheaded one of the most ambitious statebuilding projects in UN history. The world body, international financial institutions, and bilateral donors provided an extraordinary level of political, economic, and human resources. UNTAET cost nearly $1.3 billion, funded through assessed contributions. Donors led by Portugal, Japan, the European

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[24] Quoted in Barbara Crossette, "Annan Warns Indonesians That Inaction May Lead to Criminal Charges," *New York Times*, 11 September 1999, A6.
[25] Greenlees & Garran, 258.
[26] Quoted in Shawcross, 396.

Union, the United States, and Australia contributed an additional $500 million for reconstruction and humanitarian aid. The success of these efforts varied by sector, however, and East Timor received less aid per capita than Bosnia and Herzegovina, despite being poorer.[27] Donor commitment to also dropped off more quickly in East Timor than in Bosnia.

Security

International troops and CIVPOL guaranteed East Timor's internal and external security for several years beyond independence, representing a major international commitment. INTERFET and its successors, the blue-helmeted peacekeeping forces under UNTAET and UNMISET, reached a peak authorized strength of 8,950. A 1,250-member CIVPOL force handled ordinary policing tasks. Under UNTAET, civilian advisers joined the international forces in structuring East Timor's indigenous defense and police forces, recruiting and training their personnel, and vetting them for involvement in past human rights violations. Bilateral donors provided equipment and funded reconstruction of barracks and other facilities.

Infrastructure reconstruction and economic development

Even before the destruction of its infrastructure in 1999, East Timor suffered from an extremely low level of economic and social development. From 1999 to 2002, international donors injected hundreds of millions of dollars in reconstruction and development aid, rebuilding much that had been destroyed. Nevertheless, at independence it remained impoverished. The formal economy absorbed just 20 percent of the labor force, and agriculture was still the largest sector of the economy. Development assistance fell after independence, as donors anticipated an inflow of revenue from oil fields off East Timor's southern coast.

Refugee return

By 2005, 225,000 of the 250,000 East Timorese who had fled to West Timor had returned, assisted by the International Organization for Migration and United Nations High Commissioner for Refugees. Many of those who did not return may have been Indonesians who had settled in East Timor during the occupation.

Transitional justice

Indonesia's recalcitrance and major powers' lack of political will hindered the apprehension and prosecution of those responsible for crimes against humanity during 1999. A UN panel of experts concluded that TNI was behind the 1999 violence and recommended prosecuting those responsible. East Timor's official truth commission recommended that Indonesia either prosecute numerous named militia and TNI leaders or extradite them to East Timor. Investigations by the UNTAET Serious Crimes Unit assembled evidence of direct and command responsibility. However, Indonesia brought charges against only eighteen members of TNI, the militias, and the civilian administration. Twelve were acquitted at the trial level and five of the six convictions were reversed on appeal. A second UN panel found these proceedings

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[27] See Klaus Rohland and Sarah Cliffe, "The East Timor Reconstruction Program: Successes, Problems and Tradeoffs," World Bank Conflict Prevention and Reconstruction Unit Working Paper, November 2002, 7. For analysis of UNTAET's successes and difficulties, see generally Simon Chesterman, *You, the People: The United Nations, Transitional Administration, and State-Building* (New York: Oxford University Press, 2004).

"manifestly inadequate."[28] Secretary General Annan and nearly all governments only issued occasional statements urging Indonesia to prosecute those responsible for 1999, and Indonesia suffered no consequences for ignoring their calls. East Timorese courts were able to prosecute only lower-ranking militia members.

Efforts to find the "truth" of what happened in 1999 have advanced farther, but remain incomplete. In 2005 the truth commission issued a 2,000-page report describing human rights violations committed in 1999 and throughout the occupation, and analyzing their causes and context. Research by academics and journalists has shed further light, but key questions remain unanswered. These include when Australia and the United States understood that TNI was directing, not just assisting, the militias, and how closely Defense Minister Wiranto controlled TNI operations in East Timor.

State construction

When Indonesia withdrew, East Timor possessed almost none of the political, legal, or administrative components of a functioning state. East Timorese had been confined to the most junior positions in the Indonesian administration, and few had received professional training. The Indonesian teachers, medical staff, and civil servants who had occupied nearly all skilled positions fled East Timor before the referendum or immediately thereafter.

UNTAET staff and advisors from the United Nations Development Program, other international institutions, and bilateral donors worked with East Timorese leaders, NGOs, and ordinary citizens to create basic components of government for the nascent country. They established legal frameworks, designed political institutions, set up and equipped government agencies, and recruited and trained personnel to fill the new positions. UNTAET ran two nationwide elections, for a constituent assembly and for president. The constituent assembly drafted a constitution, with much assistance from international advisers, and transformed itself into a parliament. By independence, many elements of the new government remained weak, however. For example, the new court system was widely considered inadequate. International efforts in some areas had been criticized sharply.

Reduced Support: UNMISET and UNMIT

United Nations assistance to East Timor dropped sharply at independence, due in large part to pressure by the United States and France to cut costs.[29] The United Nations Mission in Support of East Timor (UNMISET, operational from May 2002 to May 2005) and United Nations Integrated Mission in Timor Leste (UNMIT, August 2006 – present) have provided only a small number of technical advisers and scaled down humanitarian and development assistance. UNMISET also had a large peacekeeping force and CIVPOL component. The Security Council returned to providing significant support for state-building in East Timor, though UNMIT, only after the government had to call in foreign military forces to put down major civil unrest in 2006.

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[28] "Report to the Secretary-General of the Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999," 26 May 2005, UN Doc. No. S/2005/458, para. 375.
[29] Ian Martin, "A Field Perspective," in David M. Malone, ed., *The UN Security Council: From the Cold War to the 21st Century* (Boulder, Colorado: Lynne Rienner Publishers, 2004), 572

UNMIT includes 1,500 CIVPOL to assist the government with basic policing while it reforms the domestic police force.

Analysis: The Responsibility to Protect

In 1999, mass atrocities by TNI and its clients, the militias, presented the international community with a situation in which the responsible state was unable, and at least one of its institutions (TNI) unwilling, to protect a portion of its population from crimes against humanity. Analysts disagree whether international actors should have done more to end TNI and militia violence against civilians, prevent its escalation, and support reconstruction after Indonesia's withdrawal. Critics focus on three issues: pressure on Indonesia before the referendum, the security arrangements in the May 5 Agreement, and the quality and duration of reconstruction aid.

Pre-referendum pressure

Greater international pressure between late 1998 and August 1999 might have induced the Indonesian government, and TNI in particular, to act to rein in the militias and conceivably to disarm them. Some critics also argue that even had TNI taken no action against the militias, greater international pressure before the ballot might have persuaded TNI not to permit the post-referendum cataclysm.

Concern to maintain good relations with Indonesia may have inhibited Australia, the United States, and others from acting more forcefully. Australia and the United States very likely knew more about TNI's relations with the militias than they acknowledged publicly. Australian intelligence digests from early and mid-1999 concluded that the militia violence stemmed from a TNI strategy to quash the independence movement and that TNI could "easily control" the militias if it so chose.[30] Australia reportedly rebuffed U.S. officials' request for intelligence on TNI-militia links in early 1999, but relented and briefed them in detail in Washington during the early summer. The United States' sophisticated signals and geospatial intelligence assets may have enabled it to acquire relevant information already. Nevertheless, U.S. and Australian officials seldom implied, much less stated clearly, that TNI was behind the militias. Furthermore, until UNAMET deployed, neither government took advantage of its close ties to TNI by having its officers lobby their TNI counterparts. The United States, the United Kingdom, and international financial institutions imposed military and financial sanctions after the referendum, but might have done so before.

The Security Council, too, could have acted earlier, passing sharply worded resolutions rather than merely issuing watered down presidential statements. In retrospect, it should have followed the Secretariat's recommendation to send a high-level mission to Jakarta before the announcement of the referendum result, rather than waiting until violence surged afterwards.

Whether additional diplomatic efforts, or even sanctions, would have diminished, let alone halted, crimes against humanity is difficult to assess, however. TNI and the militias had much at stake in the referendum. Habibie appears not to have fully controlled TNI, and even Wiranto's influence may have been only partial.

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[30] Ball, 44.

Security provisions of the May 5 Agreement

Analysts almost universally agree that the May 5 Agreement was deficient in allocating sole responsibility for security to Indonesia. Some contend that international actors should have applied more pressure to Indonesia to accept a multinational peacekeeping force as part of UNAMET. Indonesia's acceptance of INTERFET in September could be seen as evidence that, under sufficient pressure, it would have allowed in peacekeepers before the referendum. Yet, there is no sign that the United States or other governments ever threatened sanctions or other concrete steps to obtain that agreement.

Most analysts, however, believe there was no chance that Indonesia would have accepted foreign troops before the referendum. In late April, Habibie rejected this suggestion from Prime Minister Howard. He ignored even the demand for less radical steps in Secretary General Annan's April 30 letter. Indonesian negotiators refused to set out Indonesia's security responsibilities in any detail in the May 5 Agreement. At the same time, Indonesian domestic politics were unpredictable, coups were frequently rumored, and opposition politicians had harshly criticized Habibie for offering independence to East Timor. UN, U.S., and Australian officials feared Habibie might cancel the referendum if pushed more on peacekeepers.

Reconstruction aid

Whether the international community fulfilled its responsibility to support reconstruction after the crimes against humanity committed in 1999 is unclear. Analysts have both praised and criticized the quality and duration of reconstruction aid to East Timor after 1999. The international community, through the United Nations and bilateral donors, invested far more per capita in East Timor than it did in most countries that have emerged from conflict since the Cold War. The territory benefited from one of the most comprehensive state-building programs ever devised. However, the full-scale effort lasted under three years, a very short period for building institutions, democratic political habits, and technical expertise almost from scratch. It ended before East Timor developed effective civilian control over its security forces, a strong democratic culture, or a functioning civil service. The contours of the duty to support reconstruction after crimes against humanity, under the Responsibility to Protect doctrine, are not defined specifically, however, so whether the international community fulfilled this duty is unclear.

Conclusion

From early 1999 through the August independence referendum, the United Nations and the governments of Australia, Portugal, and the United States applied diplomatic pressure on Indonesia to halt militia and TNI attacks on civilians, but failed to stop them. Some governments hindered more forceful Security Council action. The international community reacted more promptly to the massive violence after the referendum, applying rapidly escalating diplomatic pressure and imposing military and financial sanctions within two weeks. Thereafter, Indonesia quickly agreed to the deployment of an international military force to protect civilians, which arrived in near-record time. Measured from the outbreak of violence after the referendum, this was an impressive response. It is possible, however, that more forceful action before the referendum might have saved many of the over 1,000 East Timorese—more than 0.1% of the population—killed by militias and TNI over the course of 1999 and averted the destruction of most of the territory's infrastructure. In the reconstruction phase, international assistance was extensive and valuable, although uneven in quality and limited in duration.

Case Study: Republic of Macedonia

Introduction

In the immediate aftermath of the Federal Republic of Yugoslavia's disintegration, Macedonia was able to avert mass violence and armed conflict due, in part, to the presence of the UN Preventative Deployment Force. In 2001, when armed conflict did break out in Macedonia, full blown genocide and mass atrocities, as had occurred in Croatia and Bosnia, were avoided due to the quick and coordinated response of the European Union (EU), the United States and the North Atlantic Treaty Organization (NATO). These entities helped not only to halt the armed conflict but also to stabilize the country and foster peace.

The regional and international responses to the crisis in Macedonia make it an ideal case to examine how components of the responsibility to protect (R2P) have been employed in the past to prevent and respond to large-scale ethnic violence and to rebuild in its wake.

Background

From the mid-14th century to the early 20th century, Macedonia was part of the Ottoman Empire and then part of old Serbia (including the Kingdom of Serbs, Croats and Slovenes and pre-war Yugoslavia) from the Balkan Wars until World War II, after which it became part of the Socialist Federal Republic of Yugoslavia.

On 8 September 1991, Macedonia voted for independence in a national referendum as the federation fell apart.[1] On 17 September, Macedonia issued its Declaration of Sovereignty. The UN Security Council passed Resolution 795 on 11 December 1992, authorizing the establishment of the UN Protection Force in the Former Yugoslavia (UNPROFOR) in Macedonia, later known as the UN Preventative Deployment Force (UNPREDEP).

The population of Macedonia is approximately two-thirds Slavic Macedonians, one-quarter ethnic Albanians, and a mix of ethnic Turks, Roma, Serbs and others account for the remainder. During the 1980s, Macedonia's communist authorities supported and then repeated Serbia's crackdown on ethnic Albanians. After the 1991 vote for independence, ethnic Albanians were allowed to have their own political parties but continued to experience systemic discrimination. They complained of receiving the worst health care and were systematically excluded from public-sector employment, including government, police, and military positions. Educational opportunities were also limited, and efforts to create an Albanian-language university met widespread resistance. Ethnic Albanians and Slavic Macedonians lived in an uneasy alliance with ethnic animosity just brewing below the surface.

On 24 March 1999, NATO went to war against Yugoslavia, the primary motivation being the Serbian armed attack of Kosovar Albanians. The fighting in Kosovo had a "spillover" effect in Macedonia, destabilizing many fronts and fueling ethnic tensions. Ethnic Albanians in Macedonia overwhelmingly supported their kin in Kosovo while ethnic Macedonians tended to see similarities between themselves and the Serbian position *vis-a-vis* Albanian desire for

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[1] The vote was boycotted by both ethnic Albanians and Serbs. Ethnic Albanians were dissatisfied with their status in the new republic and ethnic Serbs preferred to be tied to Serbia.

increased rights and autonomy. Over 200,000 Kosovar refugees fled to Macedonia, placing a strain on Macedonian resources, despite international assistance. Refugee camps in Macedonia suffered from overcrowded tents and poor sanitary conditions. At the same time, Macedonia's economy shrunk as much as 10 percent, primarily due to the loss of trade with Yugoslavia, its former main trading partner, and a loss of open trade routes with the rest of Europe.[2] As a result, a number of factories were forced to shut down, adding to the already high unemployment. State coffers, almost empty before the outbreak of the crisis, were now practically exhausted. Hardly any funds were left for unemployment benefits, pensions, or health care, factors that only served to exacerbate already simmering ethnic hostilities.

In February 2001, a small group of armed ethnic Albanians took over a village on the Kosovo-Macedonia border, rejecting Macedonian and international requests to withdraw. The insurgents claimed they were part of the National Liberation Army (NLA)[3] fighting for greater Albanian political and economic rights. The demands of the insurgents tapped into the frustrated local desires for citizenship, ownership, education, language rights, and representative government. The fighting soon spread, pitting Albanian insurgents against largely Macedonian government security forces. The security situation quickly deteriorated as parts of the country came under NLA control, ethnically motivated riots spread, and the government started arming Macedonian militia groups. The armed conflict lasted for seven-and-a-half months, resulting in about 200 casualties and more than 180,000 internally displaced persons.[4]

On 26 July 2001, a ceasefire was announced and on 13 August, Macedonian and Albanian leaders signed a political agreement, later to be known as the Ohrid Framework Agreement, which would guarantee greater rights and protections for ethnic Albanians while requiring Albanian insurgents to disarm.

In September 2002, Macedonia held successful parliamentary elections resulting in a power-sharing arrangement between the Social Democrat-led Macedonian coalition and the Albanian party, led by ex-rebel leader Ali Ahmeti, an organization that had previously been labeled as a "terrorist" organization and with whom contact had been banned. The new government pledged to implement the Ohrid Framework Agreement. The election generally went smoothly without widely anticipated violence and fraud materializing.

Preventing and Responding to Mass Atrocities

UN Preventative Deployment Force (UNPREDEP), December 1992

The UN Preventative Deployment Force in Macedonia is the first and so far only UN operation in preventative diplomacy and troop deployment. UNPREDEP consisted of three pillars or phases of operation. The first was the traditional work of peacekeeping missions: troops and military observers stationed along Macedonia's borders to assist the country's security forces in deterring attacks. The second pillar included a broader political mandate and "good offices"—the negotiation and mediation services of diplomats to maintain peaceful relations and a contingent

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[2] International Crisis Group, *Macedonia: Towards Destabilisation?* South Balkan Report, 17 January 2001.
[3] The NLA had ties with the Kosovo Liberation Army.
[4] United States Institute for Peace, *Putting Peace into Practice: Can Macedonia's New Government Meet the Challenge?* Special Report No. 96, November 2002.

of UN civilian police to prevent human rights violations against Macedonia's minority groups. The third pillar is described as the "human dimension" which served to reinvigorate and reorient Macedonia's nascent civil society institutions and touched practically every social institution and government service. This was a highly innovative component to the peacekeeping mission.[5]

The first phase of peacekeeping troops were composed of troops from Denmark, Finland, Indonesia, Norway, Sweden, and the United States.[6] They patrolled, monitored, and reported on the status of Macedonia's northern and western borders (with Kosovo, Serbia, and Albania) and were limited to using force only in self-defense. Although the troop size was not big enough to defend Macedonia in the face of a large attack, the troops functioned as a deterrent and stabilizing force.

The second pillar of UNPREDEP included a broader political mandate to engage in proactive peacebuilding. Under the "good offices" mandate, three broad areas of action were pursued: 1) promoting cross-party political dialogue; 2) building consensus on the fundamental political tenets of the state; and, 3) fostering inter-ethnic dialogue, mutual trust, moderation, and compromise.[7]

Examples of UNPREDEP's work in the second phase included:

- Bringing leaders from Macedonia's major political parties together for regular meetings to acquaint them with UNPREDEP's work and to foster mutual relations among them;[8]

- Bringing leaders of various political youth organizations together for monthly informal meetings to discuss current issues and means of building tolerance in civil society;

- Meeting with external actors, including Albanian political and military leaders, in order to prevent conflict.[9]

In UNPREDEP's third or "human dimension" phase, the mission sought to strengthen social institutions on a broad scale. Two priority areas were increasing social development and strengthening crime-prevention efforts.

In developing social policy, UNPREDEP secured a consulting team of experts from Finland who conducted an assessment of current social infrastructure and made recommendations for improvement. Based on those recommendations, UNPREDEP, with the assistance of outside funding, supported five social development projects:

- *Establishing a social policy and social care think tank* to monitor and evaluate existing social policy and develop new and alternative policies;

- *Training trainers on developing theory, practical skills, and professional ethics*. Trainees included university academics, social workers, and NGO and government officials;

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[5] Henry J. Sokalski, *An Once of Prevention: Macedonia and the UN Experience in Preventative Diplomacy*, x–xi, United States Institute of Peace, Washington, D.C., 2003.
[6] The United States devoted approximately 300 troops who arrived in July 1993. Sokalski, 99.
[7] Sokalski, 138.
[8] These ultimately failed when one major political party, SMSM, objected to UNPREDEP's role.
[9] Sokalski, 135–51.

- *Providing home-based early childhood education* to support the healthy development of children and improve their chances for success in the formal school system;

- *Training for nonviolent conflict resolution* among school children, teachers, and parents through innovative conflict-resolution games and community outreach;

- *Building civil society in low-income multi-ethnic neighborhoods* which included promoting social interaction in ethnically mixed neighborhoods and building links between these neighborhoods and government structures to address important local issues such as education, health, social services, income-generating activities, and drug-abuse prevention among youth.[10]

In the area of crime prevention, UNPREDEP brought in the UN Office for Drug Control and Crime Prevention to evaluate Macedonia's crime prevention and criminal justice programs. As a result, several trainings were organized for senior officials of the Ministries of Internal Affairs, Justice and Finance to address topics including organized crime in Eastern Europe and various legal systems' experiences in combating organized crime; anti-mafia legislation in Italy; and methods and techniques of investigating criminal groups. Italy helped support the creation and training of a specialized police unit to fight financial and economic crimes such as money laundering, financial fraud, tax evasion, forgery, and counterfeiting. In addition, training courses were also organized for senior police officials from various departments covering topics such as modern management techniques, the human rights dimension of police work, community policing and values, and ethics for police personnel.[11]

Ohrid Framework Agreement, August 2001

Both the European Union (EU) and the United States dispatched special envoys to Macedonia to help facilitate peace talks between the Albanian insurgents and the Macedonian government as the armed conflict escalated. On 18 July 2001, negotiations stalled over the issue of the official status and use of Albanian language. International mediators stated that almost nothing else separated the two sides, who had agreed on "95% of those things that were to be negotiated."[12] On 26 July, a ceasefire was announced.

On 13 August, Macedonian and Albanian leaders signed the Ohrid Framework Agreement intended to expand the political, economic, and social rights of ethnic Albanians, keep Macedonia intact as a single state, and foster peace in the region.[13] The Ohrid Agreement required that the ethnic Albanian rebels must prove their good faith by giving up their arms to NATO before the Macedonian government would ratify the peace accord. Likewise, the Albanian rebels insisted that they would not disarm until the Macedonian government prove its good faith by ratifying the agreement. NATO agreed to deploy in Macedonia to collect insurgent

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[10] Sokalski, 155–58.
[11] Sokalski, 158–61.
[12] International Crisis Group, *Macedonia: Still Sliding*, Balkans Briefing, 27 July 2001, quoting NATO Secretary General Lord Robertson.
[13] The Ohrid Framework Agreement was the result of seven grueling weeks of negotiations led by senior EU representative former French Minister of Defence Francois Leotard and a special U.S. representative, Ambassador James Pardew.

arms but only (initially) for 30 days and not until a firm ceasefire was in place.[14] Amnesty would be granted to insurgents who had disarmed.

Execution of the mirror-image requirements proved difficult and some were skeptical that the peace agreement could be implemented. After more negotiations it was agreed that following collection of one-third of the insurgent weapons, Macedonia's president would request the start of the constitutional amendment process and parliament would vote on a new legislative packet. Following collection of two-thirds of the weapons, parliament would provisionally approve the proposed constitutional changes. Following the collection of the final third of the weapons and by 27 September, 45 days after the signing of the Ohrid Framework Agreement, parliament would adopt the new legislative packet.[15] On 16 November, the Macedonian parliament adopted the peace accord and passed a set of constitutional amendments to offer greater protections to ethnic Albanians.

New legislation under by the Ohrid Framework Agreement required equal treatment and nondiscrimination to be applied to public-sector employment and access to public financing for business development. The final provision of the Ohrid Agreement required the de-centralization of government by redrawing municipal boundaries and consolidating municipalities to give greater control to local governments and achieve more balanced ethnic representation. This reform is important to ethnic Albanians who often lived in villages that had no control of local revenue when decisions were controlled centrally, and thus could not offer adequate public services.[16] De-centralization is a lengthy process requiring the passage of new laws which would strengthen the powers of local elected officials in the areas of public services, urban and rural planning, culture, local finances, education, social welfare, and health care. EU and U.S. agencies have been providing technical assistance.[17]

NATO/EU Regional Forces

NATO played a crucial role in the peace negotiations. Immediately after the signing of the Ohrid Framework Agreement, NATO mission Essential Harvest was tasked with collecting the weapons voluntarily surrendered by NLA members, expected to be approximately 3,300 weapons. Prior to the outbreak of violence, a staggering number of weapons were stockpiled in the region. Approximate figures from Balkan and Western ministries for total weapons in Albania, Macedonia, and Kosovo include: 280,000 Kalashnikovs, one million anti-tank missiles, 3.1 million hand-grenades, one billion rounds of ammunition, and 24 million machine guns.[18] The NATO disarmament did not include collecting weapons given to Macedonian militia groups.

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[14] International Crisis Group, *Macedonia: War on Hold*, Balkans Briefing, 15 August 2001.

[15] International Crisis Group, *Macedonia: Filling the Security Vacuum*, Balkans Briefing, 8 September 2001.

[16] Since the central government was run by Macedonians due to the historic exclusion of Albanians in the public sector, villages and areas that were predominately Albanian received very little support from the central government.

[17] United States Institute for Peace, *Putting Peace into Practice: Can Macedonia's New Government Meet the Challenge?* Special Report No. 96, November 2002.

[18] International Crisis Group, *The Macedonian Question: Reform or Rebellion*, Balkans Report No. 109, 5 April 2001.

NATO continued to offer a military presence in Macedonia under Task Force Fox, providing important security during Macedonia's transition period in 2002 and early 2003.[19] Under NATO, nearly 90 percent of displaced persons were able to return home, and other international actors such as the EU and its Monitoring Mission (EUMM), the United States, and the Organization for Security and Cooperation in Europe (OSCE) were able to conduct their work more efficiently. NATO forces intervened at least three times during 2002 to prevent inter-ethnic conflict from escalating.[20] EU forces replaced NATO with the first EU military mission, "Concordia," which started in April. Concordia was later replaced by an EU police mission, Proxima.

Rebuilding after Mass Atrocities

Return of Internally Displaced Persons

At the end of 2002, more than 155,000 people (95%) who had been internally displaced during the 2001 fighting had returned to their homes.[21]

Security-Sector Reform

The Ohrid Framework Agreement calls for security-sector reform. Police services are now required to reflect the ethnic composition and distribution of Macedonia's population. The new officers are to be selected on the basis of ethnicity and deployed to corresponding areas where ethnic groups other than Macedonians constitute at least 20 percent of the community.[22]

Justice

The national judicial system remains weak and subject to executive-branch influence and corruption. In 2005, the government drafted several constitutional amendments aimed at promoting judicial independence, including life tenure for judges and a requirement of two-thirds parliamentary majority for appointments. In 2006, it was anticipated that the International Criminal Tribunal for the former Yugoslavia (ICTY) would return four war crimes cases to be tried before Macedonian national courts. Recommendations included delaying the return of these cases until 2008 while fast-tracking judicial reforms and developing specialized training for judges on serious crimes, implementing crime-scene investigation techniques, creating a viable witness-protection program, and establishing a court for serious crimes.[23]

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[19] Initially, NATO's deployment was only to last for 30 days (September 2001), however, its deployment was extended, providing crucial security and helping to stabilize the country. On 15 September 2002, Macedonia held elections devoid of significant fraud and violence, which many had anticipated. The new government embraced the Ohrid Framework Agreement and pledged to carry out major reforms.

[20] International Crisis Group, *Moving Macedonia Toward Self-Sufficiency: A New Security Approach for NATO and the EU*, Europe Report No. 135, 15 November 2002.

[21] United States Institute for Peace, *Putting Peace into Practice: Can Macedonia's New Government Meet the Challenge*? Special Report No. 96, November 2002.

[22] Id.

[23] International Crisis Group, *Macedonia: Wobbling toward Europe*, Europe Briefing No. 41, 12 January 2006.

International Development Aid

International development aid had been promised to Macedonia on the condition that insurgents disarmed and that constitutional amendments and legislative bills granting additional rights to ethnic Albanians were passed, as required in the Ohrid Framework Agreement.

About $500 million was pledged at a donors conference sponsored by the European Commission and the World Bank in March 2002 for reconstruction and peace-building. The EU bore the greatest financial responsibility for rebuilding Macedonia; it announced in late 2002 that it would contribute 24.7 million Euros in addition to the 42.5 million Euros that had been pledged earlier in October 2001.[24]

Education

Macedonia's schools have long been one of the major contributors to the de facto segregation between ethnic Albanian and Macedonian communities. Prior to 2001, it was not uncommon for ethnic Albanians to attend separate classes at the preschool, primary, secondary, and high school levels where they were taught solely in their native language (the Macedonian language was taught at 3rd grade and above as a separate subject). At some schools, ethnic Albanian and Macedonian students attended schools on different "shifts"—one group in the morning shift and the other in the afternoon shift. Ethnic Albanian and Macedonia teachers also failed to cooperate and often competed over issues such as levels of competence, administrative positions, and even school names. School curriculum failed to provide topics that might encourage cross-cultural dialogue and mutual understanding.

In the mid 1990s and after 2001, several NGOs and university-based research groups, including the Ethnic Conflict Resolution Project at Sts. Cyril and Methodius University in Skopje, have been working to bring ethnically mixed groups of students together and develop curriculum and training for teachers on how to teach about the 2001 armed conflict.[25]

EU membership

On 22 March 2004, Macedonia submitted an application for EU membership and currently remains a candidate. The prospect of EU integration gives political leaders their main motivation for pursuing reform policies and helps guarantee peaceful coexistence of the main ethnic groups.

Conclusion

Under the responsibility to protect, the deployment of a military force constitutes one of the ways to prevent genocide and other mass atrocities. UNPREDEP was deployed to Macedonia at a highly volatile time in the region: the Republic of Yugoslavia was disintegrating, and large-scale and systemic ethnic violence was wreaking havoc in Bosnia and Croatia. During its tenure in Macedonia, UNPREDEP was able to keep Macedonia from sliding into similar conflict. UNPREDEP was a unique UN peacekeeping mission in that it was deployed as a preventive

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[24] United States Institute for Peace, *Putting Peace Into Practice: Can Macedonia's New Government Meet the Challenge?* Special Report No. 96, November 2002.
[25] United States Institute for Peace, *Macedonia: Understanding History, Preventing Future Conflict*, Special Report No. 115, February 2004.

measure and involved both military and political/civilian mandates. Phase one of the mission involved traditional peacekeeping objectives including UN peacekeepers patrolling and monitoring the frontiers. Phases two and three involved a more broad-based and arguably more intrusive political mandate to engage in proactive peacebuilding (i.e., encouraging dialogue between opposing political parties and ethnic groups) and to strengthen the social infrastructure more broadly to prevent an outbreak of violence. International preventive action did not threaten or diminish Macedonia's national sovereignty; indeed, Macedonia invited UNPREDEP.

However, Macedonia was unable to withstand the armed conflict in neighboring Kosovo that brought to the surface its own ethnic tensions between ethnic Albanians and Slavic Macedonians. In early 2001, armed conflict broke out between armed Albanian insurgents and Macedonian security forces. In an unprecedented and highly coordinated effort, the EU, United States, and NATO responded quickly to the outbreak of violence and helped broker peace talks and the eventual signing of the Ohrid Framework Agreement calling for increased rights for ethnic Albanians and the disarmament of Albanian insurgents. NATO played a crucial role in disarming Albanian insurgents to keep the peace process moving forward. Experts have noted that it was of vital importance that NATO stayed on in Macedonia beyond its original mandate to provide continued security during the period of political transition. NATO's presence enabled peaceful elections to occur, international aid agencies to function, prevented a number of ethnic conflicts from escalating, and encouraged those who had been internally displaced to return. In 2003, EU forces took over NATO's role of providing security and took the lead in offering support and resources to rebuild Macedonia after the conflict.

The response to the crisis in Macedonia demonstrates that under R2P principles, the prevention of mass atrocities requires the rapid and close coordination between international and regional bodies to halt violence, facilitate peace talks, and provide ongoing security and support to enable implementation of the peace plan.

Case Study: Burundi

"There is a real danger of the situation in Burundi degenerating to the point where it might explode into ethnic violence on a massive scale," even "a repetition of the tragic events in Rwanda."

A warning to the Security Council by UN Secretary-General Boutros-Ghali, 29 December 1995

Introduction

After years of post-independence fighting and a ten-year civil war, Burundi is making strides in post-conflict recovery and peacebuilding. That the situation in Burundi did not slide into full-scale genocide may be attributed, in part, to early and long-term involvement on the part of regional and international actors including the UN, African state governments, and NGOs.

The regional and international responses to the crisis in Burundi make it an ideal case to examine how components of R2P have been employed in the past to prevent and respond to large-scale ethnic violence and rebuild societies in its aftermath.

Background

Burundi was a German colony until World War I when it was transferred to a Belgian-controlled UN mandate. Tutsi (14% of the population), Hutu (85%), and Twa (1%) had coexisted for centuries and shared many cultural bonds, including language and religion. However, under Belgian colonial rule, distinctions between Hutu, traditionally an agricultural people, and Tutsi, traditionally a pastoral or herding people, were exacerbated. Under Belgian rule, educational, cultural, and administrative policies promoted the social and political advancement of the Tutsi. The Belgian rulers considered that the Tutsis' "fine bearing alone guarantee[d] them considerable prestige over…the worthy Hutu, [who were deemed] less clever, more simple and more trusting."[1] When Burundi achieved independence in 1962, Tutsis controlled virtually all aspects of political, military, and economic power. In 1966, Michel Micombero, a Tutsi military officer overthrew the monarchy and established a presidential republic. This marked the start of 25 years of successive Tutsi military regimes, characterized by systemic Hutu repression and marginalization. Tutsi domination over land and power has fuelled ethnic conflict throughout Burundi's post-independence history, with large-scale fighting in 1965, 1972, 1988, and from 1993 to 2003.[2] In all these instances Hutu rebellion was violently quashed by the Tutsi-dominated military, resulting in massive loss of life and displacement among Hutu.

In 1987, Pierre Buyoya, a Tutsi military officer, assumed power after a bloodless coup. He introduced a series of reforms to ease state control over media and engage in a dialogue about national reconciliation, including allowing other political parties to compete in the 1993 presidential election. As a result, Meichior Ndadaye became the first democratically elected Hutu president but was assassinated months later, in October 1993, by Tutsi Army extremists.[3] The

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[1] Stephen R. Weissman, *Preventing Genocide in Burundi: Lessons from International Diplomacy,* Peaceworks/United States Institute of Peace, 5.
[2] International Crisis Group, *Conflict History: Burundi*.
[3] Ibid.

country slid into civil war as Hutu peasants spontaneously rose up and massacred Tutsi while the Tutsi army rounded up thousands of Hutu and killed them. In April 1994, the newly elected Hutu President was killed in a plane crash along with the president of Rwanda, sparking the Rwandan genocide and further exacerbating the armed conflict in Burundi by inciting additional massacres of Tutsi. In September 1994, Sylvestre Ntibantungnya, a Hutu, was selected President. In an effort to bring calm to Burundi, he selected a Tutsi Prime Minister.

However, in July 1996, Pierre Buyoya re-seized power and overthrew Ntibantungnya. Under regional and international pressure, Buyoya entered into peace negotiations with several Hutu rebel groups resulting in a peace accord, signed in August 2000. In November 2001, a transitional government was sworn in with a three-year transition to implement provisions of the peace accord. In December 2002, the government entered into a landmark ceasefire agreement with the major remaining Hutu rebel group.

On 19 August 2005, a presidential election swept into power former Hutu rebel leader Pierre Nkurunziza, giving his party, National Council for the Defense of Democracy – Forces for the Defense of Democracy (CNDD-FDD), control of all branches of the government. In 2006, the last active rebel group (National Liberation Forces, FNL) signed a ceasefire agreement, which has yet to be implemented. Nkurunziza's administration has focused on restoring government services that had been disrupted by more than a decade of civil war. Yet reports indicate that abuses by soldiers, police, and intelligence agents have persisted including torture and apparent extrajudicial killings. In September 2006, Second Vice President Alice Nzomukunda resigned, accusing the government of human rights violations and corruption.[4]

From 1993 to 2003, an estimated 300,000 people were killed in clashes and reprisals against the local population,[5] and years of war have resulted in approximately 1.2 million refugees and internally displaced persons.[6]

Preventing and Responding to Mass Atrocities

Early UN Diplomacy

In 1994, in the wake of the Rwandan genocide, the UN dispatched Special Representative Ould-Abdallah to help develop a series of transitional power-sharing agreements among political parties. These accords were designed to ensure "a minimum of political stability" pending the 1998 elections.[7] However, his efforts largely failed because the major agreement, the Convention of Government, wiped out the Front for Democracy in Burundi (FRODEBU)'s recent election victory by guaranteeing the Tutsi-led opposition with a 45 percent share in the government and called for the establishment of a National Security Council in which the opposition could block key moves by the FRODEBU Hutu President.[8] The Convention of Government and related power-sharing accords were undermined by opposition, intimidation, and violence from Tutsi-

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[4] Human Rights Watch, *World Report 2007: Burundi.*
[5] International Crisis Group, *Conflict History: Burundi.*
[6] International Crisis Group, *A Framework for Responsible Aid to Burundi,* Africa Report No. 57, 21 February 2003.
[7] Stephen R. Weissman, *Preventing Genocide in Burundi: Lessons from International Diplomacy,* Peaceworks/United States Institute of Peace, 7.
[8] Ibid.

led parties, the army and associated militia. Disillusionment with the Convention and its consequences spurred the growth of violent Hutu-led resistance.

Economic Sanctions

Within five days of Buyoya's re-seizure of power in July 1996, the leaders of Tanzania, Kenya, Uganda, Rwanda, Zaire, and Ethiopia agreed to impose uniform economic sanctions against Burundi and issued a list of specific demands that the Burundian government would have to meet for the sanctions to be lifted. These demands included restoration of a multi-party democracy and participation in all-party talks on the future of the country. They also gave their full backing to former Tanzanian president Julius Nyerere's efforts to mediate a settlement.[9] Within weeks of imposing sanctions, the ban on political parties was withdrawn and the parliament was restored.

However, some experts feel the success of sanctions was hampered by a lack of full Western support, notably from France, the United States, and the European Union. They declined to back regional action with measures of their own or offer the region technical assistance to strengthen the sanctions.[10] For example, the United States failed to revive an earlier proposal to deny visas to Burundi government officials or freeze their foreign assets. No Western government adopted the sanctions model. The UN went no further than to threaten to impose an arms embargo.[11] The French and the United States opposed sanctions, fearing that they would weaken a moderate leader (Buyoya) and leave the country vulnerable to extremist leadership.

African sanctions were lifted on 23 January 1999 after Burundi began participating in the Arusha peace negotiations.

International Development Aid Embargo

The international community, including the United States, France, and European Union, agreed to suspend development aid to Burundi until a ceasefire was reached and steps toward the implementation of Peace Accords were taken. The Burundian people, economy, and state infrastructure suffered from a decade of fighting, three years of economic sanctions, drought, and a 66 percent decrease in international aid.[12] The combination of these stressors helped encourage the Buyoya government to remain at the negotiating table during the peace talks.

Peacekeeping Force

In early 1996, the Burundian government invited an African regional peacekeeping force into the country, but the invitation was withdrawn after Buyoya's coup in July 1996. An Organization of African Unity (OAU) peacekeeping force entered the country later and eventually transitioned to a UN peacekeeping force in 2004.

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[9] International Crisis Group, *Burundi Under Siege: Lift the Sanctions; Re-launch the Peace Process*, 28 April 1998.
[10] Weissman, 16.
[11] Ibid, 20.
[12] International Crisis Group, *A Framework for Responsible Aid to Burundi*, Africa Report No. 57, 21 February 2003.

Deployment of Preventative UN force

UN Secretary General Boutros-Ghali campaigned for the deployment of a multinational force in Burundi that would buttress "preventative diplomacy" efforts to foster political dialogue with "a credible threat of force." Boutros-Ghali envisioned a force of 25,000–50,000 to deter massacres; provide security to refugees, displaced persons, and civilians at risk; and protect key installations in the event of full-scale civil war and genocide.[13] In essence, he contemplated a Chapter VII peace-enforcing mission. However, his plan ultimately failed, largely because it lacked support from two P5 Security Council members, the United States and France. The United States declined to commit ground troops or to wield its diplomatic influence to encourage other countries to contribute troops to a multinational force. However, the United States did offer other military support, including "urgent and tanker airlift" that would place 150–300 military personnel in the region.[14] Although the National Security Council (NSC) supported Boutros-Ghali's plan, it did not receive strong presidential support and ran head-long into the reigning "Powell Doctrine" which linked use of force to the prospect of a clear military victory—a case that the NSC could not persuasively make. Like France, the United States was also concerned that messy political tensions could hamper humanitarian efforts and that it would become drawn into an ever-widening conflict, generating new demands on resources already stretched by commitments in Bosnia.[15]

The mere threat of a Chapter VII mission to Burundi had a sobering effect on the Burundian government. After the proposal was announced in January 1996, the government clamped down on violent demonstrations by extremists in the capital. It is suspected that fear of Chapter VII intervention encouraged the government in June 1996 to invite a regional African peacekeeping force (an invitation that was later withdrawn after Buyoya's coup). At the same, however, the proposal complicated efforts to bring all the Burundian parties, especially Tutsi extremists, into the peace talks. Julius Nyerere, the former President of Tanzania who led the peace talks until his death in 1999, complained that the controversy over the proposal impeded his effort to bring Tutsi leaders to the negotiating table.[16] The emphasis on humanitarian intervention gave the appearance of neglecting the political elements of a comprehensive solution.

If international political support had been mustered, it is quite possible that the proposed Chapter VII mission would have deterred future massacres. No one has challenged the contention of Lt. General Romeo Dallaire, for example, that an expanded, largely African force of 5,000 could have stopped the Rwandan army and militia from mass killing, and in Liberia, an under-manned, under-equipped West African force was generally able to protect the majority of the resident population during a seven-year civil war.[17]

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[13] Weissman,11.
[14] Ibid, 12–13.
[15] Ibid.
[16] Hutu leaders had long been calling for UN military intervention since the 1993 assassination of President Ndadaye. Ibid, 14–15.
[17] Ibid.

<u>Peace Negotiations</u>

Shortly after Buyoya's coup in July 1996, the leaders of Tanzania, Kenya, Uganda, Rwanda, Zaire, and Ethiopia gave their full backing to the former Tanzanian president Julius Nyerere to mediate a settlement to the Burundian crisis. The lifting of regionally imposed economic sanctions was conditioned upon Buyoya engaging in these peace talks. Peace negotiations took place in Arusha, Tanzania, and the first round took place in June 1998 among 17 parties to the conflict, including the government of Burundi.[18] Economic sanctions were lifted on 23 January 1999.[19] A key issue in the peace process was reaching a solution to the refugee plight and allowing them to return safely to Burundi with a guarantee that their citizenship rights would be restored. Other key issues were: amnesty for those guilty of war crimes or crimes against humanity, the integration of rebel forces into the army, reform of the army, developing a power-sharing political system and a transitional government,[20] releasing all political prisoners, restoring the rights of political parties, restoring the rights of the press, and disbanding "regroupment camps" (camps established by the military into which Hutu peasants were rounded up).[21]

In December 1999, after Nyerere's death, Nelson Mandela took over as head facilitator of the peace negotiations. On 28 August 2000, 19 parties to the conflict in Burundi signed a peace agreement. However, a ceasefire was not reached. The military continued to fight rebels, hoping that they could be defeated before the military restructuring could occur. Without a ceasefire, the UN was unwilling to commit peacekeeping forces. One year later, in July 2001, a transition government was chosen. The leaders of the new government agreed to implement the Arusha Peace Agreement of August 2000 with a three-year transition period to begin on 1 November 2001 (the date the transitional government was sworn-in), after which time elections would be held.[22]

On 23 November 2003, the Burundian government and the main opposition group, CNDD-FDD signed a comprehensive ceasefire agreement. On 1 June 2004, the African peacekeeping force became a UN mission. On 1 November 2004, the new interim constitution based on the Arusha Agreement entered into force, reflecting power-sharing between political groups representing Hutu and Tutsi, and an electoral timetable setting a presidential election for 22 April 2005 was established.[23]

Several Western countries contributed to the peace process by dispatching special envoys. For example, President Clinton appointed Howard Wolpe, former U.S. Congressperson and leading figure in African policymaking, as special envoy to work toward a political solution in Burundi.

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[18] Negotiations were supposed to commence earlier, but in August 1997 the Burundian government cancelled its planned attendance and laid down conditions for any future participation. The peace process then remained at a standstill for six months. International Crisis Group, *Burundi's Peace Process: The Road from Arusha*, June 1998.
[19] International Crisis Group, *Burundi: Internal and Regional Implications of the Suspension of Sanctions*, Africa Report No. 3, May 1999.
[20] International Crisis Group, *The Mandela Effect: Prospects for Peace in Burundi*, 18 April 2000.
[21] International Crisis Group, *Unblocking Burundi's Peace Process: Political Parties, Political Prisoners and Freedom of the Press,* 22 June 2000.
[22] International Crisis Group, *Burundi: One Hundred Days to Put the Peace Process Back on Track*, 14 August 2001.
[23] International Crisis Group, *Elections in Burundi: The Peace Wager*, Africa Briefing No. 20, 9 December 2004.

<u>NGO Efforts</u>

NGOs also tried to jump-start the peace process in Burundi. In mid-1996, the Community of Sant'Egidio, the Rome-based lay Catholic group that helped to mediate an end to the civil war in Mozambique, began to arrange secret peace talks between the government and the CNDD. Between September 1996 and May 1997, four rounds of discussions took place in Rome. According to participants, these talks aimed to achieve a suspension of hostilities based on agreement regarding the general principles of a political settlement. Such an accord between the two main armed parties would establish the framework for future Nyerere-led all-party negotiations. The Rome process received strong support from the European Union and the United States, whose special envoys attended as observers.[24]

By early May, however, the parties reached an impasse over the first agenda item: constitutional principles. The CNDD demanded a return to the 1992 constitution while the current regime insisted upon a new constitution. At the same time, these peace talks became an increasingly open secret, through press leaks and a subsequent Burundi government news conference. The talks eventually recessed and the focus shifted back to Nyerere's efforts to bring all the warring factions to the table in Arusha.[25]

Other NGO efforts in the United States and Europe attempted to end mass atrocities in Burundi by influencing state foreign policy. The Washington, D.C.–based Burundi Policy Forum (BPF) was established in January 1995 by Refugees International, Search for Common Ground, the Center for Preventative Action of the Council on Foreign Relations, and the African-American Institute. InterAction (the umbrella advocacy organization for most U.S.-based nonprofit humanitarian, refugee, and development agencies), representatives from human rights groups, and from U.S. and foreign governments frequently attended BPF meetings.

In July 1995, more than 30 BPF organizations signed a statement calling for the United States to appoint a special envoy to Burundi, deploy UN military observers to refugee camps in Zaire and Tanzania, and address the issue of accountability for past crimes. In January 1996, 18 InterAction agencies wrote to President Clinton expressing support for contingency planning for humanitarian intervention. However, in the end, BPF made only a marginal contribution to peacemaking in Burundi.[26]

Rebuilding after Genocide or Mass Atrocities

Post-conflict rebuilding in Burundi is unfolding now, with presidential elections held in 2005 and a ceasefire with the remaining rebel group signed just last year. Thus, this discussion on rebuilding efforts constitutes less of an analysis of what has been accomplished than an assessment of current and future challenges.

Many international institutions, including the UN and nongovernmental and governmental organizations, are involved in post-conflict recovery in Burundi. The government's priorities that

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[24] Weissman, 24.
[25] Ibid.
[26] Ibid, 26–27.

need to be addressed to create conditions of sustainable development are found in several documents:

- The government's five-year program (2005–10) provides an overview of the short- and medium-term priorities.

- Burundi Poverty Reduction Strategy Paper (PRSP, 2007–10), along with the five-year plan, constitutes the overall programmatic framework that will guide peacebuilding efforts.

- Priority Plan for Peacebuilding (2007) developed by the Government of Burundi with support of the UN calls for the allocation of $35 million by the UN Secretary-General drawn from the Peacebuilding Fund. The plan has been endorsed by the Peacebuilding Commission and calls for action in the following areas: good governance; strengthening the rule of law within the security forces; strengthening justice; promotion of human rights; reconciliation and the fight against impunity; land reform; and community-based recovery aimed at women, youth, and affected populations.

- The Pact on Security, Stability and Development in the Great Lakes Region could provide a regional mechanism for addressing peace, security, governance, and development among countries in the Great Lakes Region.[27]

Good Governance

The general elections held on 19 August 2005 ushered into power former rebel leader Pierre Nkurunziza as President and a new Parliament and marks an important achievement. However, Burundi requires the technical, human, and financial means to manage public affairs in a transparent and efficient manner. Years of conflict have significantly weakened national institutions and lowered confidence of the people in the capacity of the state to defend and protect their interests. The government has inherited an administration profoundly weakened by the conflict, beset by corruption and poor public services. Meanwhile, the expectations of the people are enormous.[28]

Implementation of Ceasefire with FNL

On 7 September 2006, the government of Burundi entered into a ceasefire agreement with the last remaining rebel group, the Palipehutu-FNL (FNL). However, implementation of the ceasefire has been slow. Remaining issues to be addressed include the demobilization and reintegration of FNL combatants and the integration of FNL into state institutions, notably the army and police. Delay in implementation may lead to outbursts of fighting between FNL and the military.[29]

Reform of the Security Sector

Some strides have been made in reforming the military and police as called for in the peace accords. The military has been restructured with an ethnic balance between Hutu (40%) and

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[27] United Nations Peacebuilding Commission, *Strategic Framework for Peacebuilding in Burundi*, 5, 20 June 2007.
[28] Ibid, 8.
[29] Ibid, 9.

Tutsi (60%) to safeguard against future coup attempts.[30] Over 20,000 former combatants have been successfully demobilized. However, weapons and feelings of insecurity remain widespread and economic opportunities are lacking to help those demobilized to reintegrate successfully into society.[31]

Justice, Human Rights & the Fight Against Impunity

Impunity of crimes committed since Burundian independence is one of the basic causes of the armed conflict. However, the national judiciary suffers from lack of independence and does not vigorously investigate and prosecute criminal acts. The peace accords called for the creation of transitional justice mechanisms, including a Truth and Reconciliation Commission and a Special Tribunal, to investigate and prosecute genocide, war crimes, and crimes against humanity. But the UN and the government have not yet reached an agreement on how to proceed.[32]

Refugees and Land Reform

Key to peace is the successful repatriation and resettlement of hundreds of thousands of Burundians who fled their homes to neighboring countries, particularly to Tanzania, and others who were internally displaced. Many seek to return to their former homes, which have been re-occupied or taken over by the state. By 2005, approximately 230,000 refugees had returned. In November 2006, an additional 33,000 refugees returned from Tanzania, leaving roughly 400,000 Burundian refugees in Tanzania.[33] According to the Ministry which oversees reintegration, an estimated 260,000 returnees are without land. In 2006, a new land commission was announced but had not yet begun work.

Socioeconomic Recovery and International Development Aid

During the civil war, Burundi experienced a 66 percent decrease in international aid, due to the orchestrated embargo. The Gross Domestic Product fell by 20 percent, and in 2002, Burundi found itself at third from the bottom in the UN human development index. Primary school enrollment dropped from 70 percent to 28 percent. Economic recovery requires immediate large-scale and targeted interventions focusing on the most urgent rehabilitation needs, especially for youth, women, and other vulnerable populations. However, socioeconomic recovery is hampered by continued worsening economic conditions, food shortages in parts of the country aggravated by climate change, lack of employment for vulnerable groups and increasing socio-demographic pressures resulting from the return of refugees and displaced persons.[34]

Disarmament, Demobilisation, and Reintegration

In 2005, forces of the CNDD-FDD and the Burundian armed forces were integrated into the new National Defense Force. Since the program began in 2004, over 21,000 former members of the armed forces have been demobilized. However, the reintegration program for ex-combatants

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[30] International Crisis Group, *Election in Burundi: A Radical Shake-up of the Political Landscape*, Africa Briefing No. 31, 25 August 2005.

[31] United Nations Peacebuilding Commission, *Strategic Framework for Peacebuilding in Burundi*, 20 June 2007, 9–10.

[32] Ibid, 10–11.

[33] Human Rights Watch, *World Report 2006, Burundi*.

[34] UN Peacebuilding Commission, *Strategic Framework*, 11.

supported by the Multi-Country Demobilization and Reintegration Program had not yet begun in late 2006.[35] Easy availability of weapons poses a continuing risk to security. In violation of international law, the government detained dozens of children associated with the FNL, some in prison, some in a demobilization center. Lack of a clear government policy on the treatment of the children hindered the delivery of international aid for them.

<u>Leadership training</u>

Burundi may be the first case of a country emerging from conflict to integrate into its peace process a national leadership training program designed to rebuild their capacity to work effectively together in advancing their country's postwar reconstruction.[36] The objective of the leadership training program, developed with assistance from the Woodrow Wilson International Center for Scholars, is to build a cohesive, sustainable network of leaders who could work together across all ethnic and political divides in order to advance Burundi's reconstruction. The training featured lessons in interest-based negotiations, communications, mediation, conflict analysis, strategic planning, and management of organizational change. Key political, civil society, media, business, and youth leaders initially attended. The training was later extended to military leaders, members of the Joint Cease Fire Commission, top police officers, and to members of then president-elect Nkurunziza's administration, including the president-elect, his two vice presidents, the Council of Ministers, and various chiefs of staff of the executive leadership.

Conclusion

What does the international response to the crisis in Burundi tell us about the application of R2P principles? Burundi demonstrates that in order to prevent ethnic violence from spiraling into full-scale genocide, immediate and long-term involvement by regional actors (in this case African states) backed by Western governments and international actors, including the UN, is critical. In Burundi, to prevent genocide and respond to escalating conflict, immediate regional economic sanctions and an international development aid embargo were employed; peace talks brokered by regional leaders and supported by Western governments were instituted; and regional and UN peacekeeping forces eventually were invited to provide security to enable implementation of the peace plan.

Efforts to rebuild in the post-conflict period are unfolding now. Challenges include establishing good governance; implementing the final ceasefire agreement; reforming the security forces; ensuring justice; promoting human rights and ending impunity; encouraging socioeconomic recovery; reforming property rights and land distribution; repatriating and resettling refugees; disarming, demobilizing and re-integrating ex-combatants; and training the next generation of leaders.

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[35]Human Rights Watch *World Report 2006, Burundi.*

[36] Howard Wolpe and Steve McDonald, "Burundi's Transition: Training Leaders for Peace," *Journal for Democracy* 17/1 (January 2006).

Authors and Acknowledgements

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Chapter Credits

I. Getting the Message Out: R2P Advocacy: Sara Heitler Bamberger and Joanna Shulman

II. R2P: Messaging Challenges and Opportunities: Heather Hurlburt, with U.S. in the World

III. Principle versus Practice: A Meta-Analysis of Public Opinion Concerning Genocide: Meg Bostrom, Public Knowledge LLC

IV. Pursuing a Declaration on R2P: Sara Heitler Bamberger, Hosna Sheikholeislami, and Joanna Shulman

V. Reform of the Security Council Veto: Rachel Shigekane

VI. Backsliding Countries: Hosna Sheikholeislami and Jessica Owen

VII. Case Study Analysis: Applying R2P Principles to Past Conflicts
      East Timor: Jamie O'Connell
      Macedonia: Rachel Shigekane
      Burundi: Rachel Shigekane

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Appendix A: Organizations that Promote R2P

This appendix offers a list of the organizations and campaigns mobilizing grassroots support for action in cases involving R2P. It includes over 20 organizations predominantly based in the United States. Although we have tried to be as thorough as possible, it is not comprehensive. Also, note that this appendix only includes organizations actively mobilizing grassroots support and does not identify academic and research institutions working in the area.

Africa Action (http://www.africaaction.org)

Africa Action is the oldest organization in the United States working on African affairs. In partnership with activists and civil society organizations throughout the United States and in Africa, Africa Action is working to change U.S. foreign policy and the policies of international institutions in order to support African struggles for peace and development. Africa Action's *Campaign to Stop Genocide in Darfur* calls on the United States to work with the United Nations to provide the African Union force with a strong mandate under the UN Charter and additional resources to enable it to protect civilians until such time as an international force can be deployed. Africa Action's website has links to campaign updates, activist toolkits, and background information. Its press releases and reports repeatedly link the UN's failures to act in Darfur to the responsibility to protect.[1]

American Jewish World Service (http://www.ajws.org)

The American Jewish World Service is an international development organization motivated by Judaism's imperative to pursue justice. Its Darfur Action Campaign provides humanitarian aid to those affected by the Darfur crisis as well as U.S.-based education and advocacy to end the crisis. Its educational/advocacy programs are extensive and include advocacy tools, information on R2P, genocide, and Jewish perspectives on such concepts.

Amnesty International (http://www.amnesty.org)

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination within the context of its work to promote all human rights.

In all of its requests for urgent action in relation to specific abuses, Amnesty International (AI) calls on nations and the UN to act in order to meet their responsibility to protect.[2] Recently, AI

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[1] For examples of such press releases, see
http://www.africaaction.org/newsroom/release.php?op=read&documentid=1754&type=2&issues=1024,
http://www.africaaction.org/resources/page.php?op=read&documentid=2087&type=6&issues=1024.
[2] For examples of AI requests for Urgent Action in relation to Darfur and Sudan, see
Urgent Action - Fear for safety/Fear of unlawful killings,
Urgent Action - Fear for safety/ Incommunicado detention,
Urgent Action - Fear for safety/ Torture/ Incommunicado detention.

successfully ran "Focus on Darfur," a grassroots campaign to get UN peacekeepers into Darfur. It continues to be involved in global campaigns to assist Darfur.

ASAP: Afrobeat Sudan Aid Project (http://www.modiba.net)

MODIBA, a music production company and record label committed to the social and economic empowerment of Africa and its Diaspora, and TrueMajority, a grassroots education and advocacy organization founded by Ben Cohen, came to together to produce a compact disc: *The Afrobeat Sudan Aid Project (ASAP)*. Over $140,000 has been raised thus far with all proceeds going to humanitarian relief efforts in Sudan. ASAP can by bought digitally from the iTunes Music Store and in hard copy at the Modiba Store. Modiba also made a short video about the crisis in Darfur and the connection between music and politics. However, there is no mention of R2P on the website.

Citizens for Global Solutions (http://globalsolutions.org)

Citizen for Global Solutions is an American membership organization working to educate Americans about global interdependence, communicate global concerns to public officials, and develop proposals to create, reform, and strengthen international institutions such as the United Nations. Its publications on Darfur consistently refer to R2P and include a fact sheet explaining the principle.[3] The organization has also brought together a number of Muslim and Arab groups to discuss how they could be more active in the advocacy efforts on Darfur.

Committee on Conscience (http://www.ushmm.org/conscience)

The Committee on Conscience mandate is to alert the national conscience, influence policymakers, and stimulate worldwide action to confront and halt acts of genocide or crimes against humanity. In carrying out its mandate, the Committee uses a wide range of actions, including public programs and activities, temporary exhibitions, and public or private communications with policy makers. It seeks to work whenever possible with other governmental and nongovernmental organizations. Most recently, the Committee on Conscience cosponsored the Genocide Prevention Leadership Summit, 24-25 March 2007, with Genocide Intervention Network and STAND. The Summit brought together top activists working to prevent genocide to network with one another; discuss the current situation in Darfur and what can be done to bring an end to the violence; receive training on best practices and genocide education; and begin looking at other areas of conflict. The summit included two sessions on R2P.

DarfurGenocide.org

This online organization is devoted to providing information and opportunities to help stop genocide in Sudan. Its newest campaign, "24 Hours for Darfur," encourages individuals to record a personal appeal and upload it to the website. In September 2007 the organization screened 24 hours of footage at a rally in front of the UN headquarters and at smaller events throughout the world, all connected through a real-time online broadcast.

Previous activities include:

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[3] Fatema Abdul Rasa, "The Responsibility to Protect: Fact Sheet," Citizens for Global Solutions, 22 September 2005, available at http://www.globalsolutions.org/files/general/issues/pdfs/R2P.pdf.

- Sending a team of experts to Darfur and the region to meet with representatives of the people of Darfur.

- Organizing two hunger strikes of several thousand people in all 50 states and worldwide.

- Sending a camera crew to Darfur to provide up-to-the-minute video footage to advise international media of the situation on the ground.

- Supporting rolling protests at Sudanese embassies in other countries, including in Washington, D.C., where with the Sudan Campaign, they have encouraged several religious leaders and prominent personalities to get arrested.

- Hiring a PR firm to train, book, and drive Sudan advocates like John Prendergast and Samantha Power into the mass media in the United States and Europe.

ENOUGH (http://www.enoughproject.org)

ENOUGH was established in 2007 primarily because of the United States' failure to respond to genocide, in particular in Darfur. ENOUGH's organizers (Center for American Progress and International Crisis Group) noted that citizen activism had been coalescing around this issue, whereas there had been no grassroots support in previous cases of genocide. Although this energy existed, ENOUGH founders felt that targeted research and information to support these groups was required. ENOUGH is currently focusing on Africa but will look at situations beyond as well. Employing a three-pronged strategy—Promoting Peace, Providing Protection, and Punishing Perpetrators—ENOUGH has engaged U.S. legislators but does not work much internationally.

Human Rights First (http://humanrightsfirst.org)

Human Rights First is a non-profit, nonpartisan international human rights organization based in New York and Washington, D.C. The development of the mechanisms by which R2P will be applied in practice provides a context in which Human Rights First (HRF) promotes the moral and legal responsibility to protect populations from genocide, war crimes, and crimes against humanity. The goal of HRF's H.O.P.E. (Help Organize a Peace Envoy) for Darfur campaign is to create sustained international pressure on the government in Khartoum to stop the mass killing of civilians and to bring all stakeholders in the Darfur region together to develop a lasting plan for peace. The campaign grows out of HRF's work with Dr. Mudawi Ibrahim Adam, a leading human rights defender in Darfur. Its campaign also focuses on the responsibility to protect,[4] and its link with Darfur.[5] HRF has written letters to UN Member states encouraging them to implement R2P in Darfur.[6]

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[4] "The Responsibility to Protect," Human Rights First, see
http://www.humanrightsfirst.org/cah/resp_protect/index.asp.
[5] "What the World is Saying."
[6] Neil Hicks, Director of International Organizations, Human Rights First, Letter to Ambassadors, 11 September 2006, http://www.humanrightsfirst.info/pdf/06922-ij-ga-r2p-ltr.pdf.

Human Rights Watch (http://www.hrw.org)

Human Rights Watch (HRW) is the largest human rights organization based in the United States, with offices worldwide. Its researchers conduct fact-finding investigations into human rights abuses in all regions of the world, and then publish these findings with the aim of embarrassing abusive governments in the eyes of their citizens and the world. HRW meets with government officials to urge changes in policy and practice. In relation to R2P, HRW aims to educate civil society, governments, and international agencies on the principle. Its grassroots campaign, "Darfur in Crisis," educates the public about what is happening in Darfur and provides information about what individuals can do to help, including screening the HRW video *Darfur Destroyed*. In its work on Darfur and other regions, HRW consistently reminds governments and international agencies of their responsibility to protect.[7]

International Crisis Group (http://www.crisisgroup.org)

In its efforts to help prevent conflict worldwide, International Crisis Group has consistently drawn upon the R2P doctrine. Crisis Group President Gareth Evans served as co-chair of the International Commission on Intervention and State Sovereignty that first developed the R2P concept in 2001. In its recommendations and reporting on conflict prevention worldwide, Crisis Group has frequently engaged with the international community's responsibility to protect. Its reports on Sudan, Uganda and Zimbabwe have all directly invoked R2P. Gareth Evans regularly gives speeches and publishes papers on R2P.

My Sister's Keeper (http://www.mskeeper.org)

My Sister's Keeper is a faith-inspired, multi-racial, collective of women who work together to lend sisterly assistance to communities of women in various locations throughout the world. At present, its work is focused on supporting the aspirations of women in Sudan, part of which involves advocacy around Darfur. My Sister's Keeper was a leading organization in the Million Voices for Darfur Rally held in Washington, D.C. on 30 April 2006. Co-founder of My Sister's Keeper, Gloria White-Hammond serves as National Chairwoman for the national advocacy campaign. The website contains a great deal of information on Darfur but does not specifically refer to R2P.

National Council of Churches in Australia (http://www.ncca.org.au)

The National Council of Churches in Australia (NCCA) is a coalition of 15 Christian churches; its largest Commission is Christian World Service (CWS), which operates as an NGO in the overseas aid sector. In 2007, CWS launched a nationwide campaign on the responsibility to protect with a three-year, three-tiered strategy of national education and awareness, regional advocacy, and R2P implementation. They maintain extensive and thorough webpages on R2P, peacekeeping, Burma, and Darfur, as well as a short film on R2P.

Oxfam International (http://www.oxfam.org)

Oxfam International is a confederation of 13 organizations working together with over 3,000 partners in more than 100 countries to find lasting solutions to poverty, suffering, and injustice.

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[7] Clough, "Darfur."

Oxfam International is embarking on a new five-year strategy and is looking at incorporating R2P into the protection pillar of the framework it is trying to establish.

Project Ploughshares (http://www.ploughshares.ca)

Project Ploughshares is an ecumenical agency of the Canadian Council of Churches established in 1976 to implement the church's call to be peacemakers and to work for a world in which justice will flourish and peace abound. Project Ploughshares' mandate is to work with churches and related organizations, as well as governments and nongovernmental organizations in Canada and abroad, to identify, develop, and advance approaches that build peace and prevent war, and promote the peaceful resolution of political conflict.

R2P Coalition (http://www.r2pcoalition.org)

A U.S. coalition of organizations working on R2P, the R2P Coalition is implementing a three-step plan:

1. To convince the American people and its leaders to embrace the norm of the responsibility to protect as a domestic and foreign policy priority.

2. To convince our political leadership that the United States must join the International Criminal Court.

3. To convince U.S. political leadership to empower the UN and the ICC with a legitimate and effective deterrent and enforcement mechanism—an International Marshals Service—a standing international police force to arrest indictees of atrocity crimes.

The R2P Coalition is sponsoring a conference, 14–16 November 2007, "Ending Atrocity Crimes: The Joint Venture of R2P and the ICC," convened by David Scheffer's Center for International Human Rights of Northwestern University School of Law, in partnership with other organizations.

Refugees International (http://www.refugeesinternational.org)

In its work to provide lifesaving humanitarian assistance and protection for displaced people around the world, Refugees International acts as a witness to the suffering of the displaced. Its aid work informs its lobbying work on R2P. It aims to promote acceptance of R2P as a general concept and to encourage intervention into specific areas. Its publications include: "The Power to Protect: Using New Military Capabilities to Stop Mass Killings," which argues that new military technology and tactics can be used to increase the effectiveness and reduce the costs and risks of forcible humanitarian interventions, making it easier for individual countries and the UN to fulfill their responsibility to protect. It also engages in letter-writing on these issues to UN members.[8]

Save Darfur Coalition (http://www.savedarfur.org)

An American coalition of over one hundred faith-based human rights and humanitarian organizations using media outreach, public education, targeted coalition-building, and grassroots mobilization to pressure policymakers and other decision-makers in the United States and abroad

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[8] For an example, see Kevin Bacon, Letter to Secretary General, 4 December 2006, available at http://www.refugeesinternational.org/content/article/detail/9721/.

to help the people of Darfur. Its website acts as an information center with links to briefing papers on Darfur, ideas on how to get involved, and information about campaigns run by other organizations. It does not appear to contain information on the R2P principle.

STAND (http://www.standnow.org)
Genocide Intervention Network (http://www.genocideintervention.net)

GI-Net is active in anti-genocide campaigns in dozens of universities, cities, states and countries across North America and Europe. Its toll-free hotline provides members of the growing anti-genocide constituency an easy way to contact their elected officials. Since launching in February 2007, the hotline has generated hundreds of calls as part of campaigns targeting a particular state or district. In addition, its Congressional Scorecard on Darfur grades each member of Congress on his or her record on ending the Darfur genocide and empowers citizens with the tools and knowledge to more effectively pressure their elected officials.

STAND is a nationwide, student-led division of GI-Net. With more than 800 campus chapters, it provides students with informational, educational and organizing resources, empowering them to advocate for a change in the world's mentality towards genocide. In 2006, as part of its "Time to Protect" campaign, STAND students raised more than $100,000 for civilian protection in Darfur. In 2007, STAND activists dramatized the link between China's economic and diplomatic support of Sudan and the Darfur genocide by forming a human chain spanning 12 blocks in New York City, and calling on the state of New York to "break the chain" and divest from Sudan. Its targeted divestment campaign coordinates grassroots activism and lobbying to divest funds from the most egregious, worst-offending companies without doing harm to innocent Sudanese civilians. Since the Sudan divestment movement began in April 2005, eight states, six cities, 40 universities and multiple companies and individuals have placed restrictions on their Sudan-linked investments.

Neither STAND or GI-Net mentions directly R2P.

Sudan: The Passion of the Present (http://www.passionofthepresent.org)

The Passion of the Present is a website that aims to provide a space to share ideas and gain inspiration on means to stop genocide in Sudan. Contains blogs, and links to organizations working on preventing genocide in Sudan, music, and activism ideas. No mention of R2P.

World Council of Churches (http://www.wcc-coe.org)

The World Council of Churches (WCC) is the broadest and most inclusive among the many organized expressions of the modern ecumenical movement, a movement whose goal is Christian unity. It brings together more than 340 churches of different denominations in over 100 countries to work on various programs, one of which is Public Witness: addressing power, affirming peace. Its projects include overcoming violence, justice and accountability, and human rights and has a UN liaison. The council mentions the importance of executing R2P policies in its document, "Statement on UN Reform."[9]

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[9] See Number 11, http://www.oikoumene.org/en/resources/documents/assembly/porto-alegre-2006/1-statements-documents-adopted/international-affairs/report-from-the-public-issues-committee/un-reform.html.

World Federalist Movement (http://www.wfm.org)

Institute for Global Policy, Responsibility to Protect–Engaging Civil Society (http://www.responsibilitytoprotect.org)

The World Federalist Movement (WFM) serves as the secretariat for over thirty members and associated projects worldwide. The Institute for Global Policy is the research- and policy-analysis arm of the WFM. It is the primary peace-education mechanism of WFM and seeks to promote better understanding about the UN and other international organizations. IGP launched Responsibility to Protect – Engaging Civil Society to raise awareness of the ICISS report and to build a network of nongovernmental organizations that support these principles and seek their adoption by governments and regional and international organizations.

Appendix B: Messaging Guide for R2P

Prepared by Heather Hurlburt, in partnership with the US in the World Initiative of the New America Foundation.

Do ⚪⚪🟢

Empower listeners by stressing positive solutions, not just horror stories. Start with the solution and follow with the problem.

Stress **accountability**. Offer yardsticks people can use to judge the effectiveness of what you propose and to hold leaders accountable for the results of their policy decisions and expenditures.

Develop **success stories** – examples where international cooperation has helped prevent mass killings (e.g., Macedonia); stop/reverse them (e.g., Burundi, Timor); or bring perpetrators to justice. These examples will help Americans believe there are practical alternatives to failed policies that can put their principles into practice effectively.

Avoid jargon. Words that are very familiar and deeply moving to advocates are often unfamiliar or have other meanings to the non-specialist public—"development" means fundraising, for example, and UNSC, ICC, and R2P are bewildering acronyms.

Put proposals and arguments in the context of an **interconnected world**, a world in which isolationism is unrealistic, teamwork is more a requirement than an option, and tackling complex problems with comprehensive solutions is a necessity.

Don't 🔴⚫⚫

Guilt doesn't work. Advocacy efforts for humanitarian issues that rely on Americans feeling guilty are unlikely to produce long-term gains. Guilt is attention-getting but ultimately disempowering, causing many people to turn away. Americans seem more ready than at any time in the recent past to say, without prompting, that we're falling short of our ideals. But we haven't let go of the core belief that we are a good and moral nation. Approaches that are empowering rather than disempowering, that offer a positive way to do better, will have better results—and are more appealing to the political figures we want to reach.

Don't push the "go-it-alone" button. Americans are very ready to hear about cooperative international solutions to international problems where the United States makes *a* commitment but not the *only* commitment. The proportions of Americans who believe the United States should play a less central role in world affairs has risen in recent years; making atrocity crimes sound like a problem that the United States alone can solve is likely to exacerbate the often-held perception that we are already doing too much. To the rising numbers of Americans (especially progressives) who worry that the U.S. is seen as a bully and arrogant, even a humanitarian intervention can seem like an imposition on an unwilling world. Advocates should go out of their way to highlight the role of other nations and organizations.

Complexity can overwhelm. Campaign season shortens an already small media attention span; this is not the time for a 12-point plan with complex international structures. The goal is to gain broad political support for the general idea of working with the international community to create an effective

commitment to end and prevent atrocities; this then serves as a promissory note from political leaders that can be called in and detailed 2009 and beyond.

Keep in Mind ○ ◉ ○

When discussing **diplomacy or negotiation**, remember that many people do not fully understand that they are more than "all talk" ("…and no action"). In the R2P context, it is very possible that the public has no awareness of non-military responses to genocide. Give examples of successes achieved through negotiation.

Use the faith-values nexus. Values play a role in shaping responses to this issue among both religious and secular Americans. Advocates will want to use different language and metaphors when talking to communities of faith, but there is probably no need to craft an entirely different messaging framework for them. Although participation in organized religion brings a deepened understanding of interconnectedness and is an excellent predictor of concern about human suffering, it is *not* a predictor of desire for a strong government role in addressing that suffering (political affiliation is). Appealing to the values of religious Americans does not replace making a smart and strong case for why R2P is needed and will work.

Learn more. Very little specific communications research has been done on these issues. Keep questioning your communications choices in light of these general guidelines, review your own experiences, compare notes with other advocates and communicators and, where major campaigns are being considered, set aside time and resources to answer communications questions in a systematic way.

Appendix C: Proposed Agenda for Further Public Opinion Research

Questions about public opinion formation

What are the missing links in communication that will raise Americans' awareness of the problem?

What are the missing links in knowledge and argumentation that can turn Americans' support in principle into support in practice?

How does the moral values argument work in citizens' minds and does it work differently for different groups (e.g., religious and secular, progressive and conservative)?

How can advocates best deal head-on with the "Iraq hangover" of hostility to intervention and reluctance to believe that the United States can be a force for good?

How much of a U.S. role will Americans support in practice?

What are the best ways to increase awareness of preventive, non-military, and non-combat options—in other words, to tie specific policies to the broad values Americans so strongly support?

Is it possible, and if so, how, to tie actions on responsibility to protect to actions that improve our own security in the public mind?

Questions about messaging and word choices

The phrase "responsibility to protect" itself: can it be made into something meaningful?

"Genocide" vs. "mass killings" vs. "atrocity crimes": does the public perceive significant differences?

Are there tradeoffs in public support that come with tying R2P initiatives to the UN?

Who are the most credible spokespeople on these issues? Do most Americans get their information from traditional or non-traditional sources?