Research Report

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Security Council

Addressing the elaboration of the Responsibility to Protect (R2P)

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Introduction

Responsibility to Protect (R2P) is an international agreement established in 2005 at the United Nations World Summit. Member states adopted the agreement unanimously. So far, it has been the largest assembly of state leaders in history. The agreement was endorsed as a direct response to the genocides and other mass atrocities that preceded it. A document was created in which they addressed the 4 key issues, those being genocide, war crimes, ethnic cleansing, and crimes against humanity. Further elaboration of the Responsibility to Protect (R2P) framework is necessary to ensure it is applied in accordance with international law. In addition to addressing questions surrounding its practical implementation, the debate aims to explore how the agreement's integrity and effectiveness can be maintained.

General Overview

The Rwandan genocide of 1994 and the massacre in Srebrenica during the 1995 Bosnian War in former Yugoslavia revealed the United Nations' inability to protect and defend populations susceptible to mass atrocities. It sparked debate soon after about state sovereignty. Previously, the UN(United Nations) prioritised non-interference and state sovereignty, which made it legally and politically difficult to intervene when a government was harming its own people. In response, a report was published calling for the International Commission on Intervention and State Sovereignty (ICISS). This meant that if a state is either unwilling or unable to protect its inhabitants, this responsibility would be shifted to the United Nations as a whole. This is the essence of the R2P agreement that was unanimously adopted by all UN member states at the 2005 World Summit, and

the one that we still know today.
The agreement consists of three main pillars:

- Pillar one focuses on state responsibility. Each member state carries the responsibility to protect its citizens from the four mass crimes, including: genocide, war crimes, crimes against humanity, ethnic cleansing.

- Pillar two emphasizes international assistance. The international community should help states with this responsibility through, for instance, humanitarian support, capacity building, and prevention.

- Pillar three stresses response and regulation. If a state fails to protect its citizens, the UN should take appropriate, collective action. Such measures could include sanctions, but also, if legally authorized, military action.

In practice, the R2P is not automatically a military intervention. It focuses on prevention and assistance. The UN, together with other actors that are more closely involved, identify and evaluate risks and warning signs of potential mass atrocities. They further attempt to prevent escalation by pursuing diplomacy and acting as a neutral third party in peace negotiations. The implementation of R2P still remains controversial, particularly when it comes to state sovereignty and whether the UN should or shouldn't have the authority to intervene in a country's internal affairs. Although the UN Charter (which is the foundational document that grants an international organisation their authority or power) claims to protect state sovereignty and limit the use of force, it simultaneously gives the Security Council authority to take enforcement measures to maintain peace. For this reason, collective action must comply with the Charter and cannot be justified by the R2P alone.

Today the R2P is rendering aid to civilians caught up in the the civil war of Sudan. The United Nation tracks atrocity alerts regarding the ongoing conflict between the SAF(Sudanese Armed Forces) and the RSF(Rapid Support Forces). The UN Special Adviser on the Prevention of Genocide together with other R2P related officials have highlighted the risks of ethnic cleansing and genocide, particularly against non-Arab minorities in the Darfur region. Further efforts are directed at documenting violations and providing humanitarian aid in hard-to-reach areas.
Despite this, the UN also faces limitations. Pillar III of R2P has not yet been implemented due to veto use and competing interests among member states, with a lack of military intervention as a consequence.

Major Parties Involved

- United Nations: Security Council
    - Security Council carries the primary responsibility for maintaining international peace. - The Security Council can impose sanctions (with authorisation of the United Nations' Charter) on member states.
    - The Security Council has 5 members(China, France, Russia, the United Kingdom and the United States) who can veto resolutions.
- Regional Organisations such as the AU(African Union), EU(European Union), ASEAN(Association of Southeast Asian Nations)
    - Regional organisations have a better understanding of conflicts and crimes being committed
    - They can help conflicting groups or states that occur within their organisation negotiate and reach agreements better than other organisations could - They can offer humanitarian and military aid

- Human-rights organizations (Global Centre for the Responsibility to Protect, Amnesty International, Human Rights Watch, ICG(International Crisis Group))
    - They document human rights offenses and can provide monitoring, risk assessment, and early warning analysis
    - Human rights organisations advocate for prevention, accountability, and civilian protection
    - Help inform governments and other international institutions

Possible Solutions

- Strengthen early warning systems and prevention

  This should give states more time to respond, so earlier, more coordinated, and more effective plans can be formed.
    - Have regular risk assessments of areas where genocide, war crimes, ethnic cleansing, or other crimes against humanity may occur
    - Improve cooperation between the UN, Regional Organisations, and local human rights organisations who can better monitor and identify early signs of atrocity crimes - Establish regular information sharing or meetings with regional and local organisations

- Create stronger oversight of interventions

  It increases trust between Member States, and it addresses the potential misuse of R2P

  - Start requiring regular reporting to the Security Council of authorized R2P interventions to create transparency
  - Assess whether measures are protecting civilians or they are causing (unintended) harm
    - Consider Brazil's 2011 resolution of RwP (Responsibility whilst Protecting)

- Strengthen accountability for atrocity crimes

  A lack of immediate accountability can weaken efforts to prevent future atrocities. This solution discourages impunity and supports justice

  - Support independent, non-governmental investigations into alleged war crimes, genocide, ethnic cleansing, or other crimes against humanity - Encourage states to investigate and further prosecute crimes that lie within their jurisdiction

- Invest in expanding humanitarian aid and access

  It is crucial that innocent civilians during times of crisis get sufficient access to humanitarian aid such as food, clean drinking water, medical care, shelter, and more.

  - All member states should be open to giving medical and humanitarian aid workers access to the affected areas.
  - More humanitarian aid funding should go to non-governmental organisations to safeguard the intended use.