

The Responsibility to Protect

VIEWS FROM SOUTH AFRICA, BRAZIL, INDIA AND GERMANY

Around 80 participants attended the dialogue meeting on R2P that took place on 7 June at the ISS in Pretoria. The meeting brought together high-ranking representatives of the Foreign Ministries of South Africa, Germany, India and Brazil, representatives of international think tanks from all participating countries, Members of Parliament, students, and the civil society.

This one-day policy dialogue was jointly organised by the Hanns Seidel Foundation (HSF) and the Konrad-Adenauer-Stiftung (KAS) in cooperation with the Institute for Security Studies (ISS), the South African Institute of International Affairs (SAIIA) and the German Embassy in Pretoria. It was supported by the Institute for Foreign Cultural Relations (ifa) with funds provided by the German Federal Foreign Office. The conference sought to establish a platform for multilateral dialogue between Germany, India, Brazil and South Africa (GIBSA countries) in the area of Responsibility to Protect (R2P).

In the welcoming remarks, the speaker reflected back on the previous project in 2011, which had a broader focus on the UN Security Council (UNSC). The R2P norm became a very topical issue in the course of 2011, and the project partners decided to focus on it with this dialogue meeting and a related publication in 2012. The conference format was described as unconventional and innovative due to the fact that students and young scholars were invited to present their ideas and to participate in the discussion.

The conference was opened with a keynote speech on the concept of R2P and its transition from political principle to policy framework. The speaker stressed that Africa was the birthplace of the concept, and that African leadership continues in its application and further development. He emphasised that the UN has been most effective when

working alongside regional agreements, for example in cooperation with the AU and ECOWAS. He went on to explain the three R2P pillars and that the UN is learning "on the job" with regard to the application.

Responsibility while protecting (RwP)

According to the speaker, Brazil's initiative to introduce the principle "Responsibility while protecting (RwP)" provides a bridge between the Security Council and the UN General Assembly and is expected to lead to improved analysis and assessment of interventions. As key challenges, the speaker mentioned the need for a renewed practical focus on prevention including the required capacity building, more accountability mechanisms in resolutions, and functioning partnerships between the UN and regional organisations.

The following two sessions reflected the positions of the four GIBSA countries: Germany, India, Brazil and South Africa. The speaker who presented the South African perspective was of the opinion that South Africa has yet to formulate a comprehensive framework on R2P. The presentation led to an intensive discussion about the conflict in Libya. South Africa's decision to vote in favour of Resolution 1973 was debated with particular reference to the government's clarifying statement about the implementation of the resolution.

The next speaker presented Germany's position and stressed the country's early involvement in the development of R2P. He stated that Germany is in a key position to contribute to the development of the conceptual and strategic dimensions of the norm. According to the speaker, conceptual clarification is needed from the UNSC about how to safeguard the lives of civilians. He continued by outlining two strategic aspects: firstly, improved coordination between the mandate giver and the mandate

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Juni 2012

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taker; and, secondly, improved communication and interaction with regional organisations.

In the discussion, a participant pointed to the problematic connection between protection of civilians and interventions under Pillar 3, and questioned whether military intervention leads to regime change. Germany's abstention from Resolution 1973 was discussed as well as the difficulties of preventive diplomacy.

India willing to play a major role in the world

The Indian presentation emphasised the historic roots and deep imprints that the principles of sovereignty and non-interference left on India's foreign policy. The speaker said that, nevertheless, India is increasingly willing to play a major role in the world, including as a permanent member of the UNSC. India has been the largest contributor to UN Peacekeeping Operations since their inception. With regard to R2P, the Indian government stresses the need to respect the unity, territorial integrity, and independence of individual states. The speaker is of the opinion that this position is unlikely to change in the near future.

The presenter of the Brazilian perspective referred to the lack of material capacity and the importance of non-material values for Brazil, such as multilateralism and peaceful means of dispute resolution. She went on to describe Brazilian positions on key crises since the 1990s. The RwP concept was characterised as complementary to R2P with a focus on prevention, more accountability, and responsible use of force. The speaker concluded with an overview of possible strategic global partnerships for the implementation of R2P/RwP, including with South Africa, India and Germany. In the discussion, a question was raised whether individual states like Brazil should increase their military capacity. The pooling of resources with clear rules of engagement emerged as a potential compromise.

The last session of the day included student presentations and a panel discussion. A South African and two German students introduced their ideas about R2P, its shortcomings and possible solutions. The first German student stressed the need for 'cultural empathy' and recommended using cultural interlocutors to reduce mutual threat perceptions. The second German student focused on contentious legal dimensions of

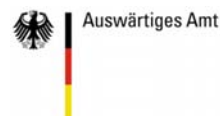
R2P. His propositions included a strengthened UN early warning system, preventive peacekeeping and interim administrations, an R2P treaty and indirect sanctions by specialised agencies. The South African student emphasised the importance of regional organisations and recommended a recalibration of the R2P-concept to include regional organisations in the first line of action.

In the final panel discussion, the speakers concentrated on policy recommendations. One presenter stressed the need for specific resolutions and a narrow definition of the UNSC mandate. Proper channels for oversight, increased accountability in the execution of the mandate, and more transparency were other recommendations. The importance of regional organisations was underlined as a way of connecting R2P to the reality in countries concerned. In the following discussion, it became apparent that positions on R2P still differ widely.

A particularly controversial point related to regime change that might follow from R2P interventions. A speaker reacted by stressing that the eventual fall of a regime can be the consequence of its failure to protect its population but that it is not intended. One participant stated that conflict often comes with displacement and disruption of livelihoods, which would also form part of the protection of civilians. With regard to the definition of where conflict prevention would begin, one participant brought up the need to look at early stages of conflict and to prevent the proliferation of arms.

In the closing remarks, the speaker referred to the situation in Syria to emphasise the urgency of this dialogue and commended all presenters and participants for their contribution.

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Institut für Auslandsbeziehungen e.V.



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