



The
Stanley
Foundation

209 Iowa Avenue
Muscatine, IA 52761 USA
563-264-1500
563-264-0864 fax
stanley@stanleyfoundation.org
www.stanleyfoundation.org
Richard H. Stanley, Chair
Vladimir P. Sambaiew, President

Policy Memo

DATE: September 8, 2010

RE: Funders Dialogue on the Responsibility to Protect

On July 19, 2010, the Stanley Foundation brought together key actors in the Responsibility to Protect (R2P) community to provide an overview of the principle, reflect on recent developments, and begin discussion on best next steps. The meeting was facilitated by the International Coalition for the Responsibility to Protect (ICRtoP) program of the World Federalist Movement-Institute for Global Policy (WFM-IGP), and participants included peace, security, and human rights funders from the foundation and government sectors, as well as civil society groups, experts, and officials dedicated to the promotion of R2P.

The following provides a summary of the major topic areas discussed, as well as recommended next steps and entry points for interested funders. Opportunities to forward the R2P agenda range from educational outreach and advocacy to institutional capacity-building and conceptual development in underserved areas such as pre-crisis preventive engagement and the prevalence of systemic sexual violence.

Background and Latest Developments at the United Nations

R2P represents a fundamental reframing of the humanitarian intervention debate that emerged from the international community's failure to adequately predict and respond to a shocking succession of unfolding mass atrocities in the 1990s. "Humanitarian intervention" was premised on a right to intervene, if necessary by force, when confronted with mass atrocity crimes; a concept that ultimately proved politically untenable and provided little scope for concrete implementation. The responsibility to protect, rather, emerged from a broader understanding of "sovereignty as responsibility" that vested sovereign rights in an obligation to preserve the welfare of civilian populations.

Limiting its scope to four specific atrocity crimes—genocide, ethnic cleansing, crimes against humanity, and war crimes—R2P shifted focus from what some considered the dubious "right" of an outside intervener to the indisputable "responsibility" of a sovereign state to protect its population from civilian-targeted violence. Developed first by the International Commission on Intervention and State Sovereignty (ICISS), the language incorporated and acceded to in the 2005 World Summit outcome document provided the elements necessary to elevate the concept from political rhetoric to an operational doctrine.

The framework elaborated at the World Summit rests on three pillars: (1) state responsibility to protect, (2) international commitment to assist states to fulfill this responsibility, and (3) the responsibility of member states to respond in a timely and decisive manner to a manifest failure to provide such protection.

The second pillar, international assistance, was a novel introduction that at once expanded the international community's options for engagement beyond coercive crisis response, and recognized the reality that governments are not the exclusive perpetrators of mass atrocity crimes. In its final form, R2P provides the logic and tools for the international community to engage flexibly in accordance with the UN Charter across the full crisis continuum, beginning with prevention and ending with the potential to sanction coercive force in response to the "manifest failure" of a state to meet its protection responsibilities.

While R2P was accepted unanimously by heads of state at the World Summit in 2005, early efforts to advance the concept have centered on norm promotion and securing political support. Some have continued to conflate R2P with humanitarian intervention and label it a prop for powerful Western nations to recast imperial intentions. Sensing this resistance, many initially questioned to what degree the idea had taken root.

More recently, there has been a shift in these dynamics, with broad political consensus refusing to renegotiate the concept and looking toward concrete implementation.

Next steps for the United Nations include:

- **Conceptual development.** The General Assembly has been encouraged to exercise its continuing consideration of R2P with an annual dialogue on defined aspects of the concept. This year's discussion took place on August 9, 2010, and focused on early warning and assessment and how it can translate into early action. Next year, the dialogue is expected to focus on regional and subregional organizations.
- **Devotion of institutional space and resources.** There is movement to streamline UN Secretariat efforts on genocide prevention and R2P with the creation of a joint office intended to service both the special advisors to the secretary-general on the prevention of genocide and the responsibility to protect.
- **Internal operationalization.** The role of the broader UN system in R2P implementation requires mainstreaming of the concept and the development of common methodologies that can enhance UN capacities for early warning, assessment, and policy development. In addition to infusing R2P in the methods and approaches of all relevant UN offices and agencies, the special advisors at the head of the "joint office" are expected to exercise a convening power of agency heads when confronted with a mass atrocity crisis in order to develop policy options for the secretary-general that draw on the full range of expertise available at the United Nations.
- **Analysis.** The current office for the prevention of genocide and the future "joint office" will continue comparative analysis, produced internally and in partnership with academic and civil society sources, that informs frameworks relevant to policy development.

- **Norm promotion and external outreach.** Special advisors Francis Deng and Edward Luck continue in their efforts to engage member states in promotion of their mandates. This requires demystifying politically charged terms such as *genocide* and focusing on fundamental elements of state responsibility, such as managing cultural diversity, in ways that reaffirm a positive definition of sovereignty and underscore the value of international assistance.

The Role of Civil Society: Education, Research, and Global Advocacy

Civil society has been crucial to the promotion of R2P, particularly in the areas of research and analysis, awareness raising, and political advocacy. Following the release of the ICISS report, the Canadian government sought the input of civil society organizations on its findings and approached the WFM-IGP to conduct a global series of consultations with NGOs on the key issues. Drawn to the broad concept of sovereignty as responsibility and its application to mass atrocity crimes, these groups embraced R2P with the caveat that it should not become a mask for self-interested military intervention.

During the World Summit discussions, civil society played a key advocacy role, engaging with governments to ensure that R2P would be included in the outcome document. They also lobbied to preserve its fundamental elements, including those that protect against its misuse.

In 2007 a collection of key human rights and conflict prevention NGOs met to discuss how to sustain momentum for R2P, avert political and conceptual rollback from 2005, and move toward implementation. This consultation resulted in the founding of two mutually reinforcing organizations intended to drive R2P forward: the International Coalition for the Responsibility to Protect (ICRtoP), focused on fostering and galvanizing global civil society support for R2P and enabling this global membership to maximize local impact in favor of implementation, and the Global Centre for the Responsibility to Protect (GCR2P), devoted to research and policy development. These two institutions are working to advance key R2P issues and maximize the collective civil society effort.

Next steps for civil society include:

- **Awareness-raising.** There is a strong need to expand education about the norm, as knowledge gaps remain widespread. Misunderstandings of R2P persist, including the sense that its primary objective is to legitimize military intervention. Educational outreach is necessary to dispel such myths and share accurate information with political leaders, civil society actors, the media, and the general public.
- **Support for UN and regional mechanisms.** Civil society organizations will continue to support efforts to further R2P implementation at the United Nations, including the “joint office.” There is also a need to expand these efforts to enhance the political awareness and institutional capacities of regional and subregional organizations and reinforce links to the United Nations.
- **Advocacy.** R2P is a political tool to hold governments accountable to their 2005 pledge. Civil society must continue to push for concrete action with regard to all three pillars of

the R2P framework, ranging from preventive capacity building to the political will for coercive action when necessary. This effort will include outreach to secure endorsements of R2P at the national and regional levels.

- **Research and analysis.** Harnessing the potential of R2P to impact policy and behavior requires clarifying many of the concept's conceptual and practical challenges. Priority research topics include the unique nature of mass atrocity crimes; application of R2P to past, imminent, and current country situations; as well as the range of measures that need to be calibrated to prevent and respond specifically to R2P crimes.

The Role of Governments

Government internalization of R2P in a way that fosters political will and leads to concrete action is the ultimate measure of the principle's success. Governments, therefore, are central not only to their own internal efforts to align national policies with the responsibilities reflected in the R2P framework but also to maintaining political momentum and encouraging implementation in the multilateral context.

Governments often rely on civil society to make arguments that might otherwise be silenced by the need to preserve diplomatic relationships. At the same time, governments that resist R2P are more likely to respond to the pressure of a peer than to that of an external, nongovernmental organization.

Seeking to balance these elements, many R2P-supportive governments have endeavored to promote implementation of the concept by (1) leading politically and setting precedents by referring to R2P in appropriate statements and reports; (2) providing institutional and political support for initiatives that strengthen national and multilateral capacities to take R2P-informed policy actions; (3) supporting research and grassroots efforts that create political space and exert pressure on less supportive governments.

For R2P proponents, the true objective is to protect civilian populations in ways that are consistent with the R2P framework. This sometimes requires setting aside the R2P label in contexts where it raises political resistance and encouraging policy responses consistent with its principles without semantically invoking the norm.

Using whatever tools and arguments appropriate, R2P-supportive governments continue to include R2P in diplomatic discourse, engage with states to dispel persistent misperceptions, and present the substance of R2P in ways that are relatable to apprehensive regimes.

Next steps for governments include:

- **Internal mainstreaming.** Within administrations that currently support R2P, needs remain for internal education, training, and institutional development to enhance understanding of the concept and how it should impact the execution of foreign policy and international assistance.

- **Fostering political momentum.**
 - *United Nations.* The “Friends of R2P,” a grouping of UN member state delegations committed to promoting R2P, will seek to sustain momentum at the United Nations, expressing their support and exerting influence where appropriate.
 - *Regional level.* Inserting R2P into discussion at regional summits will serve to demonstrate existing support, promote broadened acceptance, and focus attention on the role of regional organizations for implementation.
 - *National level.* Ongoing efforts to promote the concept within foreign ministries should be broadened to engagement with national parliaments.
- **Engaging civil servants.** More effort should be made to engage civil servants with bureaucratic input into agendas and reports considered at the national, regional, and multilateral levels.

Moving Forward: Engagement and Entry Points for Funders

Since the birth of the Responsibility to Protect doctrine, civil society has been a leading voice in increasing understanding of R2P principles, building consensus, and advancing implementation. Five years after the World Summit, we are at a critical juncture in R2P’s conceptual development and operationalization.

With some notable exceptions, governments remain the primary funders of the R2P agenda. Broader engagement by the private funding sector is particularly critical at this time to support the rising pool of actors committed to moving toward implementation of the norm.

Beyond the opportunities provided by an overall increase in resources, private funding brings a unique added value to R2P-related work: it provides civil society actors with greater flexibility and independence, ensuring that they have the ability to be critical of government policies that do not meet the potential inherent in the R2P framework.

A range of opportunities exists for different funders to support this new tool that has the potential to prevent or stop the most egregious human rights violations and promote peace and security worldwide. Broader funder support and engagement at this time could:

- Further understanding of R2P among governments, NGOs, the media, and the broader public at the international, regional, subregional and national levels.
- Strengthen normative consensus for R2P at all levels.
- Enhance the capacity of governments and regional, subregional, and international organizations to prevent and halt R2P crimes.

- Conduct research and develop policy recommendations for preventing and responding to R2P crimes.
- Integrate a gender perspective into R2P in order to provide adequate protection to women and girls and maximize the role of women in atrocity prevention.

Furthering Understanding of R2P

While the awareness gap continues to close, few officials in government—much less the media and, by extension, the general public—know of the pledge that all member states have taken in unanimously endorsing R2P. Among those who are familiar with the term, substantial misconceptions persist. R2P is often understood too narrowly as justification for military intervention; others imagine it to incorporate protection of populations from all threats, including global warming and HIV/AIDS.

Important strides have been made in educating member states at the United Nations and in certain regional contexts. However, expanding an accurate understanding of the concept remains a critical challenge. Continued outreach at the national, regional, and international levels is of vital importance, as is the need to establish links with regions and stakeholders not yet exposed to R2P.

Entry Points for Funders:

- **Expanding worldwide awareness-raising initiatives.** Particular focus is needed in regions where outreach has been limited, notably the Middle East, Central/Great Lakes and Southern Africa, East and South Asia, and the Caribbean.
- **Developing educational materials.** Toolkits tailored to the needs of targeted audiences, such as NGOs and the media, would promote a nuanced understanding of the R2P framework, its relevance to the work of the target audience, and the added value of its inclusion in their thinking and output.
- **Fostering a broad based R2P constituency.** Training workshops, focus group discussions, and thematic conferences would target neglected stakeholders and create R2P networks across relevant sectors. Target audiences could include:
 - *Government officials.* Efforts should aim to reach diplomats and civil servants at the policy and operational levels and seek to generate both political support and internal institutional constituencies for R2P.
 - *NGOs with related mandates.* Civil society groups focused on human rights, conflict prevention, humanitarian aid, women’s issues, and other elements of human security and protection could be engaged on the relevance of R2P to their work and encouraged to invoke the norm where appropriate in their advocacy and research. Such engagement should illustrate how R2P’s narrow focus on four categories of atrocity crimes reinforces the broader protection agenda.

- *Journalists and media leaders.* Engagement could extend from individual reporters to editors and corporate media decision makers. It should seek not only to establish the link between R2P and unfolding world events, but also to promote coverage of mass atrocities sensitive to genuine causes, the nuances of the R2P framework, and the commitments made by the international community.
- *Private sector.* Little has been done thus far to engage the private sector on R2P-related issues. Its global reach and ground presence create complex dynamics that, in some cases, may allow it to serve as a productive partner for atrocity prevention. The broader relationship of the private sector to the R2P framework is something that could benefit from further discussion.
- **Broadening public understanding through the media.** Moving one step beyond media education efforts, direct support could be given to independent investigative journalists and nonprofit media outlets that bring attention to underreported global issues. Support for journalists exploring R2P-related stories would ultimately seek to better educate the policy community and the broader public on the true nature of mass atrocity crimes and the role of R2P to prevent and halt them.

Strengthening Normative Consensus

With some notable exceptions, few international, regional, and subregional organizations have forwarded explicit normative reaffirmations of R2P principles in official documentation or processes. In the absence of the political space and strategic direction this form of institutional acceptance provides, multilateral organizations and individual governments are less likely to establish effective mechanisms, policies, and practices to prevent and halt mass atrocity crimes. Such endorsements also lend civil society greater leverage in holding governments accountable for their protection responsibilities and building political will within the international community to take action to prevent and halt atrocity crimes.

Entry Points for Funders:

- **Securing R2P at the United Nations.** Funders can help move R2P from a broad political consensus to institutional doctrine at the United Nations by supporting civil society organizations that promote the integration of R2P principles within the vision, operating procedures, outcome documents, and resolutions of UN bodies throughout the system, including various departments and agencies, as well as the Economic and Social Council (ECOSOC), the Human Rights Council (HRC), and the Commission on the Status of Women (CSW).
- **Building normative consensus at the regional level.** The African Union endorsed the principles of R2P in its Constitutive Act in 2002. Other regional references have included a 2007 resolution from the African Commission on Human and People’s Rights, as well as several nonbinding resolutions in the European Parliament. However, regional and subregional endorsements are broadly limited. In Africa, many subregions have yet to include R2P principles in their normative frameworks. In the Asia-Pacific, Latin American, and Caribbean regions, no institutions have yet endorsed R2P. Targeted

advocacy is needed to encourage governments to endorse R2P in charters and relevant protocols and resolutions at the regional and subregional level.

- **Promoting strategic elaboration at the national level.** Only a small number of governments (including, France, the United Kingdom, and the United States) have incorporated R2P language in their national political, legal, or peace and security strategies. Support from funders could help NGOs galvanize political support for normative endorsement in parliaments, human rights and peace and security strategies, and other relevant mechanisms.

Enhancing Capacity to Prevent and Halt R2P Crimes

Preventing and halting R2P crimes requires that all relevant actors have the capacity to effectively protect populations. This means ensuring domestic protection capacity through strategic pre-crisis assistance, as well as establishing effective early warning and assessment systems, robust mitigation tools (such as for mediation and preventive diplomacy), human rights instruments (fact-finding, commissions of inquiry), sound coercive measures (targeted sanctions, constitution, and deployment of stand by forces), and accountability mechanisms (such as the ICC, other international tribunals, and national legal institutions). At all levels, it requires allocating resources, assigning specialized staff, and possibly creating new offices dedicated to R2P.

Entry Points for Funders:

- **Translating normative acceptance into concrete implementation.** Donors could support NGO efforts to foster development and implementation of the policies, mechanisms, and tools required to implement R2P principles. Current efforts include:
 - Promoting and monitoring the effectiveness of the new joint office between the special advisors on the Prevention of Genocide and the Responsibility to Protect.
 - Campaigning to limit the P-5 use of veto at the Security Council in cases of mass atrocities.
 - Building regional and subregional capacity for early warning and response. For example, supporting the ECOWAS Warning and Response Network's ability to integrate R2P criteria into early warning indicators.
 - Supporting institutional and policy development at the national level, including efforts to establish dedicated focal points for R2P within foreign ministries and promoting concrete policies to prevent and halt mass atrocity crimes.
 - Enhancing the effectiveness of standby forces at the regional and international levels.

Conducting Research and Developing Policy Recommendations

In order to further R2P as an operating principle, research is needed in several key areas. R2P articulates the commitment of the international community to help states build capacity to protect their own populations from mass atrocity crimes, as well as a promise to “assist those which are

under stress before crises and conflicts break out.” Thus far, however, little research or policy discussion has focused on how pre-crisis international assistance might help build local protection capacity in states that may be willing, but unable, to protect their populations. Knowledge gaps in country- and crisis-specific settings also require greater attention, as do the unique conceptual and practical challenges inherent in R2P framework. Deeper examination of the policy implications of these issues would provide a critical foundation for strategy development and effective operationalization at the national and multilateral levels.

Entry Points for Funders:

- **Enabling research that identifies the causes, consequences, and policy implications of mass atrocity crimes and the nuances of the R2P framework.** Support for policy-focused research that expands understanding of R2P crimes and maximizes the potential policy and operational impact of the framework could include:
 - *Country- and crisis-specific analysis.* Efforts would (1) provide analysis of the type of crimes occurring; (2) describe international, regional, and national responses to the crisis and potential gaps; (3) assess whether R2P crimes are imminent or occurring and whether the government has failed to protect; and (4) determine whether regional/subregional bodies have failed or have the responsibility to intervene; etc. Priority targets for country-specific research might include states in post-conflict situations; states where R2P crimes are occurring, imminent, or at high risk; and states with upcoming, and potentially de-stabilizing, events such as elections, referendums, and other shifts in power.
 - *Exploring the parameters and added value of the R2P framework.* Work could examine (1) how preventing and halting R2P crimes differs from related agendas—such as conflict prevention, peacebuilding, civilian protection, human rights and accountability—and the policy implications of distinguishing these efforts; (2) the crucial elements of state protection capacity—institutional, political, legal, etc.—and how the international community can support states that lack necessary capacities before crises emerge; and (3) the unique nature of the four listed crimes and the implications of binding them within a single framework.
 - *Identifying, enhancing, and developing protection mechanisms.* Research would (1) identify the tools available to the international community and how they can be calibrated to respond specifically to mass atrocity crimes and (2) spell out how existing mechanisms can be enhanced and others developed to be best suited to protect populations from mass atrocities—for example, developing specific R2P indicators for mediation and early warning.

Integrating a Gender Perspective into R2P

Mass atrocity crimes often manifest as sexual violence and disproportionately target women and girls. The secretary-general’s 2009 report, “Implementing the Responsibility to Protect,” paid deference to the spirit of landmark Security Council Resolution 1325 with explicit reference to the protection needs of women and girls in the face of R2P crimes, as well as the

active role of women's organizations in atrocity prevention and response. However, the report also underscored that more needs to be done, both to understand the dynamics of sexual violence in mass atrocity scenarios, and to maximize the role of women to prevent and halt mass atrocity crimes.

Entry Points for Funders:

- **Promoting a more accurate understanding of the dynamics of sexual violence.** In the context of the research agenda above, broader efforts to integrate a nuanced gender perspective in the implementation of R2P could include action-oriented research to explore the role of identity construction, gender, and violence against women in mass atrocity scenarios. Particular attention should be paid to the policy implications of sexual violence for mass atrocity prevention.
- **Maximizing the role of women in atrocity prevention.** Funders could support initiatives that seek to deepen understanding and acceptance of R2P among women's rights groups, as well as projects that bring together women, peace & security, gender justice, and violence against women groups to strategize on how to fully integrate a gender perspective into the R2P agenda and explore the nexus between R2P and Security Council Resolution 1325.

Additional Resources

Stanley Foundation: www.stanleyfoundation.org

- [The United Nations and the Responsibility to Protect](#)
- [Is Human Protection a Priority?](#)

ICRtoP: www.responsibilitytoprotect.org

- [ICRtoP Factsheet](#)
- [Core Documents](#)
- [Educational Tools](#)

Global Centre for R2P: www.globalr2p.org

- [The Responsibility to Protect: A Primer](#)
- [Frequently Asked Questions](#)

Asia Pacific Centre for R2P: <http://www.r2pasiapacific.org/>

United Nations Office of the Special Adviser on the Prevention of Genocide: <http://www.un.org/preventgenocide/adviser/index.shtml>

This policy memo includes a summary of topics discussed on July 19, 2010, as well as a broad presentation of potential entry points for funders interested in promoting the responsibility to protect.

The discussion summary draws upon strands of discussion put forward at the event and does not necessarily reflect the views of the Stanley Foundation or any of the conference participants. Participants neither reviewed nor approved this document. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions.

Entry points reflected in the document were developed after the event and added to this report at the request of foundation participants. They are not intended to reflect an exhaustive list, or to constitute specific funding recommendations on behalf of the Stanley Foundation.

The Stanley Foundation does not make or receive grants.

For further information, please contact Rachel Gerber at the Stanley Foundation, 563-264-1500.

About The Stanley Foundation

The Stanley Foundation seeks a secure peace with freedom and justice, built on world citizenship and effective global governance. It brings fresh voices, original ideas, and lasting solutions to debates on global and regional problems. The foundation is a nonpartisan, private operating foundation, located in Muscatine, Iowa, that focuses on peace and security issues and advocates principled multilateralism. The foundation frequently collaborates with other organizations. It does not make grants. Online at www.stanleyfoundation.org.