POLICY*dialogue* BRIEF

The Responsibility to Protect in the Next Decade

R2P at Ten: Taking Stock of Progress and Challenges for Implementation

Ten years after the 2005 World Summit, an international effort is under way to review progress and chart a path forward for the Responsibility to Protect (R2P). While taking stock of R2P's evolution is vital, attention must also be given to developing an ambitious vision for the decade ahead.

In support of this evolving dialogue, the Stanley Foundation convened a diverse group of diplomats, policymakers, and experts for its 46th annual United Nations Issues Conference, "The Responsibility to Protect in the Next Decade," held March 25–27, 2015. Participants considered the prospects and challenges for R2P implementation ten years after its adoption by UN member states. Focused on the future, the dialogue sought to identify forward-looking priorities and concrete recommendations for R2P's second decade.

This Policy Dialogue Brief presents the key themes of the discussion and offers the recommendations of roundtable participants.

Emphasizing the forward-looking focus of their dialogue, roundtable participants first reflected on the key lessons to be drawn from R2P's conceptual, political, institutional, and operational evolution since 2005. Participants argued that striking progress has been made in terms of conceptual and political development. Some noted that comparing levels of normative internalization and institutionalization of the Universal Declaration of Human Rights ten years after its adoption in 1948 with R2P ten years after the World Summit demonstrates how rapidly the new norm has taken root. R2P, they asserted, has been firmly established as a norm, rooted in solid political consensus and a shared understanding of the principle's conceptual parameters. As R2P enters its second decade, the core debates have moved from doctrine to implementation.

In evaluating this progress, however, participants highlighted remaining conceptual and political gaps that must be addressed in order to advance R2P's institutional and operational development.

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Conceptually, participants argued for the need to develop a deeper and more nuanced understanding of the relationship between atrocity prevention and conflict prevention. Participants agreed that, at their core, R2P and atrocity prevention provide a lens through which distinct questions can be raised—questions that prioritize elements of atrocity risk in assessing the objectives of broader agendas such as conflict prevention, stabilization, and state building. In practice, however, the added value of an atrocity prevention lens often proves challenging to communicate when its objectives are assumed to be subsumed under these wider umbrellas. Distinguishing what is unique about atrocity prevention carries operational and budgetary implications. Participants suggested that a cogent argument must be made to explain why governments should allocate attention and resources to atrocity prevention, particularly if resources come at the expense of alternative efforts.

Looking forward, participants argued that rationalizing the relationship between conflict and atrocity prevention, clearly articulating the added value of an atrocity lens, and removing the stigma associated with state self-reflection on atrocity risks will be necessary to advance R2P's institutional and operational development in the next decade.

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Politically, participants observed that while it enjoys widespread political support among country missions at UN headquarters, R2P remains a UN-centric issue. Efforts to support national-level implementation of R2P principles, including regional and global networks of national R2P and atrocity prevention focal points, have encouraged understanding of R2P among relevant actors beyond the United Nations. However, participants agreed that expanding awareness, ownership, and political leadership at the national level should be given greater priority as implementation moves forward.

Noting these remaining conceptual and political gaps, participants argued that institutional and operational development have become the natural progressive focus of R2P's second decade. Assessing this progression, participants suggested that acceptance and understanding of R2P has yet to translate into the institutionalized approaches and processes necessary for full operationalization. Participants described R2P as an integral part of a wider protection agenda. Operationalization of R2P objectives thus requires full integration within existing conflict prevention and resolution processes accompanied by broader bureaucratic acceptance of the relevance of R2P across UN organs, offices, mechanisms, and mandates.

Drawing on lessons learned from efforts to operationalize R2P, participants considered R2P's successes and failures in response to specific cases since 2005. In particular, participants recognized the contention raised by controversial cases, including debate over implementation of the 2011 Security Council mandate in Libya.

Participants affirmed that contention has damaged consensus and/or restrained collective action in subsequent cases. Contention, however, has not caused the international community to abandon R2P. Participants suggested, rather, that R2P has claimed a consistent place in deliberations and in the lexicon used to discuss contexts of ongoing or imminent atrocities. Post-Libya debates, they argued, focus on how—not whether—R2P should be applied in relevant contexts. Highlighting this point, participants noted that R2P has been invoked in Security Council resolutions on 25 occasions since Libya, which provides solid evidence of its continued influence.

In terms of successes, participants argued that R2P has proven an important component in a variety of effective efforts to avert or mitigate atrocity violence

over the last decade. However, they noted several inherent challenges in assessing the "success" of such efforts and in attributing such successes to R2P.

As a principle primarily intended to prevent widespread and systematic violence against civilians, R2P faces the difficulty of assessing preventive engagement more generally; success is often a nonevent that is difficult to tally or claim. R2P is most visible in cases where it seeks to halt imminent or ongoing atrocities. In practice, however, R2P is rarely the single lens framing international engagement. Rather, as described by several participants, R2P is one distinct and important piece within a larger human protection/human security movement. Recalling such cases, participants noted the difficulties in isolating the impact of R2P from the broader array of perspectives, motivations, and approaches that form a successful international response. In addition to these challenges, participants pointed to the common tendency to assess R2P against standards of compliance and performance rarely required of other norms, including related human rights and humanitarian norms.

As a result, R2P's successes have largely been quiet ones, while its failures have been widely discussed. Participants argued that greater and more systematic effort should be made to examine successful cases of international engagement and to identify and communicate where and how R2P has added value, stressing that such lessons are critical to R2P's institutional and operational development in its second decade.

Building on Progress: Next Steps for Advancing Existing Initiatives and Integrating All Relevant Actors in R2P Efforts

Looking forward, participants considered the range of actors with roles to play in R2P operationalization, the degree to which such actors recognized their roles, and how to further embed R2P within their mandates, approaches, and mechanisms.

At the United Nations

Within the UN system, the dialogue focused on the potential to enhance the engagement of the principal organs—the General Assembly and the Security Council—as well as opportunities to mainstream R2P across the system and mobilize existing bodies, offices, and programs for implementation of R2P objectives.

Participants noted that R2P is a product of the General Assembly and highlighted the importance of the assembly's continuing engagement on the concept. Referencing the role that annual informal interactive dialogues within the General Assembly have played in solidifying political consensus on R2P principles and a shared understanding of their parameters, participants asserted that it is time to formalize the General Assembly's consideration of R2P. In particular, they advocated for the assembly to adopt a resolution reflecting on ten years of R2P implementation and setting priorities for the coming decade. Formalization of R2P within the General Assembly's agenda, they argued, could also reinforce broader institutionalization across the UN system by providing regular requests for follow-up and reporting.

Participants considered the role of the Security Council—and means to build on its engagement—as multifaceted. Participants reflected that the role of the veto as a potential barrier to collective action had been part of discussions on R2P implementation since the earliest considerations of the concept. Such discussions have become more prominent and open, prompting a recent French proposal

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for restraint on the use of the veto. Participants described this proposal as a compromise that has advanced the dialogue and promoted transparency. They stressed, however, that advancing R2P principles requires broad and inclusive buy-in among all Security Council members, which also requires reflection on other important determinants of Security Council engagement.

For example, participants suggested that orientation on R2P principles should be considered in the election of new Security Council members. They also highlighted the need for discussion around determination of the council's agenda, including how countries might be removed from the agenda. Finally, participants underscored the point that when considering the full range of global atrocity risks, the Security Council's greatest challenge is not passing resolutions but ensuring compliance, monitoring, and accountability for the mandates created and executed.

Participants emphasized that R2P is a framework with implications across the UN system and that numerous UN organs, bodies, and offices offer important entry points to advance R2P objectives.

Mainstreaming R2P requires clarifying the concept's added value, making the case for the distinctive questions it raises, and communicating why applying its principles is in the interests of all stakeholders.

The Peacebuilding Commission (PBC) received particular focus as both a preventive tool and a mechanism for postatrocity reconciliation and rebuilding. Participants highlighted the PBC's potential to enable political-level support and engagement with states under stress. The commission provides focused attention and peer-level political support from a broad array of member states, while avoiding the label and threshold requirements associated with consideration by the Security Council. The relationship often built between the PBC chair of a particular agenda country and the government, as well as the support that relationship and commission engagement provide states as they address challenging domestic political dynamics, makes the PBC a unique tool for preventive engagement.

Participants noted, however, that the PBC has yet to integrate an atrocity-specific lens within its ongoing work. Participants attributed this lack of integration in part to political sensitivities, resource constraints, and the challenges of communicating the role and added value of applying an atrocity lens to peacebuilding and state-building efforts. It was also suggested that the commission has struggled more broadly to complement its political support with the operational expertise and resources required to fully mobilize its assistance potential. Participants suggested that addressing these gaps would create important entry points to advance the objectives of R2P in its second decade.

Turning to the Secretariat and the United Nations' operational bodies, participants discussed growing efforts to engage across the system with departments, offices, and programs that have a role in the United Nations' protection agenda. While dialogue on R2P and atrocity prevention is increasing, participants noted that many of these offices, departments, and agencies are charged with executing large, well-established mandates. Many remain skeptical that R2P adds value to existing approaches or are concerned about how R2P branding might impact their ability to meet their established objectives.

Participants stressed that mainstreaming R2P requires clarifying the concept's added value, making the case for the distinctive questions it raises, and communicating why applying its principles is in the interests of all stakeholders. In general, with all UN bodies and actors, participants suggested that the objective should be to normalize the presence of an R2P lens in ongoing discussions and processes. Looking forward, participants argued that the leadership and

commitment of the next Secretary General, in particular the articulation of clear guidance and strategy to the Secretariat, will be critical in driving deeper institutionalization of R2P at the United Nations.

Beyond the United Nations

While noting the importance of UN organs and mechanisms, participants underscored the point that R2P is a universal norm with responsibilities shared by the international community, states, and individuals that extend beyond the United Nations as an institution. They emphasized the importance of moving R2P beyond UN discussions and broadening its ownership (and stewardship) to a wider group of states, regions, civil society, and other actors.

R2P attributes the primary responsibility to protect to the state. Decisions to provide assistance or join in collective action are national prerogatives made through national-level processes. National internalization of R2P principles and atrocity prevention policies is therefore critical to advancing R2P operationalization in its next decade.

Participants voiced their support for ongoing efforts to root R2P in national-level processes through focal points and other appropriate mechanisms, noting that effective national institutionalization requires adaptation to unique domestic systems. They asserted that national focal points and mechanisms for internal reflection and implementation of R2P principles are relevant for all countries, regardless of levels of development or risk, and should be oriented to consider domestic dynamics and policies as well as approaches to external assistance and response. Participants also argued that identification of focal points and development of national mechanisms for atrocity prevention should be driven by solid, internalized commitment to R2P principles and recognition of their relevance at the national level. The international community should therefore focus on promoting the quality of focal points and mechanisms, rather than on their quantity or on the size of regional and global focal points networks.

Participants also highlighted the idea that national implementation of R2P and atrocity prevention objectives should identify existing sources of national resilience, including within civil society. It was noted that existing stabilization and state building efforts focus heavily on extending state authority and should be balanced with investments in civil society as a source of resilience and accountability.

Participants stressed the importance of engagement and collaboration with regional organizations, particularly in developing collective approaches to specific contexts or situations of concern. Several participants noted that the cases in which R2P has been most successful have often been those in which the international community worked closely with the existing regional architecture and developed effective partnerships with regional and subregional organizations. Many regional organizations have already assumed roles and mandates in R2P-relevant areas such as conflict prevention, mediation, and peacebuilding. While these mandates and efforts may not always be framed in the language of R2P or atrocity prevention, they provide important entry points for raising questions to address atrocity risk and advance protection principles.

Noting this potential, participants cautioned that no two regions reflect the same configuration of norms and institutions, and that all regional organizations must be approached as distinct bodies with specific mandates and opportunities. They also highlighted the notion that regional engagement should look beyond existing architectures and institutions; neighbors and key regional players, in particular, play unique and important roles in atrocity prevention and response.

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Addressing New, Persistent, and Evolving Challenges

Discussing a range of issues arising from the application of R2P principles to real world dynamics, participants focused on the following:

Building Consensus and Political Will

Participants emphasized that R2P is a naturally aspirational concept focused on behavioral change of all actors who bear responsibility under the framework, including states, individuals, and the international community. Given its focus, R2P inherently raises questions with which the international community struggles, in particular parameters for the use of force. At the same time, R2P is often measured against a higher standard of performance than that applied to other norms framing these same difficult questions.

Participants argued that these tensions are natural and should be anticipated in dialogue about R2P's future. In broadening and deepening consensus, particularly around applications of the principle, contention should be expected and the principle should remain assertive and "revolutionary."

Countering Atrocities Committed by Nonstate Actors

Assessing recent and evolving atrocity threats, participants considered the unique challenges presented by armed nonstate actors unwilling to respect their responsibility to protect civilian populations. They argued that nonstate perpetrators often seek the attention garnered by committing atrocities and are rarely interested in compliance with international norms. At the same time, the threats they pose are largely transnational in scope.

These specific characteristics shift dynamics for international engagement in significant ways, requiring a different set of tools to counter atrocities. Reaffirming that R2P principles apply where nonstate actors threaten mass atrocities within states, participants stressed the importance of thinking more critically about how to deny nonstate actors the means to execute violence against civilians, including rigorously enforcing arms embargoes and stemming the support provided by third parties, including the private sector.

Ensuring Responsibility Is Exercised Across All Phases and in All Aspects of Protection

Participants consistently reiterated the importance of applying an atrocity lens to assessment and planning in all phases of engagement, whether for preventive capacity building, atrocity response and protection operations, or postmission peacebuilding. Despite their importance, assessment and planning, not to mention atrocity-specific assessment and planning, remain notably absent in approaches to address conflict, instability, and atrocity risks.

Participants pointed to assessment and planning gaps at the macro and micro levels; operations are mandated without an overarching strategy for postoperation engagement, while peacekeeping and political missions lack operational guidance to integrate atrocity prevention in planning and assessment in day-to-day operations.

Participants argued that the absence of assessment and planning is largely systemic. Challenges are compounded for atrocity-specific assessment and planning in part because of remaining conceptual challenges in distinguishing atrocity prevention from related protection and prevention objectives. Participants reinforced the need to clarify the added value of atrocity prevention and its relationship to other agendas in order to ensure R2P

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principles receive the required attention across all phases and in all aspects of protection.

R2P's Next Decade: Priorities and Next Steps

Participants recognized that R2P is now an established norm rooted in broad international consensus. In outlining priorities for its second decade, they reiterated the need to focus on outcomes over doctrine, embed R2P fully within larger prevention and protection agendas to ensure an atrocity prevention lens is consistently applied to ongoing work, and address remaining barriers to R2P's institutional and operational development. Their recommendations to advance the conceptual, political, institutional, and operational development of R2P as it enters its second decade are outlined below.

Conceptual Development

• Address remaining conceptual gaps that create barriers for R2P's institutional and operational development, in particular clarifying the relationship between atrocity prevention and conflict prevention.

• Communicate clearly the added value of atrocity prevention as a distinct lens applied to a wider prevention and protection agenda.

Political Development

• Deepen consensus through continued dialogue and engagement while retaining the concept's aspirational, striving, change-oriented focus.

• Integrate an R2P lens in relevant contexts and forums.

• Encourage discussion on R2P between governments and their own constituencies.

• Demonstrate political leadership on R2P at all levels.

  ◦ Mobilize the R2P Group of Friends to serve as champions for R2P principles and objectives in all membership spaces, both within and beyond the United Nations.

  ◦ Identify and engage regional champions that can inspire regional dialogue.

  ◦ Encourage political statements by national leaders emphasizing R2P as a political priority and national security interest.

Institutional Development

• Reinforce the key role played by the Joint Office on Genocide Prevention and the Responsibility to Protect through enhanced resourcing, appropriate staffing, and formalization of the post of special adviser on the Responsibility to Protect.

• Promote a General Assembly resolution to formalize and regularize consideration of R2P by the assembly and lay a foundation for deeper institutionalization within the Secretariat.

• Support mainstreaming of R2P principles across the UN system and encourage all actors and entities to see their mandate and objectives through an atrocity prevention lens.

• Look beyond the United Nations for opportunities to deepen institutionalization of R2P at the regional and national levels.

Operational Development

• Shift focus from doctrine to outcomes, learning from effective practices taken by responsibility holders at the national, regional, and global levels.

• Elaborate the range of options available to advance R2P objectives with assessments of effectiveness in specific contexts and combinations, in particular nonmilitary options for collective action.

• Make full use of the analytical framework developed by the Joint Office on Genocide Prevention and the Responsibility to Protect and invest in assessment, planning, and operational guidance for the implementation of protection-focused policies, programs, and missions.

• Identify entry points to bring an atrocity prevention lens to discussions that determine the deployment of resources.

• Support the role of civil society as an operational partner and source of social resilience.

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The Stanley Foundation

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