

HIS311 – March 28, 2016

# The UN, Humanitarian intervention & R2P



# AGENDA

- The post-Cold War era & an uneasy chaos
- A “New World Order”
- Somalia, Rwanda, Kosovo...
- Humanitarian interventions & shortcomings
- The Human Security Agenda & Axworthy \*EXAM
- Responsibility to Protect
- ICISS – 9/11 – 2005 World Summit Outcome
- Three Pillar Approach
- Case studies (Kenya, Libya, Syria)
- RwP, Human Rights Up Front, shifting paradigms
- Tasks ahead...



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POST-INTELLIGENCER  
NORTH AMERICA SYNDICATE

# An “Uneasy Chaos”

- The “terrifying stability” of the Cold War replaced with an “uneasy chaos”
- Soviet disintegration did not terminate the nuclear threat
- New nations emerging out of the old USSR
- Rise of international trade in conventional arms
- Surge of nationalism & new forces of tension



# **“A New World Order” \*EXAM**

- President George H.W. Bush called for a new world order (earlier reference made by W. Wilson)
- **September 11, 1990 speech**
- Commitment to the U.S. strength, such that it can lead the world toward rule of law, rather than use of force. **The Gulf crisis was seen as a reminder that the U.S. must continue to lead, and that military strength does matter, but that the resulting new world order should make military force less important in the future.**

# Operation Desert Storm (1991)

- Iraq's invasion of Kuwait in the summer of 1990
- **Desert Storm**: a military operation to expel occupying Iraqi forces from Kuwait, which Iraq had invaded and annexed months earlier



What is at stake is more than one small country; it is a big idea: a new world order, where diverse nations are drawn together in common cause to achieve the universal aspirations of mankind—peace and security, freedom and the rule of law.

(George H. W. Bush)

izquotes.com



# Operation Desert Storm (1991)

- For weeks, a U.S.-led coalition of two dozen nations had positioned more than 900,000 troops in the region, most stationed on the Saudi-Iraq border.
- A U.N.-declared deadline for withdrawal passed on January 15, with no action from Iraq, so coalition forces began a five-week bombardment of Iraqi command and control targets from air and sea.
- Despite widespread fears that Iraqi President Saddam Hussein might order the use of chemical weapons, a ground invasion followed in February. **Coalition forces swiftly drove Iraq from Kuwait, advancing into Iraq, and reaching a cease-fire within 100 hours—controversially leaving Saddam Hussein in power. While coalition casualties were in the hundreds, Iraqi losses numbered in the tens of thousands.**

# The post-Cold War Era \*\*

- Unchallenged American primacy
- increasing integration + resurgent nationalism
- a diffusion of security threats and collective security => **integration vs fragmentation**
- Changes in communications, the international economic system, the nature of security threats, and the rapid spread of new ideas

# Historical context: the 1990s \*\*

- A sharp rise in violent conflicts in Africa, Asia & the Balkans
- Traditional security paradigm and neoliberal institutions not ready for new threats & conflicts
- “Humanitarian intervention” became the new buzzword
- Controversies when it took place (Somalia, Bosnia, and Kosovo) and when it failed to take place (Rwanda)
- Problem: militarization of interventions & the issue of selectivity



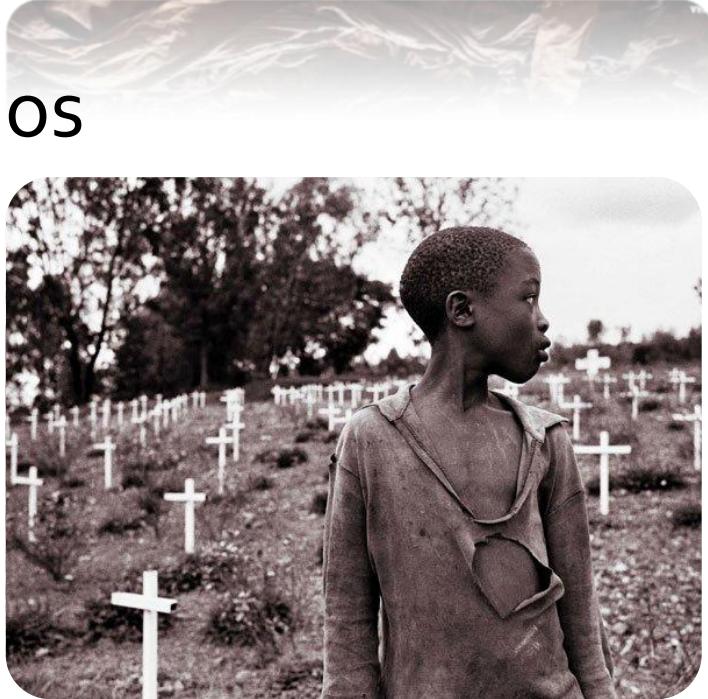
# Somalia (1992-93)



- A failed state; No infrastructure or rule of law
- An estimated 300,000 Somalis died in the upheaval
- About **28,000 UN troops** were deployed to Somalia in the early 1990s. More than 150 UN personnel died (Canada sent over 1400+ soldiers)
- UN Mission but the Americans dominated the scene/media coverage
- Body bags returned (broadcasted on TV)
- **Scandals of UNPKO soldiers**

# Rwanda: Failure of humanity

- **100 days in 1994**
- **800,000 killed**
- main method of violence:  
machetes
- incitement of hate through radios
- the U.S. State department  
avoided the “G-word”
- Severe limitations of the UN  
peacekeeping

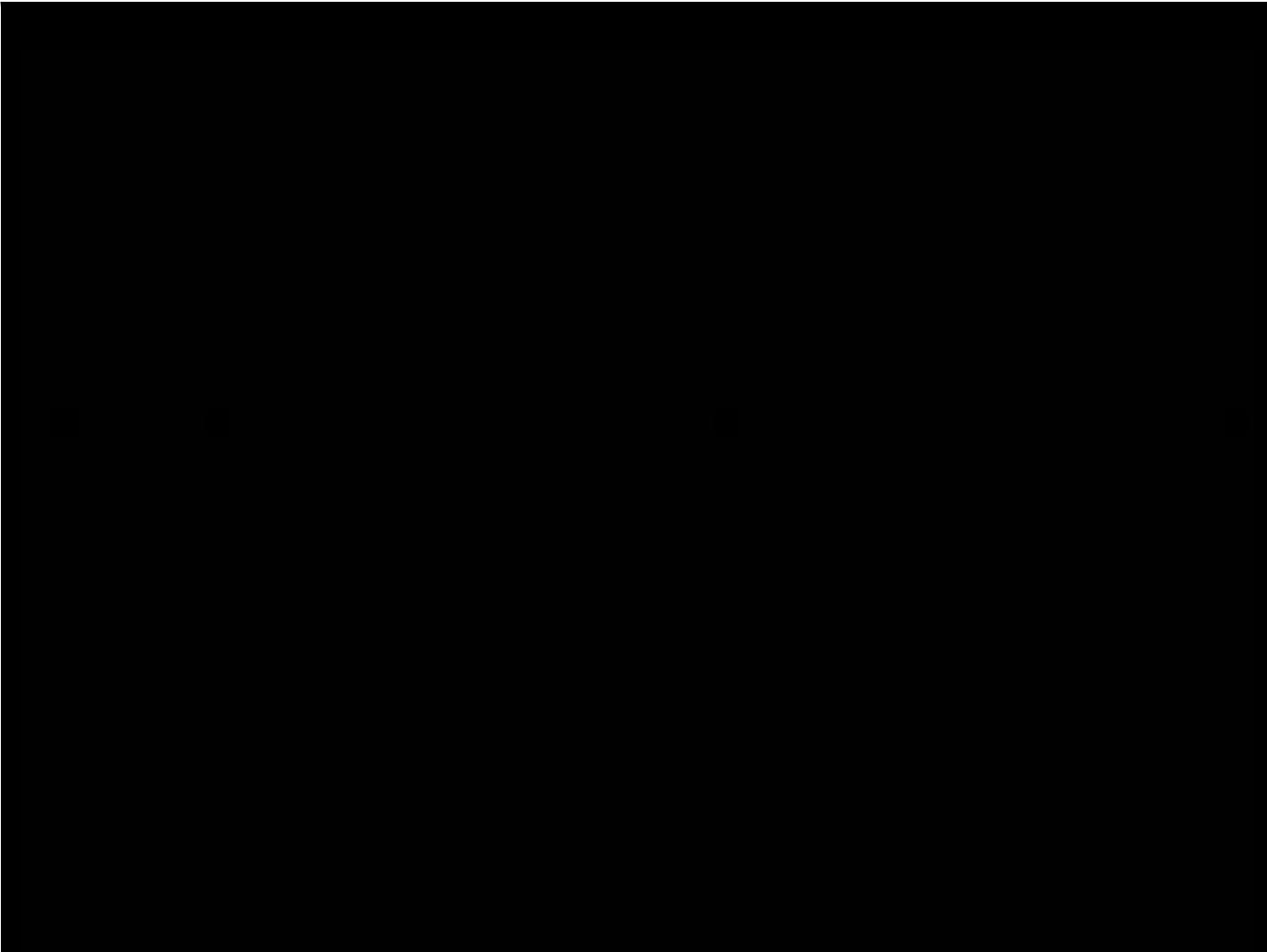


# Why did we fail in Rwanda?

- Bystanders to one of the worst genocides in the 20<sup>th</sup> century
- Pledge of “never again” but exactly who was responsible?
- Problems at the UN, western strategic interests, racial stereotype



# Shake Hands with the Devil (trailer)



# Kosovo: “illegal but legitimate”

- The **1999** NATO bombings led to the withdrawal of Yugoslav forces from **Kosovo**
- **without the Security Council authorization, raised questions about the use of military force in a humanitarian intervention**



# Failures of humanitarian interventions

- new post-Cold War order had new dangers and complexities >> **not enough consensus**
- **Peacekeeping was becoming very expensive** (Canada spent \$226 million in direct peacekeeping costs 1993-4 but the total bill to keep over 2000 men and women in the former Yugoslavia alone was more than \$1 billion)
- **UNDP 1994: Human development programme >> freedom from fear/want**

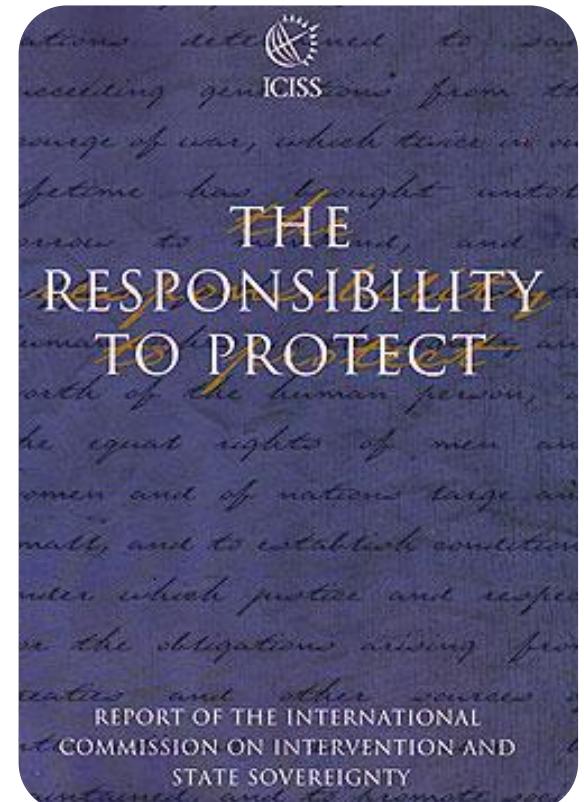
# Meanwhile in Canada...



- **Team Canada Missions: CHRÉTIEN**
- **Lloyd Axworthy: Canada's minister of foreign affairs (1996-2000) >> limited resource, civil society**
- **Human Security Agenda \*\*\***
  - *The International Coalition to Ban Anti-Personnel Landmines (Ottawa Convention, '97 & Treaty '98)*
  - *International Criminal Court (est. 2002)*
  - *Human Security Network (10 states+ collaboration)*

# ICISS 2001

- Responding to the then United Nations Secretary-General Kofi Annan's call to build a new global consensus for protecting people in peril...
- Canadian leadership with the **International Commission on Intervention and State Sovereignty** (ICISS).
- Axworthy chaired the ICISS advisory board
- Report on the *Responsibility to Protect* (2001)



THE RESPONSIBILITY  
TO PROTECT  
REPORT OF THE INTERNATIONAL  
COMMISSION ON INTERVENTION AND  
STATE SOVEREIGNTY

# What is Responsibility to Protect?

- R2P or RtoP; a humanitarian principle coined in 2001 & later adopted by 150 countries at the 2005 World Summit
- **when sovereign states are unable or unwilling to fulfill their responsibility to protect their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, the international community has the responsibility to protect populations at risk.**

# R2P as found in the ICISS report

## GOALS OF THE ICISS:

- 1) Change the conceptual language from humanitarian intervention to responsibility to protect
- 2) Pin the responsibility on state authorities at the national and at the international level
- 3) Ensure that interventions are carried out in a proper manner.

the responsibility to *react* to protect populations from grievous harm, to *prevent* such situations, and to *rebuild* in their aftermath.

+ **SIX CRITERIA** before military intervention

# Significance of R2P \*EXAM



- In IR: normative and conceptual shift from a Westphalian notion of absolute sovereignty to **“sovereignty as a responsibility”**
- **Canadian leadership** with the ICICSS & our long-standing tradition in global humanitarianism
- Canada as a **“norm entrepreneur”** for giving birth to R2P & nurturing its growth

# 9/11 and the War on Terror

- The terror attack on Sept 11<sup>th</sup> in the U.S. >> global preoccupation on security & counter-terrorism efforts
- Military overstretch > humanitarian concerns
- Timing of the release of the R2P report coincided with the 9/11
- Misuse by Tony Blair and George Bush Sr. to justify the invasion of Iraq in March 2003 on humanitarian grounds

# 2005 World Summit Outcome

Paragraphs 138-139

150 heads of state

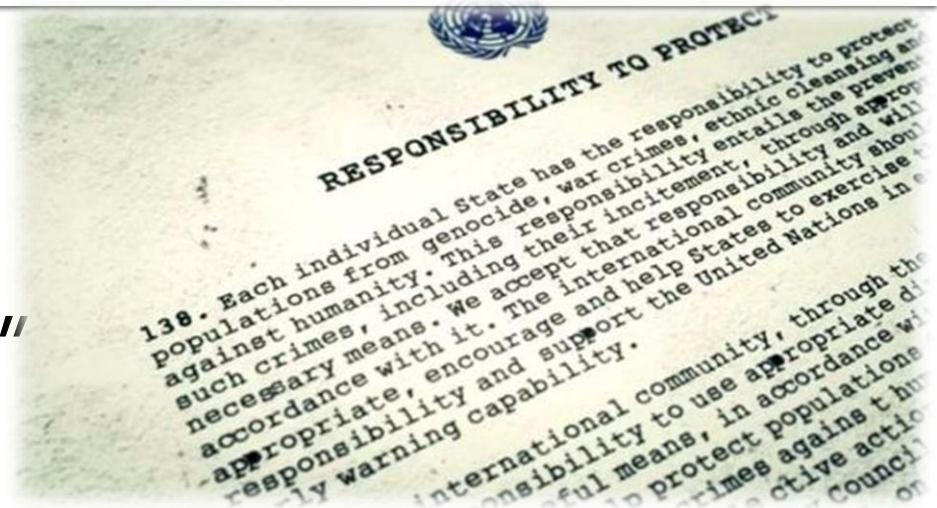
- Genocide
- War crimes
- Crimes against humanity
- Ethnic cleansing

- PREVENTION & DIPLOMACY
- INTERNATIONAL COMMUNITY & Chapter 7 'collective use of force'



# Significance of the 2005 WSO

- Clear scope of four crimes
- Focus on “populations”
- Narrower version than the 2001 ICISS report
- Responsibility at multiple levels
- Widespread consensus at the largest gathering

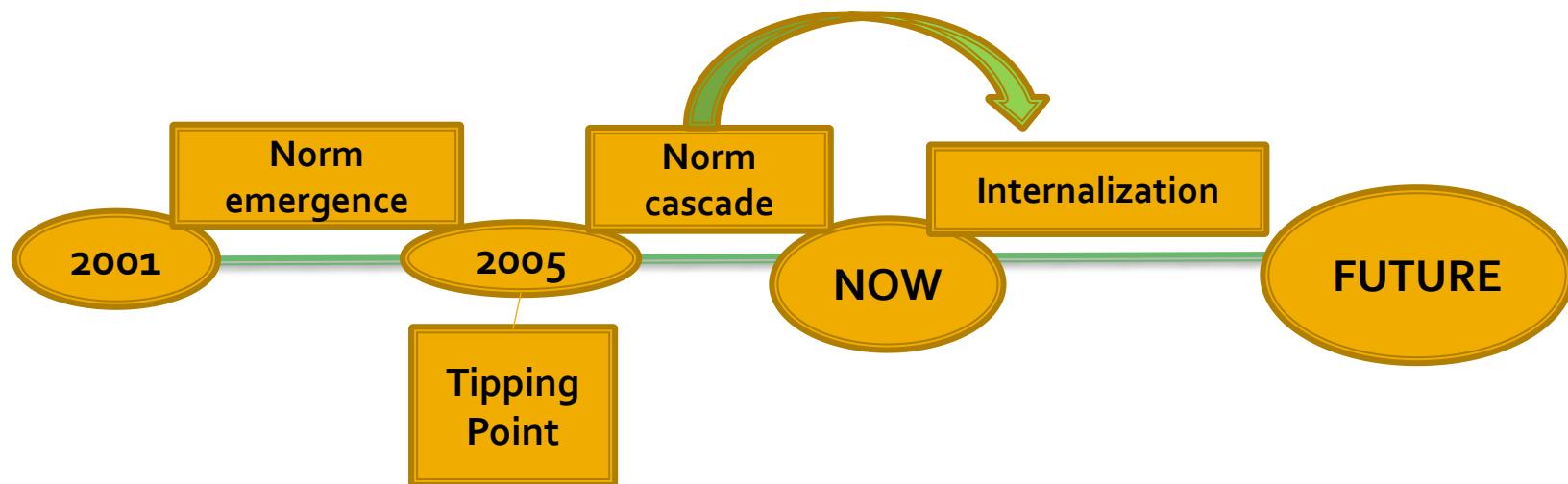


# R2P & International law

- R2P has strong roots in the international legal regime >> **“sovereignty as responsibility”**
- International Human Rights Law
- International Humanitarian Law
- International Criminal Law
- Refugees & IDPs
- Convention on the Prevention and Punishment of Genocide
- War crimes & crimes against humanity

# NORMATIVE FRAMEWORK

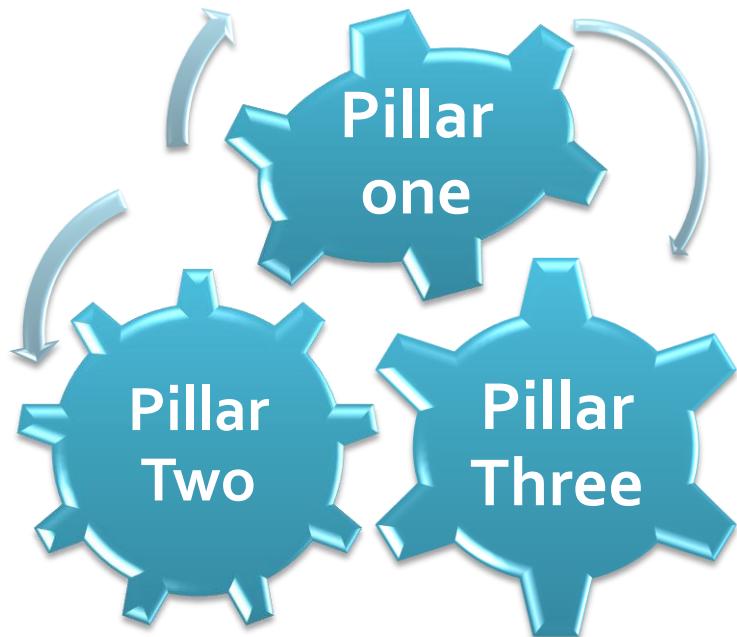
## “Life Cycle of R2P as an international norm”



# The Report of the Secretary General: *Implementing the Responsibility to Protect*

- 12 January 2009, UN Secretary-General Ban Ki-moon issued a report entitled Implementing the Responsibility to Protect
- **Three Pillar Approach \*\***
  - >> Helped to clarify different levels of engagement, mutually reinforcing and non-sequential (to be applied as needed in a timely and decisive manner)

# R2P: THREE PILLAR APPROACH\*\*



- **Pillar One:** State's responsibility to protect populations
- **Pillar Two:** Assisting States in capacity building (early warning capability & assisting before crisis breaks out)
- **Pillar Three:** International community's responsibility to use appropriate tools and take collective action in a timely and decisive manner

# UN General Assembly on R2P



- **informal and interactive annual UN General Assembly dialogue on R2P**
- **Considers the UNSG's annual report & each member state reports on progress/challenges from the domestic and regional perspectives**

# 128<sup>th</sup> IPU Resolution on R2P



**Inter-Parliamentary Union**  
128<sup>th</sup> Assembly and related meetings  
Quito (Ecuador), 22 – 27 March 2013  
[www.ipu2013ecuador.ec](http://www.ipu2013ecuador.ec)



## ENFORCING THE RESPONSIBILITY TO PROTECT: THE ROLE OF PARLIAMENT IN SAFEGUARDING CIVILIANS' LIVES

*Resolution adopted by consensus\* by the 128<sup>th</sup> IPU Assembly  
(Quito, 27 March 2013)*

## The 128<sup>th</sup> Assembly of the Inter-Parliamentary Union,

Acknowledging that, following several global initiatives, the responsibility to protect was recognized at the 2005 World Summit as a necessary and important principle to prevent and protect populations from genocide, ethnic cleansing, war crimes and crimes against humanity,

Recalling that this principle was established with a view to preventing genocides such as those that occurred in Srebrenica and Rwanda,

# R2P's track record...

- Since 2009, the **UN General Assembly** has adopted a resolution, held a formal debate, and **convened six annual interactive dialogues** on R2P.
- The **UN Security Council** has adopted more than 30 resolutions and presidential statements that explicitly reference the R2P.
- The **Human Rights Council** has included R2P in fourteen resolutions (AU+EU very active)

# R2P at a Crossroads: From Principle to Practice >>

- Enormous achievement in the normative sphere
- In cases like **Kenya, Côte d'Ivoire, Guinea and Kyrgyzstan**, R2P successfully mitigated the risks of R2P crimes.
- a growing global momentum on the initiative by France and Mexico on the **restraint on the use of veto power** for situations involving R2P crimes.
- Today, **51 countries and the EU have appointed national focal points on R2P** to build institutional capacity at the national/regional level.

# R2P & Kenya: A Success Story

- 2007-8, Kenya
- Pre-election crisis
- Diplomatic mission by Kofi Annan
- Private sector



incitement of R2P crimes,  
media/communication

capacity building &  
investment in  
infrastructure,  
education, training

special plight of  
women and children  
& IDPs

# R2P & Libya (2011)

- *Resolution 1970 – Libya's R2P*
- *Security Council Resolution 1973 on Libya* (approving a no-fly-zone, calling for an immediate cease-fire and tightening sanctions on the Muammar Qaddafi regime in Libya)
- Selective nature of intervention & regime change



# The Brazilian concept of “Responsibility While Protecting”

RWP, first articulated in the fall of 2011

- ❖ Monitor and improve SC's sanctioned use of force;
- ❖ The sequencing of R2P's three pillars;
- ❖ Need to exhaust all peaceful means before considering the use of force.

# R2P & Syria

- **Year 5, seminal humanitarian crisis of our times**
- **Crimes against humanity**
- **Cluster bombs, Refugees/IDPs**
- **International Humanitarian Law**
- **International Criminal Law**



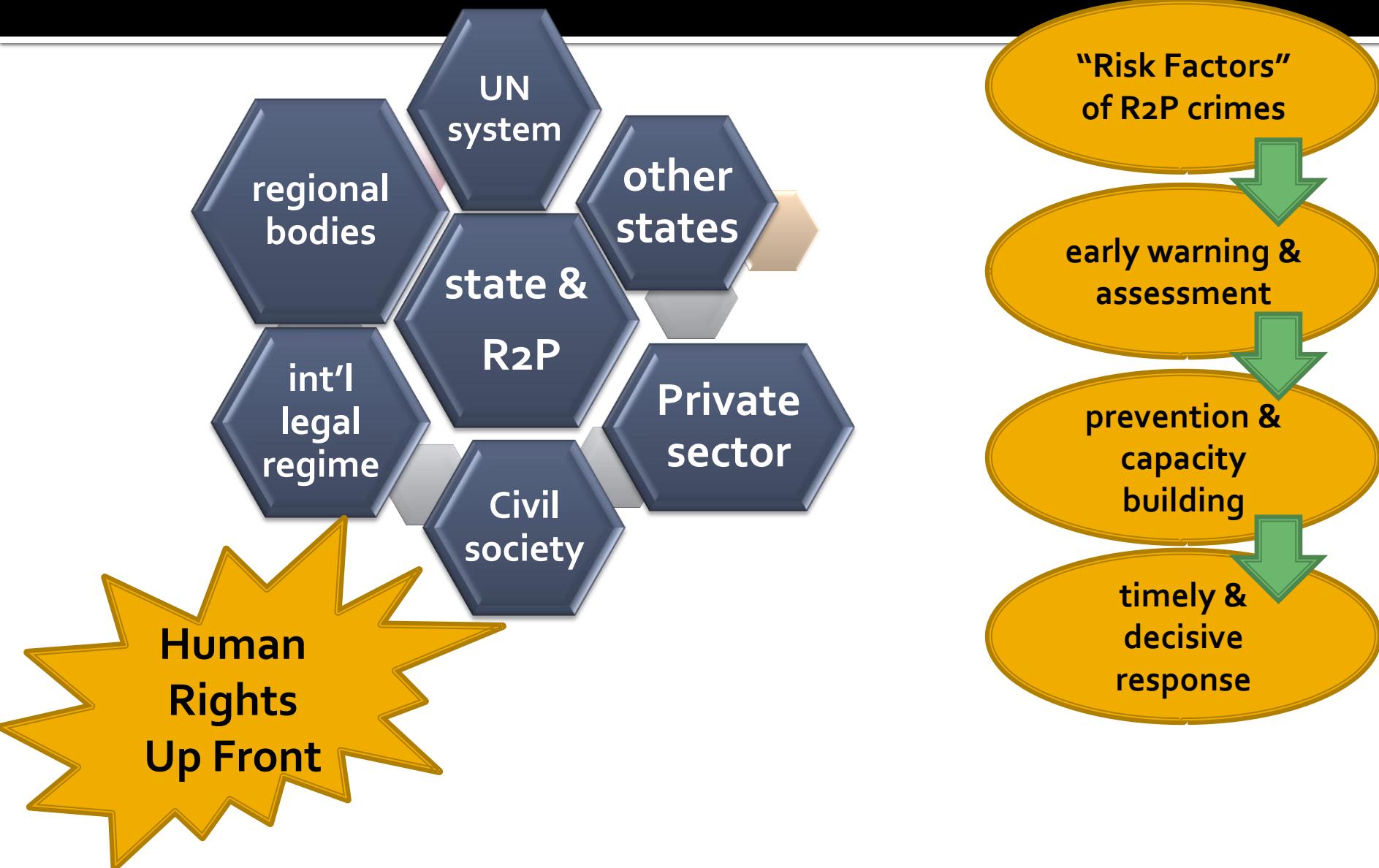
# More on Syria

- Since 2011, more than 260,000 people have been killed, over 11 million displaced from their homes and 13.5 million people are in dire need of humanitarian assistance.
- Complex geopolitical interests
- Unintended consequences of intervention





# Coordination mechanism

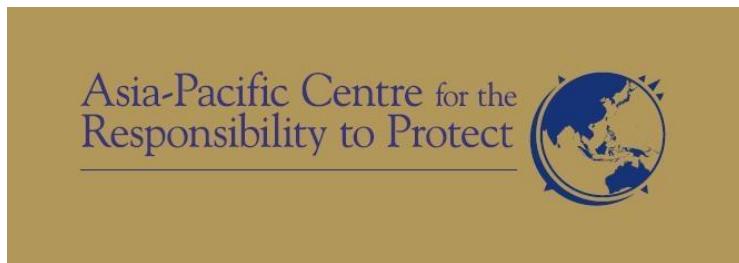


# R2P & Canadian foreign policy

- R2P is an inherently Canadian legacy
- Disregarded as a “Liberal legacy” under the Harper government
- Efforts to bring it back to the Canadian agenda, both on normative and institutional levels.
- Canada’s search for the seat on the UNSC & “punching above our weight”



# Civil society & R2P



# CCR2P at a glance



- Established in 2010
- Based at the Munk School, University of Toronto
- Non-partisan, Non-profit, Independent
- Canada-wide regional chapters
- World-wide R2P scholars network
- Research division: 150+ analysts
- Bilingual research in English & French
- Annual advocacy campaigns & publications
- Work with the UN, IPU, regional organizations



# Key challenges in implementation\*

- mobilizing early action & preventative efforts
- short-term interests vs. long term goals
- coordination of various interests & accountability mechanisms
- issue of sustainable leadership
- involvement of local population in a pre-crisis situation
- *case-by-case* approach

# Moving FORWARD on R2P

- Issues of selectivity & consistency
- UN Security Council & Veto Power
- Danger of “unintended consequences”
- National R2P Focal Points
- partnership
- Media & Education
- Canadian ideals and inspirations on the world stage ?

# The Road Ahead

- *“Our conception of Responsibility To Protect is narrow but deep...Today, the R2P is a concept, not yet a policy; an aspiration, not yet a reality. But the United Nations was built on ideals and aspirations...”*

*- UN Secretary-General  
Ban Ki-Moon*

