

Making the Responsibility to Protect Work in the Asia Pacific

Concurrent Session Two centred on the prospects and challenges surrounding the operationalization of the Responsibility to Protect (R2P) norm across the Asia-Pacific region. The discussion was led by a distinguished panel of experts: Co-Chair **Prof Gareth Evans** of the International Advisory Board, Global Centre for the Responsibility to Protect, and Chancellor, The Australian National University, and Co-Chair **Malayvieng Sakonhnhom**, Director General, Institute of Foreign Affairs, Lao PDR, **Dr Mely Caballero**, Head of Centre, Non-Traditional Security Studies, S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore, **Dr Herman Kraft**, Executive Director, Institute for Strategic and Development Studies, University of the Philippines, The Philippines, and **Prof Toshiya Hoshino**, Osaka School of International Public Policy, Osaka University, Japan. Former ISIS Researcher **Suwita Hani Randhawa** reports.



(From left) Toshiya Hoshino, Mely Caballero, Malayvieng Sakonhnhom, Gareth Evans, and Herman Kraft

Prof Evans began with brief introductory remarks about R2P. Firstly, he reminded the audience that the R2P norm was unanimously embraced by the United Nations General Assembly in 2005. Secondly, R2P essentially comprises the following principle: States have a responsibility to protect their populations and when states fail to exercise this responsibility, other states and the broader international community then have a responsibility to step in to fulfil this obligation. In this regard, Evans highlighted that the central

issue posed by R2P is how to protect populations against gross abuses of human rights while not derogating from the essential principle that governs nation-states: state sovereignty.

The norm is now widely supported across the Asia-Pacific, and there exists broad conceptual agreement on when R2P is applicable. The global consensus surrounding R2P therefore marks both the strength and the power of the norm in the contemporary political world. The establishment

of special institutions, such as the Global Centre for the Responsibility to Protect and the Asia-Pacific Centre for the Responsibility to Protect, similarly reflects this important development.

However, Evans cautioned the audience that although broad consensus exists amongst the members of the United Nations General Assembly, we should not assume that this consensus runs deep. Here, he highlighted how several states such as Cuba, Nicaragua, Sudan and Venezuela had voiced their opposition against R2P in the General Assembly debate of 2009.

In order to maintain R2P's normative momentum, the critical task that remains is translating the principles of R2P into operational practice. Evans highlighted that it is essential that the international community works towards ensuring this takes place at three different levels – the national, regional and the global levels. In this regard, he highlighted four areas that the international community can focus on in order to operationalise R2P:

1. Capitalising on the ability of civil society organisations to mobilise political will and support for R2P;
2. Enhancing the rapid deployment of civilian capabilities (within states and across the Asia-Pacific region), such as by strengthening diplomatic mediation mechanisms, fact-finding missions and monitoring resources;
3. Preparing for the possibility of military responses in extreme cases, such as through strengthening United Nations peacekeeping operations.

Dr Mely Caballero's presentation centred on demonstrating a potential area of application for R2P in the Southeast Asian region. In doing so, she sought to dispel the claim that R2P is not a relevant concern in Southeast Asia due to the nature of conflicts across this region. In her opinion, a possible 'entry point' for the application

of R2P in this region lies in the protection of civilians in instances of armed conflict. And here, she argued that the situation faced by internally displaced persons, women and children, as a result of terrorist attacks and internal armed conflict (such as in Southern Thailand and Mindanao in The Philippines) is a potential area for R2P to be applied in the Southeast Asian region.

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Caballero expressed confidence over the application of R2P across this region. She stated that the spread of human rights and international humanitarian law norms across the region bodes well for the receptivity of R2P. In addition, existing regional institutions, including the newly established Asean Intergovernmental Commission on Human Rights (AICHR), represent important platforms upon which R2P principles can be effectively operationalised.

However, she acknowledged that the principle of sovereignty remains a significant barrier to the successful application of R2P. Other obstacles include the following: the differing levels of adherence to human rights norms across the region and the need to include civil society in potential R2P projects. As such Caballero stated that although it remains difficult to operationalise R2P in totality, it would be better if we directed our attention to possible 'entry points', such as the protection of civilians, where R2P can be successfully applied.

Dr Herman Kraft expanded on Caballero's point concerning the need to identify possible 'entry points' in order to mainstream R2P across the

Asean region. He stated that R2P already represents an emerging norm across the region and this indicates that there is broad agreement on both the importance and significance of R2P. Therefore, our efforts must now go beyond promoting R2P to focus on ensuring that the principles and objectives of R2P can be effectively enforced.

In this respect, Kraft assigned particular importance to the role of 'norm entrepreneurs' in localising the norm of R2P across Asean societies. At present, knowledge and support of R2P mainly emanates from foreign ministries across the Asean region. In addition, although intervention represents only one aspect of R2P, contemporary knowledge of R2P across the Asean region mainly revolves around these intervention aspects.

Therefore, there exists a two-fold task at hand: firstly, to expand support for R2P beyond the governmental level, and secondly, to ensure that knowledge of R2P is not restricted to its intervention elements. Here, Kraft echoed Caballero in viewing existing regional institutions such as the AICHR as viable mechanisms to strengthen R2P across the region.

The final speaker of this session, **Prof Toshiya Hoshino**, provided the meeting with a brief overview of some of the key elements of R2P, which served as a timely reminder of the essential aspects of R2P. Firstly, Hoshino said that R2P falls under the broad purview of human security. Secondly, although R2P is intimately related with the protection of human security, its application is narrowly circumscribed: it is only applicable to four cases of gross human rights violations, namely genocide, war crimes, ethnic cleansing and crimes against humanity.

Finally, Hoshino suggested that R2P should not only be viewed as a contemporary normative, or moral, concern in today's political world. It also provides us with a tool by which we, both states and the international community, can measure the extent by which we have fulfilled the

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