

Forum: Reform Security Council

Student Officers: Andy Choi, Minh Khai Hoang, Gia Minh Vo

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TOPIC 3: The Issue of application of Responsibility to Protect

I. Introduction to the Topic

The Responsibility to Protect (also known as R2P) is a political norm for preventing and acting upon the four mass atrocity crimes: genocide, war crimes, humanity violation crimes and ethnic cleansing. In the 1990s, there was an increasing recognition that the world needed to be more acquitted in preparing to handle severe violations of human rights that originated within nations rather than between them. The failure to protect the populations in Rwanda and the military intervention in Kosovo in 1999, which was justified as a humanitarian effort to protect populations from atrocity crimes but was criticised, both left a particularly strong legacy on the development of R2P. Therefore in 2001, the International Committee on Intervention and State Sovereignty (ICISS) developed the concept of humanitarian intervention under the name “Responsibility to Protect”.

At the 2005 World Summit, all Heads of State and Government acknowledged the obligation to protect populations against genocide, war crimes, ethnic cleansing and crimes against humanity. The responsibility to protect appears to be based upon three main pillars of equal standing: the responsibility of each State to protect its populations (pillar I); the responsibility of the international community to assist States in protecting their populations (pillar II); and the responsibility of the international community to protect when a State is manifestly failing to protect its populations (pillar III) (pillar III). The acceptance of the concept in 2005 was a sincere commitment, with high hopes for a future devoid of these crimes.

Given the present breadth and depth of global issues, many feel obligated to declare that RtoP has failed. Simultaneously, significant advancements in the development of the idea and the formulation of practical steps to ensure its complete application paint a more positive picture. Identifying future actions in the fulfilment of the responsibility to protect necessitates consideration of both factors.

II. Definition of Key Terms & Concepts

Definition of Key Terms

Fragile State: A state where residents are susceptible to a variety of shocks due to inadequate state legitimacy or capacity

Failed State: A state convulsed due to internal conflicts and can no longer provide their citizens with a constructive political system. Governments lose control over the population and become illegitimate to citizens.

Human Rights Abuse: Any act or omission that causes direct or indirect harm to a person or group of people in the course of conducting business and prevents them from fully enjoying their basic rights and freedoms, including their right to a safe, clean, healthy, and sustainable environment.

Mass Atrocity Crime: Genocide, war crimes, and crimes against humanity are the three historically recognised international crimes that constitute a breach of international criminal law. Heads of state and government agreed that every state must safeguard its citizens against four crimes during the 2005 United Nations World Summit.

Humanitarian Intervention: the use or threat of armed action by a state (or states) across borders in order to address egregious and widespread human rights violations in a state that has not granted authority to use force.

Atrocity Prevention: a wide variety of methods and strategies aimed at preventing mass executions and other large-scale human rights violations against people.

III. Key Stakeholders

International Commission on Intervention and State Sovereignty (ICISS): An ad hoc committee of participants which in 2001 worked to popularise the notion of humanitarian intervention under the label of "Responsibility to protect". They stated the Responsibility to Protect for the first time in their December 2001 Report. ICISS's study envisioned a wide area of applicability in its articulation of the concept. This included "overwhelming natural or environmental disasters in which the state in question is either unwilling or unable to deal or ask for aid, and severe loss of life is occurring or threatened."

Heads of State and Government: leaders of State and Government bodies that make decisions on behalf of the population. At the 2005 World Summit, they reduced the scope of the Responsibility to Protect to the four crimes described in articles 138 and 139, namely genocide, war crimes, ethnic cleansing and crimes against humanity, which are frequently referred to as 'atrocity crimes' or 'mass atrocity crimes'.

Global Centre for the Responsibility to Protect (GCR2P): An international non-governmental organisation that undertakes research and advocacy for the Responsibility to protect. The Centre is housed in the Graduate Center of CUNY in New York City, with an office in Geneva as well.

IV. Key Issues including Background Information

Failure to mobilise interventions: Since its implementation, R2P has come under fire for failing to coordinate actions when they were required and, at other instances, for acting as a cover for alleged abuses of state sovereignty. This is largely due to how the third and most debatable pillar of R2P has been interpreted. The third pillar of R2P has been misused by a range of players, from interventionism in the 2000s to more current international responses to the events in Georgia and Ukraine, which has hurt the R2P principle more generally.

Political will to provide preventive action: It was assumed that when major atrocity crimes were coming to the notice of the world community, that, on the whole, they were ready, able and eager to intervene in order to end the bloodshed in issue. Sovereignty, as a legal and normative obstacle, was holding them back. This was always an awful reason for the absences of widespread humanitarian action which makes R2P fail. The problem is that the international community lacks the political will to act when faced with acts of mass atrocity almost perpetually.

Actualisation of Pillars Two: The UN and civil society have so far been unable to collaborate effectively due to ambiguity on what constitutes the protection of civilians and the optimum role for CSOs within R2P.

V. Timeline of Resolutions, Treaties, and Events

Timeline of Resolutions, Treaties, and Events

Date	Description of event
1993	After a Tough Decade, the Doctrine of Responsibility to Protect Emerges. As a succession of conflicts in Rwanda and the former Yugoslavia resulted in egregious human rights violations and large casualties, recognizing that allowing nations total sovereignty inside their boundaries may lead to atrocities such as genocide and ethnic cleansing, intellectuals and diplomats worked to strike a

new balance between a country's sovereignty and the need to preserve human rights.

1993	Peacekeepers are attacked in Somalia. A military coup in 1991 left Somalia in a failed state with no functioning government. In response, the United Nations sent forces to Somalia to supervise a shaky cease-fire and give supplies to a malnourished populace.
1994	Peacekeepers Fail to Intervene in the Genocide in Rwanda. UN soldiers were observing local elections in Rwanda but when simmering ethnic tensions exploded into genocide, those peacekeepers were repeatedly told not to participate in order to avoid interfering in a domestic dispute.
1995	Peacekeepers were active in a civil war in the Balkans that pitted Bosnian Muslims against Bosnian Serbs following the dissolution of the former Yugoslavia in 1995, barely one year after 800,000 people perished in Rwanda. When the Bosnian Serb army began pushing into the Muslim village of Srebrenica, UN soldiers were told not to fire. UN forces withdrew, but the Bosnian Serb army methodically killed about 8,000 Bosnian Muslim men and boys. The slaughter was eventually declared genocide by an international tribunal.
1999	NATO launches a military intervention in Libya creating heated debate regarding the R2P Third Pillars.
2005	The United Nations Accepts Responsibility to Protect. Following the bloodshed in Rwanda and the former Yugoslavia, the United Nations attempted to guarantee that similar tragedies did not occur again. The responsibility to protect philosophy, which holds that governments have a responsibility to protect their citizens and that if they fail to do so, the obligation rests on the rest of the world, was accepted by UN members in 2005.
2011-Present	R2P is being sidelined as the world divides over the balance between sovereignty and human rights. The UN's reaction has been restricted in each of the civil crises. Countries agreed for a brief while that averting a mass tragedy warranted breaching a country's sovereignty. However, the 2011 intervention in Libya fractured international unanimity on the R2P philosophy. Since that disruptive action, China and Russia, in particular, have utilised their UN Security Council veto authority to prevent other similar operations. As a result, the UN has been unable to take or sanction military action to reduce the severity of some of the world's most deadly conflicts.

VI. Possible Challenges & Solutions

Failure to mobilise interventions: Since its implementation, R2P has come under fire for failing to coordinate actions when needed due to how the third and most debatable pillar of R2P has been interpreted. The third pillar of R2P regarding timely and decisive collective response has been misused by a range of players, from interventionism in the 2000s to more current international responses to the events in Georgia and Ukraine, which has hurt the R2P principle more generally. How can R2P successfully mobilise interventions by re-establishing the third pillar and making it more applicable?

Political will to provide preventive action: Responsibility to protect was formed with the goal of overcoming the barrier that state sovereignty, as a concept, had become to actions of humanitarian intervention. When tensions concerning major atrocity crimes rise, the International Community is expected to intervene. When confronted with major atrocity crimes, however, the international community suffers from a near-permanent lack of political will to respond. How can parties be motivated in regard to taking action?

Actualisation of Pillars Two: Uncertainty over the scope of civilian protection and the ideal role of CSOs within R2P have so far hindered the UN and civil society from cooperating meaningfully. How can the UN and civil society work together more effectively to actualise pillar two of Responsibility to Protect?

VII. Recommendations for Resolution Writing including Research

Please make full use of this chair report and the libguide sources in your resolution writing, as they present numerous distinct conventions and organisations in a local and worldwide context, which will build on and reinforce your argument in the discussion. To understand more regarding the situation of the application of Responsibility to Protect, delegates should conduct additional research outside the scope of their country (earliest information to most recent updated information); knowing the general situation of this international norm can help strengthen their arguments and debate with other delegates. Additionally, this should ensure a fruitful conversation when diverse points of view are considered in developing a solution to the challenges of the application of the Responsibility to Protect. Delegates should also consider existing concerns and potential remedies to develop effective and long-lasting resolutions.

VIII. Bibliography

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IX. Additional Resources

1 PILLAR ONE

Every state has the Responsibility to Protect its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing.

2 PILLAR TWO

The wider international community has the responsibility to encourage and assist individual states in meeting that responsibility.

3 PILLAR THREE

If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter.

