

# **The Responsibility to Protect and the UN Emergency Peace Service (UNEPS)**

## **Australia Workshops**

**September 2008**

With leadership from the Centre for Peace and Conflict Studies (CPACS) at the University of Sydney Global Action to Prevent War (GAPW) helped convene two events in Australia to discuss the evolving norm of Responsibility to Protect and the potential of UNEPS to address the need for rapid, effective response by the international community to genocide and other complex humanitarian emergencies.

### **The Right to Protection: Whose Responsibility and How?**

Caritas Australia, in collaboration with the Centre for Peace and Conflict Studies (CPACS) at the University of Sydney and Global Action to Prevent War, New York, hosted a one day workshop on Thursday, 4<sup>th</sup> September, 2008 entitled **The Right to Protection: Whose Responsibility and How?**

Deliberations centered on the international community's failures to move quickly to prevent gross human rights violations and the political, legal, ethical and practical responses that might help address this critical shortcoming. The workshop brought together academics, humanitarian aid/development practitioners and military officers who discussed the obstacles and challenges of organizing and conducting conflict intervention for civilian protection purposes.

**The UN Emergency Peace Service (UNEPS)** was one proposal that might help translate R2P from words into deeds. Its important function as a rapid response 'tool' with individually and independently recruited, gender integrated and professional trained and equipped personnel, was discussed within the framework of preventing genocide and crimes against humanity.

The workshop also explored the tensions embedded within the R2P doctrine, tested the feasibility of UNEPS and considered how one might influence the other. Key themes that resonated throughout the discussions on R2P and UNEPS were **sovereignty, protection and prevention**.

#### **Panel 1 – Responsibility to Protect: Philosophical and Legal Issues**

**Hilary Charlesworth:** Professor at Australian National University

**Phoebe Wynn-Pope:** Humanitarian Affairs Specialist

**Dr Jake Lynch:** Director of CPACS

Panelists discussed the many challenges facing the notion of Responsibility to Protect since its adoption at the 2005 World Summit. Challenges noted included the potential misuse of R2P under the guise of a 'just war', the sometimes obstructionist role of the Security Council, and the

growing reliance in the international community on military intervention rather than on prevention, leading one panellist to conclude that the protection of vulnerable populations can be found somewhere in between the precepts of international law and political will.

## **Panel 2 – Practitioner’s Perspectives: The Role of Protection**

**Kate Sutton:** Oxfam

**Kate Berry:** Austcare

**Major Dick Stansworth:** Australian Army

Participants in this panel highlighted the elasticity of the concept of protection and urged diverse intervening groups and capacities—the military, peacekeepers, humanitarian aid workers—to continue to refine their own principles and strategies for civilian protection and understand where they converge and conflict with one another. Case studies from Palestine, Kenya and Bougainville were used to illustrate the diverse roles that can be played by NGOs and the military in providing protection to civilians during outbreaks of severe violence.

## **Panel 3 – A UN Emergency Peace Service: Challenges and Possibilities**

**John Langmore:** Professor at University of Melbourne and President of UNA Australia

**Kavitha Suthanthiraraj:** International Coordinator for Global Action to Prevent War (GAPW)

**Annie Herro:** PhD candidate and Principal Researcher for the UNEPS Project based at CPACS

In this session panelists discussed the framework for a UN service (UNEPS), highlighting the inability of the UN to respond to violence in a rapid and effective manner, the limitations of the current system based on troop contributions from member states, and the damage to the UN’s credibility caused by ineffective peacekeeping operations. Research findings that explored what would hinder and facilitate the creation of UNEPS (based on interviews with leaders in the Southeast Asia-South Pacific region) were also presented. This research also explored the possibility of a regional model for UNEPS.

## **Panel 4 – Lessons Learned**

**Dr Alex Bellamy:** Executive Director Asia Pacific Centre for R2P

**Stuart Rees:** Emeritus Professor at CPACS and Director of Sydney Peace Foundation

The final panel highlighted Ban Ki Moon’s agenda for R2P and the “narrow but deep” approach being adopted at the UN as this norm is discussed and prepared for implementation. Respondents discussed the need to either keep UNEPS separate from R2P or insert it squarely within the first two pillars of R2P (upholding government’s role in protecting their population and international community’s role in assisting states with this obligation). Further issues regarding language, cultural sensitivities, the potential for UNEPS to help tackle root causes of conflict, and the status of its non military components were also discussed.

It was noted that with any norm-shifting idea like R2P or UNEPS, “**this is a marathon not a sprint...**”



Picture 1 (top left): Major Dick Stansworth (Army), Kate Sutton (Oxfam), Jamie (Caritas), Kate Berry (Austcare)

Picture 2 (top right): Hilary Charlesworth (ANU), Phoebe Wynn-Pope, Jake Lynch (CPACS)

Picture 3 (middle right): John Langmore (UNUA), Annie Herro (CPACS), Kavitha Suthanthiraraj (GAPW)

Picture 4 (middle left): Alex Bellamy (Asia Pacific Centre for R2P)

Picture 5 (bottom right): Annie Herro (CPACS), Kavitha Suthanthiraraj (GAPW)

Picture 6 (bottom left): Stuart Rees (CPACS)

## Human Security and Global Governance

CPACS together with the World Citizens' Association of Australia (WCAA) hosted a conference on September 3<sup>rd</sup> 2008, at the University of Sydney during which participants considered means of promoting effective human security and global governance. Discussions emphasized how Australians could engage in supporting specific proposals to address nuclear weapons, the potential benefits of a United Nations Emergency Peace Service (UNEPS) and NATO's role in international security.

### Principle Panelists:

**Chair - Stuart Rees:** Emeritus Professor at CPACS

**David Penklis:** PhD candidate at CPACS and former senior UN executive in peacekeeping operations

**Kavitha Suthanthiraraj:** International Coordinator for Global Action to Prevent War (GAPW)

**Annie Herro:** Principal researcher with the UNEPS Project based at CPACS

David commenced discussions by presenting a picture of the steps required to mount a UN peacekeeping operation, drawing on his recent experience with managing the establishment of the UN mission in Darfur (UNAMID). He highlighted the immense logistical challenges facing missions such as UNAMID where security concerns and a harsh desert climate impeded the transport of equipment, supplies and personnel into the area. As of June 2008, a full year after a UN SC resolution establishing the mission and four years since the initial ceasefire agreement, UNAMID could claim only 7818 military personnel in the field out of a total planned deployment of 18,453 military personnel.

In response to some of the challenges in responding rapidly and effectively to humanitarian crises, Kavitha (as the representative for GAPW) provided an outline of the UN Emergency Peace Service (UNEPS) proposal. UNEPS is being developed by an international team of security experts and civil society leaders as a standing, individually recruited, gender mainstreamed, rapid response capacity under a unified UN authority that can respond effectively to outbreaks of genocide and crimes against humanity. UNEPS is a 'first in, first out' service that will function as a complement to existing UN and regional peacekeeping operations. Kavitha also discussed details of the global campaign from the recent inclusion of UNEPS into Japan's vision for a new Okinawa, a US House of Representatives resolution supporting UNEPS, regional conferences in Australia, Costa Rica and South Africa and advocacy work with many UN and regional partners.

Annie concluded the session by summarizing her research on attitudes towards the UNEPS proposal in the Southeast Asia-South Pacific region (based on over 40 interviews). Annie analyzed her abundant interview data through the lens of respondents' sensitivity to current global power dynamics and their (often skeptical) attitudes towards the international community's mandates and strategies for intervention. As a result of her research, Annie proposed some variations to the existing UNEPS proposal and identified the implications of these policy suggestions for UNEPS advocates at the UN and worldwide. Some of the proposal

variations that Annie touched upon included; considering the development of regional rapid response services to gain more credibility and 'by-in' for the proposal and the role of UNEPS in natural disasters and other humanitarian emergencies to gain a foothold in the area of rapid response.



Picture 1 (top left): Kavitha Suthanthiraraj (GAPW)

Picture 2 (top right): David Penklis (Former DPKO)

Picture 3 (bottom right): Annie Herron (CPACS), David Penklis (CPACS), Kavitha Suthanthiraraj (GAPW), Stuart Rees (CPACS)

## **WHERE DO WE GO FROM HERE?**

Insights on issues surrounding “Who’s Responsibility to Protect”, how such protection could be addressed through existing and proposed tool like UNEPS and interlinks with questions of sovereignty, provide important discussion points for the UNEPS proposal.

Key questions that emerged from the two days of discussions and interactive feedback included;

***How UNEPS should be framed within the R2P discourse?*** Many participants discussed the restrictions surrounding R2P and the difficulties associated with initiating UNEPS as a tool for R2P. People still view R2P too closely with forced intervention, western agenda and loss of sovereignty all concerns that could limit the progress of a rapid response tool. GAPW will continue to analyse the role of R2P through its dialogue with the leaders in the community, NGOs/individuals in the global south and key personnel at the UN.

***How to incorporate suggested variance to the UNEPS proposal?*** A combination of participant feedback and in-depth analysis from regional research provided some variance to the current UNEPS proposal, including; greater acceptance of regional vs. a UN based rapid deployment services, emphasis on the civilian deployment component of the service and the focus on humanitarian disasters rather than R2P. These are all relevant issues that GAPW is looking to address through an upcoming publication. The publication seeks to incorporate regional considerations and provide an update to the existing proposal.

***How can we push a common agenda?*** It is crucial that individuals and organizations working on issues such as R2P, rapid response tools (ie; UNEPS), gender experts, military experts are constantly engaged and cooperating on promoting the common agenda of addressing genocide and crimes against humanity. GAPW will continue to be engaged in such conversations and promote discussion in the region where such tools could be used and ensure it is sufficiently vetted within the community.

For more information on the conference and outcomes, please email [kavitha@globalactionpw.org](mailto:kavitha@globalactionpw.org)