

Policy Memo

DATE: January 21, 2010

SUBJECT: Implementing the Responsibility to Protect

The Stanley Foundation convened about 35 governmental and nongovernmental officials near New York on January 15-17, 2010, to examine practical steps toward the implementation of the Responsibility to Protect (R2P). Participants included UN officials and diplomats from a number of countries. UN Secretary-General Ban Ki-moon spoke at the opening dinner of the conference.

Highlights and key observations from the discussion follow:

- Consideration of R2P is at a different place today than it was in earlier discussions. While some doubts and questions remain, the focus now is on accepting the 2005 Summit Outcome as agreed and focusing on the actions needed to implement and mainstream it within the UN system.
 - The successful 2009 UN General Assembly debate and resolution on R2P showed support for the concept remains strong.
 - As UN Secretary-General Ban Ki-moon reaffirmed in the conference opening remarks, a system-wide UN effort is needed to mainstream R2P into the work of the UN.
 - While some worry about an abuse of R2P by major powers as a justification for intervention, history shows the biggest danger remains the potential that the world *will not act* in the face of potential mass atrocities.
 - Deepening the sense among nations that sovereignty involves responsibility for all populations within their borders is increasingly important.
 - R2P captures the imagination of international civil society. It would be a waste to ignore this important dimension as the UN system moves ahead with R2P implementation.
 - Moving forward on implementation of R2P is to be on the “right side of history.”
 - The goal of UN R2P/genocide prevention efforts is, in the end, to serve vulnerable populations who cannot protect themselves and to fully implement the world’s intention to stop mass crimes.

- While early warning about the relevant crimes is always vital, there is significant agreement that assessment and turning information into actionable intelligence are equally critical and an even greater challenge. A focal point is needed for this information flow and assessment, and the joint office proposed by the secretary-general seems a logical place.
 - The joint office would be in the Secretariat and accountable to the secretary-general.
 - The assessed information, as well as response options, would flow naturally to the secretary-general. He, in turn, is in the best position to decide where and when this information should go, whether the General Assembly, Security Council, Human Rights Council, ECOSOC, Peacebuilding Commission, regional or subregional arrangements, or others.
 - Gathering sufficient advance information (early warning) on potential R2P situations can be difficult, especially in cases of failing states or where the national government is the instigator.
 - Information from all sources is likely to be challenged. UN political will to deal with R2P crises is even more important as a result.

- Establishing and supporting the proposed joint office received considerable support among conference participants and this should be carried forward in the appropriate UN bodies. The joint office's mandates should be integrated and any definitional deficiencies remedied.
 - A joint office on R2P/genocide prevention has positive “delivering as one” dimensions.
 - The joint office is seen as a way to overcome bureaucratic territorial issues that too often work against getting effective policy recommendations to the secretary-general.
 - Early consultations argue for a lean and agile joint office staffed by senior officials.
 - The use of other standing or ad hoc groups (in connection with the joint office) to broaden the policy advice the secretary-general receives in this area should be his management decision.
 - Adequate funding for the joint office is essential. Participants suggested that the office should ultimately be funded within the normal budget process since it is a necessary continuing function. However, trust funds could be used as a transition into the normal budget or as additional funding to support specific activities of the office.

- The primary leadership for implementing R2P within the UN system necessarily falls on the shoulders of the secretary-general. His role is to lead and direct, using existing structures where possible.

- The secretary-general should use his management latitude to decide how to structure the joint office and working arrangements with his advisors and among various departments and organizational units.
- As the secretary-general continues his consultations and thinking about how the joint office and advisory group will work, a concept paper from his office would be useful in advancing the conversation and reassuring all involved.
- The secretary-general should be asked to present periodic reports on implementation progress to facilitate General Assembly oversight.

Full Report to Follow

A more comprehensive report about this conference and its major recommendations will follow in a few weeks.

The analysis and recommendations included in this Policy Memo do not necessarily reflect the view of the Stanley Foundation or any of the conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions.

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