

CIVIL SOCIETY MEETING ON THE RESPONSIBILITY TO PROTECT

FINAL REPORT

**March 18, 2003
Washington, DC**

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I. BACKGROUND

“...Hardly a day goes by where we are not presented with evidence of the intimidation, brutalization, torture and killing of helpless civilians in situations of armed conflict. Whether it is mutilations in Sierra Leone, genocide in Rwanda, ethnic cleansing in the Balkans or disappearances in Latin America...[r]ebel factions, opposition fighters and Government forces continue to target innocent civilians with alarming frequency.”

Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict, S/199/957, 8 September 1999

Much was written towards the end of the 20th century regarding the changing nature of conflict, with widespread recognition of its increasing toll on innocent people: children, women and men not involved in the conflict. Mass murder, widespread rape and forced sexual slavery, the recruitment of child soldiers, the use of civilian populations as human shields, torture, disappearances, forced displacement and the use of chemical weapons are only a few of the unspeakable atrocities committed by governments, rebel groups and others in the past decades.

Awareness of these issues has led to some important developments. These include, among others, the adoption of Security Council resolutions on the protection of civilians in armed conflict and on women and peacekeeping; the strengthening of international humanitarian, human rights and refugee law; the creation of enforcement mechanisms such as the ad hoc tribunals for Rwanda and the Former Yugoslavia and the historic International Criminal Court; the adoption of a treaty banning the use of anti-personnel landmines and a protocol protecting the rights of children in armed conflict; and a greater emphasis on the prevention of conflict.

The willingness on the part of sovereign nations to create and abide by new international norms, laws and standards is having an important effect on the ability of the international community to respond in meaningful ways to humanitarian crises. Nevertheless, these norms are still emerging and some remain controversial. In particular, questions surrounding the right of one nation to intervene militarily in response to a humanitarian crisis in another nation are still widely debated. At the same time, the failure of the international community to respond to mass atrocities has also been deeply criticized.

“‘Humanitarian intervention’ has been controversial both when it happens, and when it has failed to happen. Rwanda in 1994 laid bare the full horror of inaction. The United Nations (UN) Secretariat and some permanent members of the Security Council knew that officials...were planning genocide; UN forces were present...and credible strategies were available to prevent, or at least greatly mitigate, the slaughter which followed. But the Security Council refused to take the necessary action.... Kosovo-where intervention *did* take place in 1999-...raised major questions about the legitimacy of military intervention in a sovereign state.”

The Responsibility to Protect, Report of the International Commission on Intervention and State Sovereignty, December 2001, p.1

A predominant challenge to non-consensual military intervention is that some such interventions have in fact been undertaken to allow the intervening nation to pursue self-interested foreign

policy objectives; other concerns include the failure to first exhaust non-military options, unequal attention to countries and regions on the basis of their strategic importance to the strongest military powers, a disproportionate use of force and the commission of other serious crimes during the operations.

Some of the most difficult questions surrounding this issue arise from the need to balance respect for the sovereignty of individual states with the perceived responsibility of the international community to intervene when the rights of individuals, in particular the right to life, are being threatened on a massive scale. UN Secretary General Kofi Annan highlighted this debate in his Millennium Report to the General Assembly, yet noted that “no legal principle - not even sovereignty - can ever shield crimes against humanity.”

In presenting the Millennium Report to the General Assembly in September 2000, the Secretary General repeated a call he had made during the 54th General Assembly in 1999, for UN Member States to take on the task of finding this balance and developing guidelines for the response of the international community to threats of large scale loss of life.

The Responsibility to Protect

In response, the Canadian government established the International Commission on Intervention and State Sovereignty (ICISS), with the support of several major foundations. A series of roundtable discussions in different regions with representatives from governments, inter-governmental organizations, non-governmental organizations, universities, research institutes and think tanks led to a report which attempts to reframe the debate. The report is based on the notion that it is the responsibility of a sovereign nation to protect the dignity and basic rights of its own citizens, and that it is the responsibility of the international community to react “where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it.” Thus the Commission proposes a change in terminology from the right of ‘humanitarian intervention’ to the ‘responsibility to protect’.

One of the central aspects of the ICISS Report is its conclusion that the responsibility to protect comprises more than the responsibility to react under the circumstances mentioned above; equally important is the ‘responsibility to prevent’, addressing both root causes and direct causes of internal crises, and the ‘responsibility to rebuild’. An emphasis is placed on prevention as the most important aspect of the responsibility to protect, while the Report stresses that military intervention should always be a last resort, with the least intrusive and coercive means used as possible.

While a chapter is devoted to the types of measures that constitute prevention, reaction and rebuilding, the Report is primarily focused on questions of intervention. Principles for military intervention are proposed, including the ‘just cause threshold’, precautionary principles (right intention, last resort, proportional means and reasonable prospects), right authority (with an emphasis on the UN Security Council), and operational principles. Questions about the role of

the Security Council and what happens when the Security Council fails to act are examined, with another chapter devoted to the operational dimensions of military intervention.

The ICISS Report is available at www.ciise-iciss.gc.ca/report-e.asp, including a Synopsis of the Report, and a one-page overview is provided in Annex C to this meeting report. Please also visit www.wfm.org for a more extensive summary of the ICISS Report and an opportunity to provide your feedback.

Next Steps and the Role of Non-Governmental Organizations

The Government of Canada and other interested governments have now embarked on an effort to gain support for the general principles set out in the ICISS Report and the development of mechanisms for their implementation. In particular, it appears that emphasis will be placed, *inter alia*, on: the development of new norms to reframe the debate from a right of humanitarian intervention to a responsibility to protect; and questions of how to operationalize the Responsibility to Protect through the Security Council.

Canadian Government officials are hosting roundtable discussions with other governments, working to advance the concept of the Responsibility to Protect within regional inter-governmental bodies and bilaterally, and reaching out to parliamentarians, NGOs and the media. A group of countries supporting the concept of the Responsibility to Protect has begun to form. In addition, the Report has been circulated as a UN document, a technical resolution was introduced to the UN General Assembly and a more substantive resolution is being considered.

The Canadian Government has indicated that the General Assembly will be a primary focus of action for the development of new norms, while the Security Council will be the principal focus for operationalizing the Responsibility to Protect in specific country situations. As part of the effort to involve NGOs in the process of promoting these important concepts and developing effective mechanisms to ensure their implementation, the Canadian Government approached the World Federalist Movement-Institute for Global Policy (WFM-IGP) to solicit its support. A request was made that WFM-IGP play an active role in involving NGOs and other civil society actors in these next phases.

It is our view that as governments begin to look at the concepts and recommendations in the ICISS Report, NGOs have a critical role to play in helping to determine whether and how to carry specific ideas forward, and in supporting their effective implementation. Their input will also help to ensure that other existing frameworks are considered, and ideas not included in the Report are brought to the table. In addition, NGO involvement in the evolution of norms that will move the international community beyond their reservations about the right to so-called 'humanitarian intervention' will be critical in reframing the debate.

II. PURPOSE OF THE MEETING

The meeting in Washington, DC on March 18, 2003, co-hosted by the Conflict Prevention Program, Woodrow Wilson Center; the Partnership for Effective Peace Operations; and the WFM-IGP, was one of several roundtable discussions about the ICISS Report, and involved approximately 40 participants (see Annex A).

The purpose of the meeting, as set out in the Briefing Note that accompanied the invitation, was “to ensure that key Washington-based civil society groups are included in the process of discussing reactions to the ICISS Report and determining a potential role for civil society in 'operationalizing' the concept of the Responsibility to Protect.□It is also hoped that the organizations represented at this meeting will be interested in becoming further involved in the implementation of the ideas generated.”

III. KEY POINTS

General Reactions to the ICISS Report

All participants who addressed this agenda item expressed the view that the ICISS Report is, in general, a very useful document that provides a comprehensive overview of a very complex issue. In particular, participants indicated support for the Report’s conceptual framework, including the movement away from the “right to intervene” to the “responsibility to protect”; the concept of sovereignty as including responsibilities as well as rights; and the emphasis on prevention.

In addition, more than one participant noted that the unique contribution of the Report is that while it emphasizes prevention, it also addresses the question of what should happen if and when preventive measures fail to avert a humanitarian crisis. Another stressed the value of giving governments a “rationale beyond self-interest” in considering their response to developing crises. Still others noted that the Report provides a vocabulary with which to discuss the question of when military intervention may be justifiable. Finally, more than one participant expressed that there may be some interesting possibilities in applying the concept of the Responsibility to Protect to other issues, for example to ensure that emergency relief would be provided more consistently and effectively in response to natural disasters.

Participants also made important critiques of the Report, including the following:

- the Report suggests that military intervention should only be undertaken with the approval of the United Nations (ie. the Security Council), yet does not address the critical question of what happens when a humanitarian crisis is looming and the Security Council is unwilling to act, for example because the region does not hold significant strategic value for Council members
- the conceptual shift from “right to intervene” to “responsibility to protect” language is very important, but it is based on Just War and other western cultural and philosophical concepts;

these should not necessarily be imposed on other regions (note that others disagreed that these concepts would be rejected in the East, based on professional experiences and other meetings on these issues)

- Just War theory, upon which the Principles for Military Intervention are based, is a “last resort emphasis” and there may in fact be situations in which intervention would be justified but which do not meet the “last resort” requirement; the example given was the possibility of release of a biological agent
- the absence of a nexus with the human rights framework is a worrisome gap (several participants noted this)
- there is no candid discussion of how the concepts in the Report, and the proposed Principles for Military Intervention, could be manipulated by self-interested governments
- the Report takes a very “top down” approach, for example by focusing on the United Nations, while much of the important work is going on nationally and regionally and needs to be recognized and supported
- women are “not in the Report except as rape victims”; their contributions are not recognized and their perspectives not included
- the Report reflects demands placed on the Commissioners to fulfill the needs of diplomats, and the consultation process was designed to discuss principles already agreed, while not allowing time for debate of some of the critical questions (from a participant in the Santiago roundtable)
- there is a clear “protection hierarchy” which is not addressed completely in the Report; even if there is a general responsibility to protect; the question is ‘who is protected first?’ and the answer is often westerners and peacekeepers, with women and children at the bottom of the list
- the threshold terminology in the Report will be very challenging to apply, for example “large scale loss of life”: Where is the cut off? What about a situation like DRC where people are dying of indirect consequences of war?
- the emphasis on sovereignty and state sovereignty raises the question of what to do when there is a failed or collapsed state and rebel authorities: Do you hold them accountable and how?
- the section on rebuilding requires some clarity, for example to properly address the question of who is responsible for rebuilding ie. states or regional bodies?

Challenges and Opportunities in Taking Forward the Responsibility to Protect

The following points were raised by participants:

- the Report is short yet sets out a “massive agenda” and discussing how to implement it is critical; it is important to recognize that some parts will be implemented and some will not, for example the call for more consistency in UN responses is not a realistic short-term goal
- despite the support for an emphasis on prevention, most NGOs do not actually have the mandate to work on prevention issues
- it is not only a lack of political will on the part of governments that will create challenges, but also on the part of the UN as an institution, for eg. the Department of Peacekeeping

Operations (DPKO); there is a general feeling in New York at the UN and missions that people are looking for excuses not to have to do things

- regional organizations seem to be increasingly interested in playing a role in responding to conflict: the AU, EU and OSCE have excellent examples of regional conflict prevention mechanisms
- there will also be challenges related to political will in some regions, for example in Africa one would wonder how much will be done in response to pending crises when nothing is being done about Robert Mugabe or Charles Taylor, and Gaddafi has been elected as the chair of the Human Rights Commission
- a key question is what true capacity exists at the UN and in regional bodies to respond quickly and effectively to these crises, even where the political will exists
- different regions will have a different response to the concept of the Responsibility to Protect; for example, in Latin America “intervention” is understood as meaning Western intervention in the region and they will do everything possible to avoid this
- it will be very important to focus on the availability of resources; without a new infusion of resources to address conflict situations, governments will be much less likely to accept new notions of sovereignty that appear to have financial implications
- the challenge for US NGOs is to get the administration to see that what happens in Congo, Cote d’Ivoire etc may have an impact in the US, but although this is an incredibly ominous time in international affairs, it should also be understood as one of great opportunity because the US government now understands that disintegrating governments are the fertile grounds for organizations that destabilize regions (the Hart-Rudman Commission also emphasized that ending conflicts is in the US national interest)
- with respect to interventions, there is a “fundamental disconnect” between the call for coalition-building and need to set clear objectives for missions; when you have coalitions, you have compromises, and this usually precludes clear objectives
- governments and inter-governmental bodies need to learn to gain from the practical experience of civil society, for example, the women’s movement operating in an affected country

Potential Roles for Civil Society in “Operationalizing” the Report

The following ideas were generated at the meeting:

- an intelligence-gathering role is key, as NGOs can get access to information and perspectives that the UN and governments will not, for example to get the views of civil society organizations in affected countries
- focusing on the flow of information about pending conflicts and responses among the UN Secretariat and its agencies and field staff, governments and NGOs is then critical
- what is needed is country-specific responses and advocacy around particular situations as they arise
- one important role NGOs play is as the ‘institutional memory’ about how specific situations have been handled, for example at the UN where there is high turnover at the missions

- NGOs may want to advocate for a regular reporting process on the capacity of international and regional organizations to respond to conflict; this could also be done at the NGO level by having an annual review of conflict prevention activities
- NGOs should consider their position on the need for a standing UN force for policing which would do 'early stage' prevention
- corporations have a willingness to do something and have the funds and NGOs should be telling them how and where to direct their efforts
- the work of NGOs does not fall under one umbrella, yet precisely because of the different mandates on these issues, there is a need for much better coordination of efforts

Other Relevant Work on these Issues

A very useful document, entitled "Operationalizing the Responsibility to Protect: Roles and Entry Points for Civil Society Organizations" was presented by Michael Lund of Management Systems International. The document provides an overview of what is already happening in terms of conflict prevention, including monitoring/early warning, advocacy and preventive actions, by UN agencies, inter-governmental bodies and civil society groups. It also summarizes the "conflict preventive measures in the UN's toolbox" and includes a chart with the UN's "framework for coordination". This is a good tool for civil society organizations looking for a point of entry to work on conflict issues.

Participants at the meeting also highlighted the following relevant activities:

- the Woodrow Wilson Center is looking at the prevention of failed states
- the Partnership for Effective Peace Operations works to bring together NGOs, academics and practitioners to talk about issues related to peace operations, which is defined quite broadly
- a Peace and Conflict survey just came out, with eight indicators of risk for conflict
- the SPEAR project is developing a humanitarian charter for NGOs, with Europeans having been forward-looking on this strategy
- there are organizations with a clear mandate on conflict prevention, such as OXFAM
- NGOs such as International Alert in London, Search for Common Ground, the Carter Center etc. do have a mandate on intervention and are playing a role in facilitating a dialogue between civil society and governments on these issues
- there are domestic NGOs that provide a forum for early warning and early response, such as FEWER, and carry out peace and reconciliation projects etc.
- international NGOs (ICG, HRW, FEWER) do important work, for eg. international organizations convened UN, OSCE, local NGOs and specialists in the Caucuses to address the problem of separate activities being undertaken by separate actors and they worked together on a joint project
- Fund for Peace is taking a regional approach and has a 2-year program to bring groups together to answer the question of when intervention can be justified
- there is a European Conflict Prevention initiative being developed, preparing for a UN conference on conflict prevention in 2005; this initiative is developing national and regional networks around the world

IV. SUMMARY AND CONCLUSION

The clear overall message arising from this gathering of civil society organizations (CSOs) based in Washington, DC, was that the ICISS Report sets out important concepts which CSOs support. Some participants are clearly interested in considering how these concepts, such as the notion of sovereignty as involving responsibilities and not just rights, could be applied in other areas. Most of the critiques were presented not as undermining the Report's overall message and content, but as ways it could have been even more complete or useful, or as challenges that will arise as the concepts are applied.

There were a few possible exceptions. One was the failure to present the material within a human rights framework, which was emphasized by several participants as a worrisome approach that undermines their work and the advances made in framing these questions from a human rights perspective. Another was an insufficient presentation of a gender perspective, although time did not allow for elaboration of this point. Finally, the participant who had taken part in the ICISS roundtable in Santiago, Chile in 2000, felt that the consultation sessions prior to the release of the Report had been structured in such a way that they did not allow for a full discussion of key issues. Again, there was insufficient time to delve into what these issues were and how this affected the content of the Report.

The discussion of the challenges and opportunities of putting the "Responsibility to Protect" into operation raised several important points. Many of these centered on the need to consider how to develop both the political will and the capacity of the United Nations, regional inter-governmental bodies and individual governments to respond to pending crises earlier and more effectively than they have historically. As many of the organizations in attendance are lobbyists of the US administration and Congress, the discussion naturally focused on the role of the United States on these matters, although perhaps not as much as one might have expected in light of the announcement by the Bush administration the day before this meeting that Saddam Hussein had 48 hours to disarm before a war in Iraq would begin. The perspective was in fact generally optimistic, in the sense that US CSOs believe that despite dangers of the ICISS Report's concepts being manipulated, the current US administration does understand that ignoring emerging conflicts is not in their national interest. The availability of resources was underlined as the critical factor in creating both the political will and the capacity of governments and institutions to address emerging conflicts.

In terms of the role that CSOs may play in this process, this discussion was well framed by the presentation of the work that is already being done on these issues, in particular conflict prevention. The discussion focused mainly on the importance of better information-gathering concerning emerging conflicts and ensuring that this information reaches relevant bodies. Of course there is a clear recognition that making information available is only a first step; the importance of an advocacy role to ensure that the UN, regional inter-governmental bodies and individual governments are meeting their commitments on the prevention of conflict and protection of civilians is clear.

Interestingly, there was little discussion of the principles for military intervention and the position that the organizations represented take on these issues. As one participant noted, NGOs

“tend to flip to the front of the book” (ie. to discuss prevention), while governments “tend to flip to the back” (to focus on the discussion of military intervention). Nevertheless, those who raised the concern that the concepts in the Report could be manipulated by self-interested governments were clearly thinking of military intervention.

During and after the meeting, participants expressed strong interest in continuing to be updated on these issues and to be involved in any effort at more coordinated advocacy in response to emerging conflicts. It is the intention of WFM-IGP to follow-up with all participants as the role of CSOs in this process evolves. We encourage anyone with additional thoughts or ideas about these issues to share them with us.

The co-sponsors are grateful to all participants for taking the time to attend this meeting during such a busy and critical time in their work.

ANNEX A: MEETING PARTICIPANTS

Co-Sponsors: Anita Sharma, Conflict Prevention Project, Woodrow Wilson Center; Ken Bacon, PEP, Refugees International; Don Kraus, PEP, Campaign for UN Reform; William Pace, World Federalist Movement-Institute for Global Policy

Participants:

Renee	Acosta	Global Impact
Geert	Ahrens	Woodrow Wilson Center
Tim	Barner	Friends Committee on National Legislation
Cliff	Bernath	Refugees International
Shaazka	Beyerle	International Center on Nonviolent Conflict
Doug	Brooks	International Peace Operations Association
Ann Marie	Clark	Woodrow Wilson Center
Mark	Epstein	Physicians for Social Responsibility
Ambassador	Erins	Woodrow Wilson Center
Lisa	Freeman	Woodrow Wilson Center
Peter	Gantz	World Federalist Association
Maggie	Gardner	World Federalist Association
Justin	Gilstrap	Eisenhower Memorial Commission
Heather	Hamilton	World Federalist Association
Michael	Harwood	Department of State
Lenore	Hickey	World Federalist Movement
George	Hofmann, Jr.	George Washington University
Edward	Hughes	InterAction
Jason	Ladnier	Fund for Peace
Bill	Lahneman	University of Maryland
Michael	Lund	Management Systems International
James	Matlack	American Friends Service Committee
Julie	Merdith	American University
Bridget	Moix	Friends Committee on National Legislation
Mary	Mulle	Bosnia Support Group
Laurie	Priddy	United Nations Development Program
Jerry	Prince	National Spiritual Assembly of the Baha'is of the US
Taylor	Seybolt	United States Institute of Peace
Jayne	Stoyles	World Federalist Movement
Christopher	Timura	University of Michigan
Show Ei	Tun	Wilson Center
E.J.	Vincent	Cheval Rouge
Carola	Weil	University of Maryland
Anita	Wright	Woodrow Wilson Center

ANNEX B: DOCUMENTS DISTRIBUTED

UN Documents and Reports

S/2002/1300 Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (26 November 2002)
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N02/712/97/PDF/N0271297.pdf?OpenElement>

S/2001/331 Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (30 March 2001)
<http://www.reliefweb.int/w/Rwb.nsf/s/873B87DFA5E78ABB85256A2B005DD129>

S/1999/957 Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (8 September 1999)
<http://www.reliefweb.int/library/documents/civilian.html>

S/RES/1460 – Security Council Resolution (30 January 2003)
On Children and Armed Conflict
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N03/231/16/PDF/N0323116.pdf?OpenElement>

S/RES/1441 – Security Council Resolution (8 November 2002)
On the situation between Iraq and Kuwait
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N02/682/26/PDF/N0268226.pdf?OpenElement>

S/RES/1379 – Security Council Resolution (30 August 2001)
On Children and Armed Conflict
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N01/651/10/PDF/N0165110.pdf?OpenElement>

S/RES/1366 - Security Council Resolution (20 November 2001)
On the Role of the Security Council in the Prevention of Armed Conflict
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N01/524/48/PDF/N0152448.pdf?OpenElement>

S/RES/1327 - Security Council Resolution (13 November 2000)
On the Implementation of the Report on the Panel of UN Peace Operations
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N00/745/04/PDF/N0074504.pdf?OpenElement>

S/RES/1325 - Security Council Resolution (31 October 2000)
On Women, Peace, and Security
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>

S/RES/1296 - Security Council Resolution (19 April 2000)
On the Protection of Civilians in Armed Conflict
<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N00/399/03/PDF/N0039903.pdf?OpenElement>

S/RES/1265 - Security Council Resolution (17 September 1999)

On the Protection of Civilians in Armed Conflict

<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N99/267/94/PDF/N9926794.pdf?OpenElement>

S/RES/1261 - Security Council Resolution (30 August 1999)

On Children and Armed Conflict

<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N99/248/59/PDF/N9924859.pdf?OpenElement>

S/ PRST/2002/6 UN Security Council Presidential Statement Aide Memoire

On Protection of Civilians in Armed Conflict Issues and Options

Includes: Primary Objectives, Issues for Consideration, and Precedents

<http://ods-dds-ny.un.org/doc/UNDOC/GEN/N02/288/93/IMG/N0228893.pdf?OpenElement>

A/55/305-S/2000/809

Report of the Panel on United Nations Peace Operations, Comprehensive Review of the whole question of Peacekeeping Operations in all its aspects (21 August 2000)

http://www.un.org/peace/reports/peace_operations/

A/56/732 Implementation of the recommendations of the Special Committee on Peacekeeping Operations and the Panel on United Nations Peace Operations (Report of the Secretary-General – Comprehensive review of peacekeeping and all its aspects (21 December 2001)

http://www.un.org/peace/reports/peace_operations/

Other Articles, Reports, Speeches

“Debating Humanitarian Intervention,” by Gareth Evans and Mohamed Sahnoun, Foreign Affairs, November/December 2002

“The Preventable Genocide” Executive Summary of the Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda

full report available at: www.oau-oau.org

Prevention of Armed Conflict SG Report Summary (Lenore Hickey, WFM, July 2001)

Statement by Ambassador Paul Heinbecker Permanent Representative of Canada to the United Nations to the 57th Session of the United Nations General Assembly on Item 44: Follow-up to the Outcome of the Millennium Summit and Item 10: Report of the Secretary-General on the work of the organization, New York, October 2002 www.un.int/canada/s-15Oct2002Heinbecker.htm

Secretary-General Address to the “The Responsibility to Protect” report launch (NY)

15 February 2002 <http://www.un.org/News/Press/docs/2002/sgsm8125.doc.htm>

Excerpts from the American Society of International Law Proceedings of the 96th Annual Meeting: “The Evolving Intervention Regime in Africa: From Basket Case to Market Place?” Jeremy Levitt, Washington, DC, March 2002

Foreword to Amnesty International Report 2000: “Soldiers In the Name of Human Rights,”
Pierre Sane - Amnesty International Secretary-General, London, 2000

2001 ICISS Regional Consultations with NGOs

ANNEX C: ICISS REPORT SUMMARY

The following summary has been reproduced from a report of a seminar on the Operational Dimensions of Intervention, Project Ploughshares, September 5 and 6, Waterloo, Canada.

The ICISS Report was released at the end of 2001, and focused on the issue of international intervention. The ICISS Commission responded to a call from the UN Secretary-General to “forge unity” around the questions plaguing the issue of intervention. The resulting Report reframes the debate around intervention in terms of an obligation to protect populations at risk, and away from the “right of states to intervene.” In doing so, the Report offers a new language with which to talk about some of the toughest issues facing us in today’s world.

The Report argues that state sovereignty entails certain responsibilities toward a state’s own population, and in particular, providing for the basic safety of its citizens. When a state fails in its duty and is not protecting (or indeed, is targeting) its citizens, the international community has a duty to come to their aid. The Report thus emphasizes a holistic view of intervention that includes prevention, reaction and rebuilding. More specifically, protecting civilians involves first implementing a range of actions to *prevent* atrocities and address the root causes of conflict.

When these actions fail, the Report obliges the international community to *react*, intervening militarily if necessary and only in extraordinary circumstances. In making this decision to react with military force, the Report emphasizes a series of precautionary principles, including the criteria of just cause (the threshold conditions), right intention, last resort, proportional means, reasonable prospects, and right authority. Its goal is to prevent “another Rwanda.”

Last, the Report calls upon the international community to help *rebuild* a country after an intervention. This phase involves assistance with the recovery, reconstruction, and reconciliation components of the transition to a more peaceful society. This holistic view of intervention in general suggests that protecting civilians and vulnerable populations is a fundamentally different question and operation than fighting a war.

The ICISS Report can be found on-line at: <http://www.ciise-iciss.gc.ca/report-e.asp>