

Breakout Session on the Responsibility to Protect during Munich Security Conference

The [Munich Security Conference](#), which took place this year from 1-3 February 2013, is an annual meeting of senior government, international and civil society figures from around the world discussing current and future security challenges.

The

[program](#)

of the Conference this year included a breakout session entitled, “

[Does R2P have a future](#)

”. The session featured a panel of experts and was chaired by Jean-Marie Guéhenno, Former Under Secretary General of the United Nations Department of Peacekeeping Operations and Chairman of the White Paper Commission on French Defence and National Security, Paris. Panelists included Louise Arbour, President and Chief Executive Officer, International Crisis Group, Brussels; Dr. Fatou Bensouda, Chief Prosecutor, International Criminal Court, The Hague; Peter MacKay, Minister of National Defence, Canada, Ottawa; Louise Mushikiwabo, Minister of Foreign Affairs and Cooperation, Republic of Rwanda, Kigali; and Stephen Rapp, United States Ambassador-at-Large for War Crimes Issues, Office of Global Criminal Justice, Washington, D.C.

See the press release below discussing the breakout session. ICRtoP will also compile the statements of the panelists and feature them below.

Press Release: The new Norm in Responsibility to Protect Munich Security Conference

4 February 2013

Were there, hypothetically, agreement within the Security Council, wouldn't Syria be the next case for applying the new "Responsibility to Protect" (R2P) norm under international law? That was the question at the end of the Breakout Session on the future of R2P. (...)

Louise Arbour, President and CEO of the International Crisis Group and former United Nations High Commissioner for Human Rights, pointed out why the still young Responsibility to Protect doctrine is an accentuation of state sovereignty. Every state has, first and foremost, the duty to protect its people. If, though, the government of a country is not capable or willing to protect its citizens from serious human rights abuses, then the international community, primarily the United Nations, may intervene to protect the threatened population. In the case of Libya, regime change was also justified in her view. Gaddafi was, after all, not only unwilling to protect his people, but even took part in the atrocities against them. *Nothing to do with interventionism*

Canada

's Defense Minister Peter MacKay stressed during the Breakout Session how important it nevertheless is, in principle, to think over and weigh up the consequences of possible military actions. Like a doctor who has taken the Hippocratic Oath, the foreign and security policymakers responsible must ask themselves in each individual case whether intervention might not also have damaging consequences. There was consensus on the podium, however, that R2P has nothing to do with interventionism.

Prevention the more important component

The participants, among them Stephen Rapp, United States Ambassador-at-Large for War Crimes Issues, were also in agreement that R2P must be devoted more strongly to ensuring prevention. It is in this connection that Louise Mushikiwabo, Rwandan Minister of Foreign Affairs and Cooperation, made a comment. In her view, the success or failure of Responsibility to Protect depends on whether the prevention component can have an effect. Serious human rights abuses such as war crimes, crimes against humanity, "ethnic cleansing" or genocide never come from nowhere. Which is why she sees it as being a regional responsibility. Before looking to New York and the Security Council, the Foreign Minister urged, the region must look inwards. Louise Arbour agreed and certainly had concerns when looking in the direction of Asia. Compared with other regions of the world, no equivalent regional organizations exist there. She recalled the case of Sri Lanka.

It was Fatsou Bensouda, the International Criminal Court's chief prosecutor, who expressed her conviction that accountability, which is also the basis of R2P, would firmly establish itself, regardless of all the powerlessness currently being experienced in Syria. The International Criminal Court is not, at present, empowered to conduct investigations.

Obama's Ambassador-at-Large, Rapp, talked particularly about international justice. It complements the R2P concept in a positive way. The International Criminal Court, which was little appreciated by the USA initially, has brought about many changes, as have the major criminal proceedings at the Hague Tribunal. The proceedings there have demonstrated that no crimes against humanity will remain unpunished, and the perpetrators must expect to be made accountable for their crimes sooner or later. For which reason documenting crimes, as in Syria, should not be underestimated at the present time, either. **Read full [press release](#) . See related**

[press release](#)

from the European Union.

Panel during breakout session, "Does R2P have a future?" Jean-Marie Guéhenno, Former Under Secretary General of the United Nations Department of Peacekeeping Operations and Chairman of the White Paper Commission on French Defence and National Security, Paris (Chair)

Louise Arbour, President and Chief Executive Officer, International Crisis Group, Brussels

Dr. Fatou Bensouda, Chief Prosecutor, International Criminal Court, The Hague

[Peter MacKay, Minister of National Defence, Canada, Ottawa](#)

Louise Mushikiwabo, Minister of Foreign Affairs and Cooperation, Republic of Rwanda, Kigali

Stephen Rapp, United States Ambassador-at-Large for War Crimes Issues, Office of Global Criminal Justice, Washington, D.C.