



## **AUSTCARE'S POSITION ON THE RESPONSIBILITY TO PROTECT (R2P)**

*This position statement highlights the key aspects of the Responsibility to Protect (R2P) and Austcare's recommendations on steps to operationalise R2P.*

R2P is one part of Austcare's "Protect Now" program which is headed by Austcare's Ambassador for Protection, the Hon. John Dowd AO, QC. Protection is a key component of Austcare's work to build human security of people affected by conflict and natural disaster. In addition to R2P, our "Protect Now" program comprises the Austcare Protection Chapter, protection mainstreaming in the planning and implementation of field projects, the Rapid Response Register of trained Protection Officers, and research, policy and advocacy on protection issues.<sup>1</sup>

### **Importance and Authority of R2P**

R2P establishes unprecedented international responsibilities to prevent and respond to situations where war crimes, genocide, ethnic cleansing or crimes against humanity are imminent or in progress.

R2P rests on two basic premises: first, that State sovereignty implies responsibility for the protection of its citizens; and second, that the international community has a responsibility to protect civilians when a State is unwilling or unable to prevent or stop abuses inflicted as a result of internal war, insurgency, repression or State failure.

R2P comprises a continuum of measures for the international community ranging from prevention to rebuilding. These are:

1. The responsibility to **prevent**, by addressing the root causes of conflict as a first priority and essential action;
2. The responsibility to **react**, by implementing economic sanctions, diplomatic efforts, international prosecutions, or military intervention as a last resort; and
3. The responsibility to **rebuild**, by ensuring full assistance with recovery, reconstruction and reconciliation.

R2P originated from the work of the International Commission on Intervention and State Sovereignty (ICISS).<sup>2</sup> R2P was embraced at the United Nations World Summit in 2005 by a unanimous declaration of the UN General Assembly<sup>3</sup> and was reaffirmed in April 2006 by UN Security Council Resolution 1674: *The Protection of Civilians in Armed Conflict*.<sup>4</sup>

### **Austcare and R2P**

Austcare supports R2P as an important international commitment to the protection of civilians. If applied properly, R2P is consistent with Austcare's commitment to build human security with people affected by conflict and natural disaster.

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<sup>1</sup> Austcare adheres to the definition of protection developed by the International Committee of the Red Cross (ICRC) and endorsed by the United Nations Inter-Agency Standing Committee (IASC). "*The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, humanitarian law and refugee law).*" For a more comprehensive description of the "Protect Now" program please refer to [www.austcare.org.au](http://www.austcare.org.au)

<sup>2</sup> The full ICISS report can be found at [www.iciss.ca/report-en.asp](http://www.iciss.ca/report-en.asp).

<sup>3</sup> The full General Assembly Declaration can be found at <http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN021752.pdf>

<sup>4</sup> The full Security Council Resolution can be found at <http://daccessdds.un.org/doc/UNDOC/GEN/N06/331/99/PDF/N0633199.pdf?OpenElement>

Effective political, diplomatic, economic and military international action that is consistent with R2P principles can help prevent insecurity and grave human rights abuses that too frequently cause mass displacement and poverty, and weaken the rule of law. International action under R2P may help create conditions for essential humanitarian access and protection of populations-at-risk. R2P may also enable governments, humanitarian agencies, donors and communities to create a more secure environment to manage conflict in a non-violent manner and prevent repeated cycles of insecurity and displacement.

Austcare considers that, if properly applied, R2P provides mechanisms to prevent and prosecute war crimes, genocide, ethnic cleansing or crimes against humanity by responding to the protection needs of civilians and making the perpetrators of such abuses accountable for their actions. Austcare believes that military action should be a last resort, and only considered when all other measures have been exhausted. If military action is considered necessary, it must be legitimised by the UN Security Council and/or other relevant regional authorities.<sup>5</sup>

### **Austcare's Position on R2P**

Austcare:

- 1. Welcomes** the Australian Government's endorsement of R2P.
- 2. Calls on** the Australian Government, other States, the United Nations and regional bodies to promote awareness of R2P, and support its proper implementation.
- 3. Calls on** the Australian Government to develop "whole of government" principles and strategy to implement R2P effectively. The Australian Government is encouraged to consult with non-government humanitarian agencies in developing such principles and strategy.
- 4. Calls on** the Australian Government to ensure its military and police forces have specific doctrine which enables the protection of civilians in R2P situations.
- 5. Encourages** the Australian Government, the United Nations and regional bodies to support capacity building initiatives that enable vulnerable and fragile states to manage conflict without resorting to violence and to protect the rights of people within their boundaries.
- 6. Urges** all States to ensure that the adoption and implementation of R2P emphasises the protection concerns of women, the impact of war and violence on women, and women's contribution to conflict resolution and sustainable peace, as explained in UN Security Council Resolution 1325.
- 7. Urges** the humanitarian community, including non-government and UN agencies, to support R2P, and ensure that it is implemented in a manner that is consistent with universal human rights principles.
- 8. Calls on** States, the United Nations and regional bodies to develop consistent and coherent policies to effectively integrate different protection mechanisms within the work of humanitarian agencies, military and police forces.
- 9. Welcomes** the Australian Government's support to the global R2P centre, based in New York, and encourages the Australian Government to support a regional R2P centre that is linked with the global movement.

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<sup>5</sup> Examples of relevant regional authorities may include the Council of the European Union, the Peace and Security Council of the African Union, the North Atlantic Council, and other regional security bodies.