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Responsibility to Protect: Where is the Responsibility of the International Community?

After the Holocaust perpetrated during the Second World War, many nations pledged never to allow such crimes against humanity to occur again. Nevertheless, the genocidal occurrences in the former Yugoslavian Federation in 1992 und the Rwanda Genocide in 1994 stand in contrast to the promises made by many countries within the *international community* not to allow atrocities of this nature to recur.

However, the last decade of the 20th up until the beginning of the 21st century witnessed the most degrading conflicts in the history of mankind where men, women and children were set on fire and burned alive because of their allegiances to certain religious, ethnic and language affiliations. The current conflicts in different parts of the world bear witness to these gruesome murders. The questions that resurface are: Are atrocities of such magnitude as that of the Holocaust and genocide occurrences witnessed in the former Yugoslavian Federation, Rwanda and the Sudanese Darfur in recent years not being committed again during our lifetime? With that said, what about the on-going killings and mass atrocities of innocent civilians committed in both Iraq and Syria as well as in many other parts of the world by religious terrorist groups like the Islamic State (ISIS), Al-Qaeda, Boko Haram as well as governments such as the regime of Bashar al-Assad in Syria that exterminate their own people with the aid of some foreign partners which provide them with weapons and financial resources?

The situation in the Middle East is not different to that in some African countries where certain terrorist organisations with links to other groups beyond the continent are wreaking havoc on several communities in the name of religion. Within the African continent itself, the terrorist group Boko Haram, in spite of its base in northern Nigeria, is responsible for killing and maiming innocent civilians, kidnapping and raping young girls and women and terrorising entire neighbouring countries such as Chad, Niger Republic and Cameroon. Elsewhere, carrying out attacks similar to that of Boko Haram, the entities Al-Shabab in Somalia and Al-Qaeda operating in the Islamic Maghreb are destabilizing the different regions of the African continent. The latter are responsible for the near-state collapse in the West African country of Mali in recent years. All these occurrences constitute threats to world peace and security.

Therefore, the question still remains, based on these diverse conflicts in our contemporary world: What is the international community responsible for, if it cannot protect children from being used as human shields, women from being held captive and sold as slaves and innocent people from being killed every day? What is the pledge made by many countries at the *1948 United Nations Convention on the Prevention and Punishment of Genocide* worth, if the international community, especially the western powers, is incapable and powerless to mend their differences and join hands to save humanity amidst these human rights violations and horrendous atrocities? If we have a responsibility to protect, then what has been protected until now in Syria and Iraq apart from the uncountable number of dangerous weapons handed to numerous actors by different countries, which are contesting for and representing diverse interests. With the contemporary security concerns in different parts of the world, what remains of our collective *humanity*? With the ongoing conflicts in both Syria and Iraq, what are more discernible the mutually antagonistic interests of different countries. The simple question *what about our collective humanity?* can be regarded as equally questioning *our collective responsibility* in these uncertain times - conditions which thus bring the concept of our Responsibility to Protect, referred to as R2P or RtoP, to the forefront of this discussion.

R2P, a concept developed in 2001 by scholars under the umbrella of the United Nations and unanimously adopted during the World Summit in 2005, was designed and accepted by world leaders to protect their populations from 1) genocide, 2) crimes against humanity, 3) war crimes and 4) ethnic cleansing. Nevertheless, R2P has since not been achieved in practice in

spite of the need for the implementation of this concept within the ambit of the international community (General Assembly of the United Nations) to protect thousands, if not millions, of innocent civilians worldwide.

Given the core areas of R2P, it is expected that no responsible government would object to any effort made or introduced within the international legal framework to protect any human life - be it children or women - from being terminated unjustly. Therefore, any government that cannot guarantee the safety of its population and safeguard its people from the four targets of R2P cannot be regarded as a responsible government. At the same time, where such atrocious crimes exist and no commensurate efforts can be made by any government to stop said human rights abuses, this condition is indicative of state failure. This is the reason why the three core strategic approaches towards the implementation of R2P of the Secretary-General of the United Nations, Ban Ki-Moon, as stated by the International Peace Institute (June 2009), comprise the following:

- Responsibility lies first and foremost with the state to protect its own population from genocide, war crimes, ethnic cleansing, and crimes against humanity
- The international community has a responsibility to help states fulfil this responsibility
- And where states are manifestly failing to protect their population from these four crimes and violations, the international community should take collective action, in accordance with the UN Charter.¹

In order to carry out the above-stated mandates, as stipulated by the UN Secretary-General, the Office of the Special Adviser on the Prevention of Genocide (OSAPG), an office created by the United Nations Security Council on the tenth anniversary of the Rwanda Genocide in 2004, is to be merged with the Office of the Special Adviser to the Secretary-General working on R2P. The Special Adviser of the Secretary-General on the Prevention of Genocide's responsibilities includes the following:

- The collection of information on massive and severe human rights violations and abuses of international humanitarian law in conflict zones that, if not checked and prevented, could lead to genocide

¹See: Ban Ki-moon. (2009). "(Annex III) Speech of the UN Secretary-General: 'Responsible Sovereignty: The International Cooperation for a Changed World, Berlin', July 15, 2008". In International Peace Institute (IPI) (ed.), *The Responsibility to Protect (RtoP) and genocide prevention in Africa*, pp. 15-17.

- To act as a mechanism of early warning for the Secretary-General and the Security Council
- To make recommendations to the Council (through the Secretary General) on the prevention or cessation of genocide
- To liaise with the UN system on activities to prevent genocide and on increasing its capacity to manage information related to genocide and other serious human rights violations.

In view of this, by definition, the prevention of genocide encompasses monitoring, analysing and rapidly responding before any conflict situation evolves and escalates into genocide. In order to expand the scope of genocide prevention, OSAPG and R2P are to be merged into one office with expanded mandates. With this, genocide prevention becomes embedded as one single component out of the four targets within the scope of R2P, as already mentioned.

The major obstacle to the unanimous adoption of R2P in the General Assembly of the United Nations, however, is more about the suspicions of certain countries that the so-called *super powers* could abuse any loophole created by legitimising R2P to intervene in the internal affairs of the weak and less powerful countries, the so-called *developing countries*. The fear of loss of sovereignty is impeding the legitimisation of R2P. It is believed by the *weak* countries that the lack of clarity with respect to the concept of R2P opens up avenues to be instrumentalised by certain powerful actors/states for selfish interests under the veil of legitimacy. The importance of legitimising R2P through the General Assembly lies in building a political consensus among all member states in order to gather support for the mandate of the new office, if allowed to come into legitimate existence.

In spite of the difficulties encountered towards finding support from all member states for the endorsement and legitimisation of R2P in the General Assembly, it is believed that the deposition of Muammar Gaddafi, the late Prime Minister of Libya, at the onset of the Libyan War in 2011 by the intervention of the international community was carried out within the ambit of R2P operationalisation. Without mincing words, it was argued that the community would not wait until Gaddafi massacred his own people. Arguably, this reason given for the intervention can be viewed within the scope of R2P even if the African Union opposed this UN intervention in Libya.

If the international community, meaning in this sense the *powerful bloc of nations*², was able to take collective action to intervene in Libya, what stops them currently to cooperate and pool their resources in order to save humanity from egregious atrocities and human rights violations committed in the on-going conflicts in Iraq, Syria, Nigeria, Somalia, South Sudan and post-Gaddafi Libya? Why not act now to save humanity? At least, the pledge is that—where states fail to carry out their responsibility in the protection of their populations and human lives—the international community is obliged to assist states in carrying out this function.

Therefore, it is high time the collective action needed is carried out in order to save said countries from imminent collapse. Many of these states, if not all, have failed and are no more in the position to protect their populations from these R2P crimes. In accordance with the moral and humanitarian obligation of the World Community, collective and not individual action must be taken now. The implementation of R2P begins with the moral duty towards upholding our collective humanity by accepting and integrating as well as respecting the refugees from these crisis-ridden countries.

We have a Responsibility to Protect *our humanity*.

²The *powerful bloc of nations* is different from the entire international community, as it refers to the five permanent members of the United Nations Security Council, which possess veto powers. Other countries within the context of the powerful bloc of nations are known as great powers, referring to certain countries with superior military capabilities such as Germany, Japan, Canada, etc.