CARNEGIE COUNCIL *for Ethics in International Affairs*

EIA Interview: Alex Bellamy on the Responsibility to Protect

Ethics & International Affairs Interviews

Alex J. Bellamy, **John Tessitore**

Transcript

JOHN TESSITORE: Hello. I'm John Tessitore, Executive Editor of the Carnegie Council here in New York, and I'm editor of the Council's quarterly journal, *Ethics and International Affairs*.
I'm here today with Professor Alexander Bellamy, who teaches peace and conflict studies at the University of Queensland, Australia. So he has come a long way to be with us.

Welcome, Alex. It's wonderful to have you here.

ALEX BELLAMY: Thanks for inviting me. It's a pleasure to be here.

JOHN TESSITORE: Alex is the author of several books, and most recently he is the author of *Responsibility to Protect*, a handsome volume. I'm pleased to say that he is also the author of two articles on this topic that appeared earlier in our own journal, *Ethics & International Affairs*. They were entitled "Whither the Responsibility to Protect?" which came out in 2006, and a year earlier, he published "Responsibility to Protect or a Trojan Horse? The Crisis in Darfur and Humanitarian Intervention in Iraq."

Alex, we want you, obviously, to talk about the acronym R2P, a very convenient acronym. We want to talk about the development of responsibility to protect, or R2P, as an international norm, including your recent thinking about the prevention of genocide and mass atrocities.

But first, let me give you an opportunity to tell us a little about your new center. That's the Asia-Pacific Center for the Responsibility to Protect. How did that come about? What is your role? What is its raison d'être?

ALEX BELLAMY: We kicked off about two years ago, a group of academics and people with NGOs, such as Oxfam and Austcare in Australia. We were thinking about doing something in Australia to promote the responsibility to protect and to think about implementing the principle. In that process, we started talking to partners in the region, and at the same time, people like Gareth Evans were thinking about creating a global center here in New York.

JOHN TESSITORE: How large is this region? You are saying, then, it goes outside of the continent of Australia.

ALEX BELLAMY: The precise limits are a bit ill-defined.

JOHN TESSITORE: You don't have to be precise.

ALEX BELLAMY: We call it Asia-Pacific. We have excluded for the time being South Asia. The reason for that was simply that originally there was going to be another center set up in Sri Lanka. Our original idea was that our two centers would be very closely linked. We would, for example, share an advisory board and those sorts of things. But for reasons indigenous to Sri Lanka, that hasn't happened yet, because we don't want to fill the space—

JOHN TESSITORE: That they will ultimately take over.

ALEX BELLAMY: That's right. At the moment we are focusing on the Asia-Pacific region.

JOHN TESSITORE: And what is that focus?

ALEX BELLAMY: Primarily, we are working on Southeast Asia—so ASEAN—and then also Northeast Asia. We are running a specific program on China, as well as work in Japan and South Korea.

JOHN TESSITORE: What is the specific program on China?

ALEX BELLAMY: We have spent the last 12 months trying to work out what that will be. At the moment, with most of our programs in the region, the first step has been trying to work out where governments in the region stand in relation to the principle.

JOHN TESSITORE: Are you working with governments or working at the level of civil society only?

ALEX BELLAMY: At the moment, primarily with civil society. It differs from country to country. With some countries, such as the Philippines, that are more open to the principle, we have been able to start working with governments. With other places—for example, China—it's too early to start engaging Chinese government officials directly on the responsibility to protect.

So our first step has been to try to get a good understanding of where the Chinese government sits, who outside the Chinese government is working on areas related to R2P, and to identify what we are calling "gateways for engagement," areas where we can engage governments like China. For example, with China, one key area is the Chinese contribution to UN peacekeeping. As you probably know, China is now the largest of the P5 members contributing to UN peace operations, and there is real scope for engaging with China in relation to peace operations.

Other areas are small arms and preventive diplomacy.

JOHN TESSITORE: Are you looking at such troubling places as Myanmar/Burma?

ALEX BELLAMY: We are. We first became engaged with Myanmar, of course, after Cyclone Nargis and the whole debate about whether the principle of responsibility to protect applied or not.

The Center looked at that in quite some detail, and we issued a report which basically followed the same line that the UN secretary-general and ASEAN took, which was that although this was a grave humanitarian crisis, and although it was imperative that the Myanmar government open up to humanitarian assistance, there wasn't at that time a prima facie case for labeling this an R2P issue, and neither would such labeling have been helpful. Our sense was that to label this an R2P issue would have antagonized the government of Myanmar further.

JOHN TESSITORE: So as Myanmar has demonstrated, there's a pragmatic side to this.

ALEX BELLAMY: Absolutely. In the case of Asia-Pacific, it's absolutely essential that the principle be narrowly interpreted and relate to the four crimes set out in the 2005 World Summit.

JOHN TESSITORE: Remind us of those four crimes.

ALEX BELLAMY: Genocide, war crimes, crimes against humanity, and ethnic cleansing.

JOHN TESSITORE: And that, of course, did not apply to this particular situation.

ALEX BELLAMY: That's right. The other thing to bear in mind in that situation is that there were other mechanisms in place that were more appropriate than R2P for dealing with a natural disaster. Such as, for example, the General Assembly has passed several resolutions on humanitarian access, as has the Security Council in some of its previous resolutions on the protection of civilians. That was the key route in relation to Cyclone Nargis, opening up humanitarian access.

JOHN TESSITORE: You raised the issue of the United Nations. Let's stay with that for a moment. As you know, my old colleague Edward Luck is special adviser to the secretary-general for responsibility to protect. Tell us about the UN's interpretation of this new norm and what it's doing to gain broader support.

ALEX BELLAMY: Let me first say that, from where we sit, in the region that is probably the most skeptical of the R2P norm, Edward Luck has done an absolutely fantastic job in trying to build consensus and move this forward. The very fact that R2P is where it's at today is due in no small part to his efforts in that regard.

What he has done is take the World Summit Outcome Document as the starting point, and he has given it a more detailed read than probably anybody else has given it. He has demonstrated that if you go through it line by line, sentence by sentence, what you find is actually a fairly heavy and quite specific policy agenda that we can then start to pull out.

As you probably know, the key to that was in redefining the scope of R2P in relation to what Ed called the three pillars of the responsibility to protect that can be found in the World Summit Outcome Document.

The first pillar is the primary responsibility of the state to protect its own populations from genocide and mass atrocities.

The second pillar is the responsibility of the international community to assist the state in fulfilling its responsibility.

The third pillar is the duty of the international community to take timely and decisive action, using Chapters VI, VII, and VIII of the UN Charter, in situations where a state is manifestly failing to protect its population.

JOHN TESSITORE: So what do you say to the critics—and I have heard many, even very recently—who say that R2P is not a norm and is, in fact, ill-defined and extraordinarily fragile? What you described sounded like something that wasn't so terribly ill-defined. Do you agree with the fragility? Do you agree with the fact that it still is evolving as a norm and looking for some kind of consensus?

ALEX BELLAMY: On the question of definition, I think the core is well defined and I think the secretary-general, with Ed Luck's advice, has taken great strides to define what R2P is. But there are

still edges around the side that require further clarification. This is why, for example, the forthcoming debate in the General Assembly is going to be so crucial. Hopefully, it will be the first of several debates in the General Assembly that will help to further clarify the principle.

Some of the key areas that are still not well defined are, for example, the specific meaning of crimes against humanity. We in the West tend to take the Rome Statute as a guide to what counts as a crime against humanity. Of course, in Asia, most countries haven't signed on to the Rome Statute.

JOHN TESSITORE: So is this a question of legitimacy in terms of international law?

ALEX BELLAMY: I think there are questions around the edges. I think, as the British ambassador said about terrorism, although we might not be able to define precisely in the Security Council what a crime against humanity is, the Council knows it when it sees it. I think it's not too much of an issue in terms of getting the Council mobilized.

JOHN TESSITORE: That is the deciding body. The R2P relies on the decision of the Security Council, which, some would point out, of course, is an anachronistic body, 65 years old and unreformed. Are you comfortable with that? Are the people who are advocates for R2P comfortable in residing the ultimate authority with the Security Council?

ALEX BELLAMY: That's a very good question. One of the things we have found in surveying where the Asian region stands in relation to R2P and R2P-related issues is that right at the top of their agenda is, of course, reform of the Security Council.

JOHN TESSITORE: It has been for a very long time.

ALEX BELLAMY: Absolutely. But, as you know, Edward Luck has argued for many years—and I learned my position from his—that although everybody agrees that Council reform is a necessity, nobody agrees on what form that should take.

JOHN TESSITORE: There's the rub.

ALEX BELLAMY: There are at least five or six different positions. Of course, in Asia, you have the major issue that it's very unlikely that China would see Japan or India, for that matter, join the Council. There are at least five or six different models out there. Probably the most modest is what was called the S5 model put forward by the Small 5, including Singapore.

What was interesting about their approach was that it focused not on the membership of the Council, but on the working methods and processes, making the Council more accountable to the General Assembly, and including things like, for example, voluntary moratoriums on the veto and measures to oblige the permanent members to justify their vetoes.

JOHN TESSITORE: Without getting too much into Security Council reform, which could take us forever, we have to accept what is today. So my question then would be, what are the prospects for an ultimate evolution of R2P to some sense of accepted maturity under the given circumstances?

ALEX BELLAMY: I think the prospects are good, but I think that advocates and critics alike have got to come to an agreement over what they think R2P is and what they think the measures of success are. I think there are two broad schools at the moment in relation to the latter.

One school of thought, which is the one that I subscribe to, is that the key measure for success for

R2P is whether or not we can reduce the frequency of genocide and mass atrocities—that is, reduce the number of cases that get so bad that they come before the Council.

The second school of thought is that the measure of success for R2P is whether you can make the Council react more quickly to crises once they have occured.

JOHN TESSITORE: Is there a preventive measure inherent in the responsibility to protect? What about the responsibility to prevent?

ALEX BELLAMY: Absolutely. The original commission, the ICISS Commission, in 2001, said that the responsibility to prevent was the single most important aspect of R2P.

JOHN TESSITORE: It seems to get lost.

ALEX BELLAMY: It gets lost all the time. I think it's important to bring that back, because it is the single most important aspect. Ultimately, prevention is the best form of protection. Even had the international community responded in a speedy way to the Rwandan genocide, we would still have lost hundreds of thousands of lives in Rwanda by the time that the intervention could have got in to stop the genocide. So there's absolutely no doubt that prevention is the core.

What's interesting is that the World Summit Outcome Document specifically singled out prevention as a core aspect of the responsibility to protect. So I think that's the key.

I'm also fairly skeptical, as I set out in the article in *Ethics & International Affairs*, about the likelihood of criteria or principles shaping the way the Security Council takes decisions. I think once a matter gets to the Council, Council politics are going to take over, and ultimately skilled diplomats will use principles and criteria to justify whatever position they seem to take.

Now, I think that R2P would make it difficult, if not impossible, for diplomats to argue against intervention in a case exactly like Rwanda. But I think that's the rub. Most cases aren't exactly like Rwanda. As I think Darfur shows only too well, there's plenty of wiggle room for diplomats.

JOHN TESSITORE: What should be happening in Darfur if R2P were working as you think it should be working?

ALEX BELLAMY: I think the key in Darfur now and the key in Darfur over the last two years has not been about activists calling for armed intervention or bashing the Chinese, because we now have a Security Council resolution on the books. It's Chapter VII, the enforcement powers. It has a civilian protection mandate and calls for the deployment of the UN's largest-ever peace operation, 26,000 soldiers and police.

The key in Darfur is making that work. The mission is still only half staffed. There are barely any Western troops as part of that. There is a shortage of helicopters.

There is no clear guidance or guidelines.

JOHN TESSITORE: Now you are talking about the real practical nuts and bolts. A norm, even if it's an accepted norm, is one thing. But all of us who have observed the United Nations over the years—and we have observed it for a long time—know that the crux of the problem tends to be the willingness of nations to give the United Nations the tools, whether it be individuals or trucks or protective armor or whatever, the materiel to get the job done.

The United Nations, contrary to popular belief among many people, even in this country, doesn't have a single troop of its own.

Do we have any reason to believe that this level of volunteerism will rise sufficiently to meet the call, even if R2P is on the table?

ALEX BELLAMY: This is where R2P as a norm has two functions. The first function is about creating that sort of political will. It's about saying to states that have the wherewithal to contribute to a mission like UNAMID, "Well, in 2005, you said that all states have a responsibility to take timely and decisive action, particularly the permanent members of the Security Council."

But there are lots of other countries as well, again as I argued in the *Ethics & International Affairs* piece. There are good grounds for why the United States, Britain, and, to a lesser extent, France wouldn't be well placed to be making large contributions to a UNAMID mission when their militaries are overstretched elsewhere and have commitments across the board.

But there are literally dozens of other states that sign up to the principle of R2P that simply aren't delivering when it comes to a mission like UNAMID—dozens of middle powers, like the Scandinavian states. One of the slightly depressing features of peacekeeping over the last ten or 15 years is how some traditional major contributors to UN peace operations are contributing much less. They include the Scandinavians and Canada.

JOHN TESSITORE: Because they were, of course, at one time significant players, as with places like Fiji, for example, and Ireland.

ALEX BELLAMY: That's right. In fact, I recently did a study with a colleague at the George Washington University on Western contributions to peacekeeping, and we found that whereas during the Cold War about 25 percent of all UN peacekeepers came from the West, today it's actually less than 2 percent.

Of all of those we call Western internationalists, like the Irish and the Scandinavians, only the Irish have actually deployed a significant number of troops in a place that wouldn't normally fit their national interests, and that's a 700-troop deployment in West Africa. All of the others have followed the same line as the Western great powers, deploying mainly in areas that fit their strategic interests —mainly, of course, the Balkans for the Europeans, or Timor and the South Pacific for Australia.

JOHN TESSITORE: Let's talk about Africa for a moment. I have heard knowledgeable people, in academia as well as in policy, say that R2P, particularly in Africa, is just a new form of neocolonialism and that it's an excuse for the West to enter in resource-rich nations.

I know what you want to say about this, but let's hear you say it. What is the response to that criticism?

ALEX BELLAMY: I think it's wrong, along several grounds. First of all, I think it overlooks the origins of the principle. The original commission that came up with the idea of the responsibility to protect was co-chaired by Mohamed Sahnoun. The idea of sovereignty as responsibility that preceded it was developed by Francis Deng.

JOHN TESSITORE: We have Kofi Annan, of course.

ALEX BELLAMY: Kofi Annan was key. Jean Ping, from Gabon, marshaled the thing through the

Security Council.

JOHN TESSITORE: Even Boutros Boutros-Ghali, in North Africa.

ALEX BELLAMY: Absolutely.

JOHN TESSITORE: Yet they seem to discount that.

ALEX BELLAMY: I think there's a knee-jerk reaction often. The other thing is, the two countries that are most vociferously opposed to the principle in the negotiations running up to 2005 were India and the United States. No diplomat did more to try to derail R2P before 2005 than John Bolton. The United States' position is similar to that of the other great powers', that they don't want their freedom of maneuver constrained. They don't want additional obligations coming through the Security Council. They don't want restrictions placed on who they can and can't deal with.

Just as China deals with unpleasant regimes, so do most of the other great powers, when it sort of suits their interests.

At that kind of level, I think the great powers and the P5 behave as the P5 often and always have behaved. So I think there is that side of it.

The other thing that people overlook—and Africa is a particularly interesting case, because, of course, the African Union's own constitution has a clause on intervention that goes well beyond what R2P says. Article IV of the AU Charter gives the organization the right to intervene.

JOHN TESSITORE: And yet does it have the manpower to do so? That has always been the question with the AU.

ALEX BELLAMY: That's what it lacks. Of course, the movement to try to establish an African standing force is going slower than some would hope. But that is developing, and again, this is another area where I think the West, in particular, is not contributing as much as it could in terms of trying to develop and assist the building of African capacity.

JOHN TESSITORE: But could the AU take a role in R2P? Do you see the responsibilities as being delegated regionally? Or must it be central?

ALEX BELLAMY: I think it would be unhelpful to see it being delegated regionally, for the same reason that I'm skeptical about the regionalization of peace operations, which is that you could end up with a two-tier system whereby the global North has well-funded, well-equipped peace operations and the global South doesn't.

So I think the model is some sort of partnership. In theory, the hybrid mission for Darfur is a good model for how that might work. Of course, in practice it has not worked. One of the key reasons why is simply that the global North hasn't delivered what it was required to deliver in terms of technical support.

Before UNAMID, for example, there was the African Union mission in Darfur. As part of that, the UN committed to two phases of support for that mission, and none of those phases was actually carried through on.

So the international support never amounted to what it should have done for that, which meant that the AU faced significant shortfalls of capacity, manpower, money, as well as key things, like, for

example, mobility. UNAMID now has fewer than ten serviceable helicopters to fly its people around, which means that it can only operate during the day. Its spheres of influence are limited to narrow perimeters around its own bases. Those are, of course, key capabilities that the West can contribute.

Back in Australia, I have been putting forward the idea that the West needs to start thinking a bit differently about the contributions it makes to peace operations. On the one hand, people like me need to get their heads around the fact that the days of Britain or France or Australia sending thousands of peacekeepers off with blue helmets to a UN mission are probably over.

But we need to recognize that all of these sorts of countries have niche capabilities, and we need to think of it in terms of a hub-and-spokes sort of arrangement, where the bulk of the force is likely to come from the global South, but where key specialties could only be provided by countries like Britain or France or Norway, such as mobility and intelligence.

JOHN TESSITORE: Communications, et cetera.

ALEX BELLAMY: Communications, and, I would say, a firefighting capability, a sort of over-the-horizon capacity to deal with imminent threats to the peace, as the British did, for example, in Sierra Leone. That's a very good example. Those sorts of capabilities I think the West needs to be prepared to provide.

JOHN TESSITORE: Alex, this has been marvelous. As always, I would like to finish with one last question, which is, for our young scholars who may be watching or listening and are interested in this topic, what words do you have for them, what recommendations for research and further reading?

ALEX BELLAMY: The first thing I would say is that this is really just the beginning of the road for R2P. A lot of skeptics say, "Well, R2P is just the latest incarnation. We've seen much the same before, in different guises." Whilst that's partly true, what we have never seen before is a principle that has commanded the support of all 192 governments. That creates a huge political impetus.

But we are just at the very beginning. There is much more work to be done on clarifying the meaning and scope of R2P, the heavy policy agenda that is related to R2P.

What does it mean to say that the state has a responsibility to protect its own population? We've barely begun to scratch the surface of what it is that states can do to protect their own populations and what the international community can do to assist them.

We have also not begun to really scratch the surface of thinking about how we build consensus in the Security Council. We hear a lot of talk, for example, about "naming and shaming": If we bash the Chinese around the head, that will get them on the line. The problem is, of course, that the Chinese position is often more in line with the General Assembly position than, say, the British or French position. But we need to better understand those sorts of dynamics.

We need to better understand all the sorts of non-coercive levers that can be pulled and how we can make better use of coercion—everything from sanctions to international judicial proceedings to making better use of our peace operations.

So I think that's the first thing: There's an awful lot more work to do to define and develop the principle.

On the other hand, there's a lot more work to do to take it out of New York and take it into the field, to

look at how governments respond to it, how different cultures relate to R2P.

I was at a panel at the ISA yesterday talking about liberal peace-building and the liberal idea of the states as being about protecting the security of their inhabitants. I was struck by the fact that this isn't just a liberal idea of the state.

JOHN TESSITORE: It's not just Westphalian.

ALEX BELLAMY: That's exactly right. Lots of different traditions come to similar ideas from different perspectives, and we need to get a better understanding of that.

We need to, as well, think about how we respond to crises. We need to do much more work on what works and what doesn't work, so we can start to develop toolkits for action, and the necessary capacities as well. I think that's absolutely crucial.

JOHN TESSITORE: So there is no shortage of opportunities for young scholars who want to get in this area. There's much work to be done, you're telling us.

ALEX BELLAMY: There's a huge amount.

JOHN TESSITORE: We will end on that note. We are out of time. We do want to thank Alex Bellamy for joining us today. It has been wonderful having you, Alex.

We thank you for watching and listening.

Audio

"This is just the beginning of the road for R2P," says Alex Bellamy. "There are a lot of skeptics...but it is a principle that has commanded the support of 192 governments, and that creates a tremendous political impetus."

Video

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