

This is a transcription of an episode of The Veto Cast, a podcast of 6 episodes that explores the effects of the veto power of the UN Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign.



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### **Episode 3: The Responsibility to Protect** - released august 5<sup>th</sup> 2015

Narrator, Laila Mendy: In the aftermath of the Rwandan genocide and the Kosovo war, a number of issues were raised on the practice of international politics. In both cases, the United Nations had failed to take action to stop atrocities that were perpetrated within a state. The inaction were partly caused by the restrictions posed by the principle of state's right to sovereignty. There seemed to be a clash between the two principles of humanitarian intervention and state sovereignty. Kofi Annan, who was the Secretary General at the time, expressed the issue as "if humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to Rwanda, to Srebrenica, to gross and systematic violations of human rights that affect every precept of our common humanity?" To explore a solution to this problem, an ad hoc committee was founded under the authority of the Canadian government in the year 2000.

The committee, known as the ICISS, was led by the Australian policy maker Gareth Evans and the Algerian diplomat Mohamed Sahnoun. The result of this work was released as a report the following year, named "the responsibility to protect", which reinterpreted the meaning of sovereignty. The report argued that the state's sovereignty not only meant right to sovereignty, but also responsibility to protect its citizens from major violations of human rights. And if the state was unable or unwilling to protect its citizens, the responsibility to protect should shift towards the international community. But the report also emphasised that any form of military intervention is an exceptional and extraordinary measure, and that a justifiable military intervention had to meet certain criteria. Ryan D'Souza is an advocacy officer for the global centre for R2P.

Ryan D'Souza: The R2P was kind of born after failures of international community, when it had failed to act, to stop the genocide in Rwanda in 1994 and in Srebrenica a

year later. Kofi Annan said that we needed to have a new way of how we view sovereignty. Sovereignty should not be a licence to kill your own population. It should be a responsibility of the rulers to protect their own people. So in 2005 in the UN world summit, the largest gathering of heads of state, the world unanimously adopted the responsibility to protect. The responsibility to protect, the R2P, is about four crimes and three pillars. It's about preventing and halting the commission of mass atrocities crimes; as I mentioned earlier genocide, war crimes, crimes against humanity and ethnic cleansing. It works through a three-pillar framework, the first is about prime responsibility of each state to protect their own populations. The second pillar stipulates that the international community should have a role in assisting a state in exercising their responsibility by building up their protection capacities before crises and conflict break out. However, when a state is manifestly failing to protect its population, the third pillar allows for timely and decisive action using coercive and non-coercive measures to protect civilians. With regard to Syria, I remember when I was living in Lebanon five or six years ago, before the conflict in Syria broke out. I used to travel to Syria very often and I remember speaking to Syrians about the Hama massacre, which took place in 1982 and essentially is when Hafez Al Assad, the father of the current president Bashar, slaughtered thousands of Syrians and the world stood silent. They didn't offer any kind of statements, there wasn't a general semi-resolution, there wasn't any action from the Security Council, because they all viewed this as a sovereign affair. However, it's interesting for me that at the start of the Syrian conflict we saw a shift in how the world responded. The world spoke out against the brutal and deadly crackdown. We saw General Assembly resolutions pass, we saw commissions of inquiry established. In fact, I remember that actually over a 150 states spoke out about the Syrian conflict at the last opening of the General Assembly. We saw the world speak out of the need to stop the commission of these atrocity crimes. What we didn't see, was the UN Security Council speaking with one voice. It was the failure of the council to act which allowed hundreds of thousands of innocent civilians to die.

Narrator: This is where the principle of R2P is today. But it's an ever growing and highly current concept. One of the more recent conflicts that has been discussed in context to R2P is Syria. 2011 was the year of the Arab spring. A wave of protests and political reform seemed to sweep through the oppressed countries in the Arab World.

In some countries, it resulted in democratization, such as Tunisia. While in others, it led to political instability. In some countries it led to civil war or internal conflict. And in the case of Libya, the UN decided to intervene with the adoption of res 1973, which formed the legal basis for an intervention from NATO. In the case of Syria, the outcome was different.

In march 2011, widespread protests began in Syria, initially demanding political reform and the release of political prisoners. The Syr. government responded violently by shooting at the crowds, which led to civil unrest and further protests. In April, the government started attacking villages with artillery and tanks, killing hundreds of civilians. Armed resistance began in July in the town Jisr Al-Shugr. After security forces had begun shooting at a funeral procession from a post office roof, this led civilians to set fire to the post office, killing the eight officers and then storming the local police station and arming themselves. This made other civilians take up arms, as well as Syrian soldiers defecting to the protesters side. By the end of July, around 1600 civilians and 500 security forces had been killed. 13000 people had been arrested, many of whom where students, human rights advocates and liberal activists. Several insurgent groups where later formed with the goal of bringing down the Syrian government. The death toll varies, but the UN's latest study from August 2014 concludes that at least 191000 people have been killed since the start of the conflict.

Since the outbreak of the civil war, there's been international pressure on the UN to act. As the conflict affects civilian population, which is targeted by both the Syrian government troops as well as insurgents fighting the government, it seems like a clear case for intervention based on R2P. The Security Council has remained divided regarding Syria and several resolutions have been drafted during this time. One crucial resolution regarding stopping the use and disposing of chemical weapons, was adopted on the 7th September 2013. A resolution in July 2014 regarded access for humanitarian agencies as well as ceasefires in heavily populated areas. But intervention beyond that has been shut down. The veto has been used four times on resolution drafts regarding Syria since the conflict began. All four times by the Russian federation and China.

Qais Fares: My name is Qais Fares, I am a Syrian journalist and a student at Lund university. I am studying human ecology on a master's degree level. The 3rd time Syria's file was referred to the UN was in July of 2012. And at that time, we where so, how to say... I mean, me personally was like "why are they doing this?" If you know that the Russian and Chinese will just veto everything you put in front of them, why would you go for that? That's not useful for the Syrian people, or for the Syrian protesters at least. In august of 2013, the chemical weapons where used against Syrian civilians and media reports talked about the deaths of around 1500 civilians, including children in the suburb of Ghouta east of Damascus. And that was a turning point. So, the attack on Ghouta and the attack on a suburb called Khan al-Asal in Aleppo in March 2013. So far, no one confirmed, even the UN, which sent missions in order to examine the sights where the chemical weapons where used, but no one so far has confirmed who did this. I was in Syria until June of 2012. I have accompanied the UN observers to several areas in Syria and I have seen the destruction with my own eyes. My city itself called Zabadani has been grounded. I was a journalist between 2007 and 2012 in Syria and I haven't done my military service. It was difficult to keep going or keep working under the circumstances at that time. Checkpoints where deployed in the city which I was in, and at any point I could have been drafted to the military service. I was very careful with that. For one year and a half, I was arrested once. I was summoned for interrogation several times. The main problem, or, the incident that made me leave the country was when I accompanied the UN observers around the country. I was able to freely move relatively speaking, freely move around the country as long as I was accompanying them; a chance which I didn't have before them coming to Syria, before April 2012. Seeing people protesting in front of the UN observers was always a scary thing for me because I know that when the observers would leave the place, a massacre would take place. And that was what usually had happened. All the cities which I had been to witnessed huge protests against the regime in front of the UN observers. And the moment the UN observers leave, the army just start its aggression. Now you ask me how do I verify that? I am from the country and I have many friends in the cities I have been to. And of course, the local citizen journalists, or activists, call them what you want, did a great job by documenting every single protest that took place.

Hans Corell, Swedish lawyer and diplomat, former Undersecretary General for Legal Affairs and the Legal Council of the UN:

Hans Corell: I think that what is lacking here is actually that you have to prevent conflict. And this is a first step when you exercise responsibility to protect. If the council demonstrated that it is prepared to intervene forcefully in a situation where a certain borderline is drawn, when the head of state or the wall or they start killing women and children using military equipment or even gas or that kind of thing, then the council should say "we will join hand, all of us, all 15, and we will come after you". If they demonstrate that one or two or three times in a situation where this is necessary, I think the whole world would change. Because the dictators and the warlords would understand that "I better behave in a different manner, otherwise they will come after me.

Qais: I think it is very important to start from a court in order to start a peaceful and just process. Just, and political process in Syria. You need to fulfil, to achieve, justice. And justice can be achieved by such international courts, it won't be achieved by courts such as ISIS and courts like the Syrian governments courts today. It is important to refer Syria's case to an international court, because all sides should know that we are living in a civilized world we are not living in a forest.

Hans: But I see Syria as a symptom of what I've talked about. A symptom of the fact that the Security council, the permanent five, have not been able to signal to the world that if you pass a certain borderline, we will come after you. And everybody is looking at Syria and I am sadly looking around the horizon for the next Syria. Because there will be a next Syria until the council realize that they have to send a signal, that it is enough of this now, you have to stop this kind of violence!

Narrator: The responsibility to protect remains a concept under development. The biggest challenge of R2P today is its implementation in the real world. In the current conflicts today, and in conflicts to come in the future. from concept to reality, the responsibility to protect can be a valuable resource for the Security Council when a need for intervention is apparent, and special interest of the parties gets in the way, the responsibility to protect offers swift political action. The case of the Syrian war

clearly shows that a change is needed. A reformation of how the veto power is used today by the P5, that is more in line with how it was intended to be used. An implementation of R2P in the Security Council's decision making could be that change. A reformation of the use of the veto power is therefore a change to ensure global security, and a change for a more peaceful and secure future. A change that can take us one step closer to ending the war in Syria.

You have listened to The Veto Cast, a pod cast of 6 episodes that explores the effects of the veto power of the UN Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign, which is committed to change the way the Security Council's veto is used. The Veto Cast is a co-production by the Stop Illegitimate Vetoes organization and Uppsala student radio 98,9. Project manager was Joanna Hellström. Production and audio editing by Simon Sander. Scripts by Alexander Fredman. Interviews by Joanna Hellström and Filip Ahlborn. This production was narrated by Laila Mendy. A thanks to Daniel Kjellén and Hanna Wernerson, and the rest of the team behind the Stop Illegitimate Vetoes campaign.

Hanna Wernerson: It is our world, and the global challenges are of everyone's concern. For peace and prosperity, we need an efficient UN.

Daniel Kjellén: For more information, visit our webpage [www.stopillegitimatevetoes.org](http://www.stopillegitimatevetoes.org), and our Facebook page.

Hanna: Let's stop illegitimate vetoes.