

Daniel Flitton

**Dilemma of UN's 'responsibility to protect' firmly back on the agenda**

Canberra Times

15 September 2005

P.15

Mercurial US diplomat John Bolton has already created a stir in New York. After only a few weeks in the job as American ambassador to the United Nations, Bolton is busy preparing the US response to what promises to be a landmark meeting of the General Assembly this week. And while this high-level summit takes place against the background of the oil-for-food scandal, the agenda is packed with many other pressing concerns.

One issue in particular has caught Bolton's attention — the effort to find a means of enforcing international respect for human rights standards.

This idea consumed much of the world's interest throughout the 1990s, thanks to the bloody experience of Rwanda, Kosovo and East Timor among other terrible examples. Slowly, a momentum built towards recognition of a new standard in international relations, the idea that governments had a "responsibility to protect" people suffering in a grave humanitarian emergency.

This challenged the traditional belief that a country's moral responsibility finished at the water's edge — or at the political lines drawn on a map. "Sovereignty in our view is not absolute," once explained Australia's foreign minister, Alexander Downer. "Acting for the benefit of humanity is more important."

After the events of September 11, 2001, the "war on terror" quickly became the foremost international concern. Looking after homeland security was more important than the luxury of protecting people in other countries. The debate over establishing a responsibility to protect drifted towards irrelevance.

But the Darfur emergency in Sudan and the terrible knowledge of likely future crises has allowed supporters of the responsibility to protect to quietly advance their hopes.

One of the strongest enthusiasts is embattled UN Secretary-General Kofi Annan. In his most recent annual report, he again urges world leaders to protect the world's vulnerable masses from misery and abuse. "It cannot be right," he says, "when the international community is faced with genocide or massive human rights abuses, for the United Nations to stand by and let them unfold to the end, with disastrous consequences for many thousands of innocent people."

Diplomatic and other peaceful measures are the appropriate first response to a humanitarian crisis, writes an impassioned Annan. But when national authorities refuse to cooperate, the responsibility to protect falls on the international community, using force to stop the suffering if necessary.

As expected, America's new representative in the UN is focused on advancing US foreign policy. Bolton recognises that accepting the notion of a responsibility to protect will impose particular expectations on America, the world's pre-eminent military power.

Its response to the Asian tsunami demonstrated that no other country has the ability to act so quickly in response to a natural disaster almost anywhere in the world (except, as has become

painfully obvious, in Louisiana or Mississippi). This is also true of reacting to man-made crises. In a recent letter circulated at UN headquarters, Bolton outlines the US position. He accepts that the international community has a role to play in cases involving crimes against humanity. He also makes clear that America stands ready to take collective action to protect populations from large-scale atrocities.

Yet Bolton also carries Washington's traditional scepticism about entangling alliances. He rejects any legal construction of an international "obligation" to intervene. "What the United Nations does in a particular situation should depend on the specific circumstances," he says. Instead of requiring a narrow pre-determined reaction, the Security Council should be free to make a case-by-case judgment.

None of this is terribly controversial. But other aspects of Bolton's letter are bound to draw a sharp response. For instance, his demand to recognise the option of responding to a humanitarian crisis "absent authorisation of the Security Council" is deeply divisive. Military intervention without a UN mandate raises questions over a country's motives. The Iraq war, with the post-invasion humanitarian justification, is the obvious example.

This scepticism is not blind anti-Americanism. China and Russia framed their recent joint military exercise as a hypothetical response to ethnic violence in a third country. No doubt US officials regarded this news with contempt, and instead saw it as a direct challenge to Washington.

Although it is tempting to attribute the friction at the United Nations to Bolton's abrasive personality — the "kiss up, kick down sort of guy" described in his aborted Senate confirmation hearings — the dispute over this idea of "humanitarian intervention" actually reflects a much deeper philosophical debate about the nature of world politics.

Despite the advance of globalisation, the world remains firmly divided into separate political communities, with governments that jealously guard their independence. For instance, Alexander Downer's talk of benefiting humanity did not prevent a dramatic reinforcement of Australia's sovereign border control in response to asylum-seeker arrivals.

But many people believe that human rights transcend the borders between countries, that no government has the right to systematically abuse its citizens. This debate is not new. It will outlast the latest round of UN scandals to hit the headlines, along with the tenure of John Bolton.

Finding a way for the international community to come together and establish the responsibility to protect could become a far more enduring legacy.

Daniel Flitton is a visiting research associate at the Lowy Institute for International Policy