

Title

Responsibility to Protect – R2P

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Summary	In this lesson on the Responsibility to Protect (R2P), students will be introduced to the historical legacy of human rights violations and genocide in the 1980s and 1990s that contributed to the redefinition of national sovereignty and the creation of the R2P principles. Students will be able to identify the key principles of R2P. Through case examples, students will analyze whether R2P principles apply in varying human rights context. Students will further analyze, from both a human rights and an international politics perspective, the consequences of employing R2P in specific conflict situations. Information contained in this module includes a summary of R2P and its key history and concepts, central questions confronting R2P, a Philippine case study with associated background on the Philippine conflicts and maps, and links to additional readings and resources.
Level	College: 200 level
Content Area	Political Science International Relations History
Duration	Two 75 minute class periods <ul style="list-style-type: none">• One period on the responsibility to protect• One period on the application of case studies
Objectives	Students will: <ul style="list-style-type: none">• Recognize the historical origins of R2P;• Identify the core principles of R2P;• Evaluate the application of R2P principles to varying human rights situations;• Apply R2P to the Philippines or other relevant case study.
Procedures	Prior to Day One Students should: <ul style="list-style-type: none">• Read –<ul style="list-style-type: none">➤ Evans, Gareth. (2007). <i>The responsibility to protect: Creating and implementing a new international norm</i>, Gareth Evans. Presentation to Human Rights Law Resource Centre, Melbourne, 13 August 2007 and Community Legal Centres and Lawyers for Human Rights, Sydney, 28 August 2007. Retrieved from

<http://hrlc.org.au/files/994GFJ6TY6/Evans%20Paper%20-%20The%20Responsibility%20to%20Protect.pdf>

- United Nations. (2014). *Framework of analysis for atrocity crimes: A tool for prevention*. United Nations, Retrieved from http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf
- Summary of United Nations General Assembly Document on R2P – September 2005 <http://responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/398-general-assembly-r2p-excerpt-from-outcome-document>
- R2P References in United Nations Security Council Resolutions and Presidential Statements – Global Centre for the Responsibility to Protect <http://s156658.gridserver.com/media/files/unscc-resolutions-and-statements-with-r2p-table-as-of-july-2015.pdf>
- Review –
 - The “R2P Reading Questions” document listed under **Appendix 3** of this lesson plan.
 - “The Four Mass Atrocities” document listed under **Appendix 5** of this lesson plan.

Prior to Day Two

Students should:

- Read –
 - Davide, Hilario. G., Jr. (2009, July 23). *Thematic debate on the report of the Secretary-General on Implementing The Responsibility to Protect (A/63/677)*. United Nations General Assembly, Retrieved from <http://www.globalr2p.org/media/files/philippines-2009-r2p-debate.pdf>
 - Philippine Statement. (2014, September8). *Statement by the Philippines at the General Assembly 6th annual interactive dialogue on the Responsibility to Protect: "Fulfilling our collective responsibility: International assistance and the responsibility to protect."* United Nations General Assembly, Retrieved from <http://www.globalr2p.org/media/files/philippines.pdf>
 - Philippine Statement. (2014, September8). *Statement by the Philippines at the General Assembly 7th annual interactive dialogue on the Responsibility to Protect: "Fulfilling our collective responsibility: International assistance and the responsibility to protect."* United Nations General Assembly, Retrieved from <http://responsibilitytoprotect.org/philippines.pdf>

- Review –
 - Amnesty International
<http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/philippines>
 - Human Rights Watch: Philippines
<https://www.hrw.org/asia/philippines>
 - The “Philippine Case Study Questions” document listed under **Appendix 4** of this lesson plan.
 - The “Philippine Government Civil and Political Rights Violations: July 2010 – June 2014” document listed under **Appendix 8** of this lesson plan.
 - The “Map: Philippines” document listed under **Appendix 6** of this lesson plan.
 - The “Map: Mindanao and the Autonomous Region in Muslim Mindanao (ARMM)” document listed under **Appendix 7** of this lesson plan.
 - Professor may assign additional case studies. See **Additional Case Study Material** section of this lesson plan.

Day One

Professor:

- Lecture on the historical development of R2P, the key concepts of the R2P principle, and some of the challenges confronting R2P.
- Lecture on the four major atrocities.
- Use the “R2P Reading Questions” document to guide discussion on R2P characteristics and challenges. Alternatively, have student discuss the reading questions in small groups and compare responses. Students should think about how R2P impacts national sovereignty, how to determine if one of the four mass atrocities has been committed, the various ways of responding to mass atrocities, the non-military application of R2P, and the possible dangers of R2P application.

Students:

- Students should have read and reviewed the preparatory readings and documents.
- Engage in discussion centered on the “R2P Reading Questions” document.

Day Two

Professor:

- Lecture briefly on the background and historical context of the Philippine case study along with any additional case studies the Professor may have assigned.
- Use the “Philippine Case Study Questions” document to guide discussion on the application of R2P in the varying Philippine context. Students should consider the different types of R2P application, both military and non-military, to the Philippine

	<p>insurgencies, how the applications will be implemented, the ramification of these applications, both domestically and internationally, and the impact on Philippine sovereignty as a result of R2P application. The Professor may choose to do the same with additional case studies. Alternatively, multiple case studies can be assigned with small groups analyzing separate case studies. Results can be compared following the small group analysis.</p> <ul style="list-style-type: none"> • Encourage students to analyze the case studies using the <i>Framework of Analysis for Atrocity Crimes: A Tool for Prevention</i> document. <p>Students:</p> <ul style="list-style-type: none"> • Students should have read and reviewed the preparatory readings and documents. • Engage in discussion centered on the “Philippine Case Study Questions” document and/or other alternative case study.
<p>Materials / References</p>	<p><u>R2P - Resource and Background Material</u></p> <ul style="list-style-type: none"> ➤ Evans, Gareth. (2007). The responsibility to protect: Creating and implementing a new international norm, Gareth Evans. Presentation to Human Rights Law Resource Centre, Melbourne, 13 August 2007 and Community Legal Centres and Lawyers for Human Rights, Sydney, 28 August 2007. Retrieved from http://hrlc.org.au/files/994GFJ6TY6/Evans%20Paper%20-%20The%20Responsibility%20to%20Protect.pdf • Gareth Evans, co-chair of the International Commission on Intervention and State Sovereignty, outlines the history of interventionism and the hesitation of the international community to get involved in domestic conflicts because of the overarching significance of the principle of political sovereignty within the international community. He notes that the atrocities in Rwanda and the former Yugoslavia drove the international community to seek a legal means to intervene to help prevent such crimes in the future. Evans discusses the legal and political framework under which R2P was born and its evolution as a growing international norm. ➤ United Nations. (2014). Framework of analysis for atrocity crimes: A tool for prevention. United Nations, Retrieved from http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf • The <i>Framework of Analysis for Atrocity Crimes</i> outlines how the UN assesses conflict situations for the risk of genocide, war crimes, crimes against humanity, or ethnic cleansing. It provides an explanation of the terms and the institutions associated with addressing these crimes and the potential risk factors associated with the onset of such crimes.

- Summary of United Nations General Assembly Document on R2P – September 2005
<http://responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/398-general-assembly-r2p-excerpt-from-outcome-document>
 - United Nations General Assembly resolution in which the UN endorses the R2P principles for the first time. See paragraphs 138 and 139.

- R2P References in United Nations Security Council Resolutions and Presidential Statements – Global Centre for the Responsibility to Protect
<http://s156658.gridserver.com/media/files/unsc-resolutions-and-statements-with-r2p-table-as-of-july-2015.pdf>
 - The document identifies and provides quick excerpts from United Nations documents that mention R2P. The reference guide gives the reader a quick reference to when and how R2P has been referenced by the United Nations in specific conflicts and issues.

Philippine Case Study Material

- Davide, Hilario. G., Jr. (2009, July 23). *Thematic debate on the report of the Secretary-General on Implementing The Responsibility to Protect (A/63/677)*. United Nations General Assembly, Retrieved from <http://www.globalr2p.org/media/files/philippines-2009-r2p-debate.pdf>
 - Summary statement by the Philippines. The Philippine representative argues that R2P should be limited to genocide, crimes against humanity, war crimes, and ethnic cleansing, and any effort to expand the principle further should be prevented. The representative also critiques the three pillars of R2P from the Philippine perspective.

- Philippine Statement. (2014, September8). *Statement by the Philippines at the General Assembly 6th annual interactive dialogue on the Responsibility to Protect: "Fulfilling our collective responsibility: International assistance and the responsibility to protect."* United Nations General Assembly, Retrieved from <http://www.globalr2p.org/media/files/philippines.pdf>
 - Summary statement by the Philippines. The Philippines supports R2P in principle, but believes in creating a flexible application of R2P, and an application that will not violate state sovereignty. States should work to resolve issues domestically before any international intervention.

- Philippine Statement. (2014, September8). *Statement by the Philippines at the General Assembly 7th annual interactive dialogue on the Responsibility to Protect: "Fulfilling our collective responsibility: International assistance and the responsibility to protect."* United Nations General Assembly, Retrieved from <http://responsibilitytoprotect.org/philippines.pdf>

- Summary statement by the Philippines. The Philippines reiterated the value of state sovereignty and the need to approach R2P on a case-by-case situation. Any intervention should be conducted within the framework of the UN Charter. Foremost, the international community should work to strength domestic institutions which will allow domestic governments handle conflicts internally.

➤ Amnesty International

<http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/philippines>

- Provides up-to-date information on current human rights issues and individual human rights cases in the Philippines.

➤ Human Rights Watch: Philippines

<https://www.hrw.org/asia/philippines>

- Provides up-to-date information on current human rights issues and individual human rights cases in the Philippines.

Additional Case Study Material

➤ International Coalition for the Responsibility to Protect – Crises:

<http://www.responsibilitytoprotect.org/index.php/crises>

- This page contains links to country specific crises related to the R2P issue. Each country link contains background information on the crisis and what role the international community has played in preventing or minimizing the crisis situation.

➤ International Coalition for the Responsibility to Protect:

International Coalition for the Responsibility to Protect. (n.d.). [A toolkit on the responsibility to protect](#). International Coalition for the Responsibility to Protect.

<http://responsibilitytoprotect.org/ICRtoP%20Toolkit%20on%20the%20Responsibility%20to%20Protect%20high%20res.pdf>

- The toolkit contains brief examples of the use and misuse of R2P (see pages 25 - 29).

Philippines:

- The Manila Times. (2009, June 28). [The Manila Times](#). International Coalition for the Responsibility to Protect, Retrieved from <http://www.responsibilitytoprotect.org/index.php/crises>

- The Asia-Pacific Centre for the Responsibility to Protect. (2009). [*The responsibility to protect in Southeast Asia*](#). The Asia-Pacific Centre for the Responsibility to Protect, Retrieved from http://www.responsibilitytoprotect.org/files/R2P_in_Southeast_Asia%5B1%5D.pdf (See Philippine section.)

Web Sites

- United Nations - Office of the Special Adviser on the Prevention of Genocide - The Responsibility to Protect
<http://www.un.org/en/preventgenocide/adviser/responsibility.shtml>
 - The United Nations Office of the Special Adviser on the Prevention of Genocide assesses ongoing conflicts for risk of genocide, war crimes, ethnic cleansing and crimes against humanity. This website provides a summary of the UN work with R2P, its operational components associated with R2P, and links to important UN documents and resolutions detailing the history of R2P. The site further provides assessments of current global conflicts and the international community's response.
- The International Coalition for the Responsibility to Protect (ICRtoP)
<http://www.responsibilitytoprotect.org/>
 - The International Coalition for the Responsibility to Protect (ICRtoP) represents a global network of civil society organizations advocating for R2P. The website acts as a warehouse for educational information, R2P documents, R2P research, and global crisis information. The website contains a number of [Crisis Case Studies](#).
- Global Centre for the Responsibility to Protect
<http://www.globalr2p.org/>
 - The Global Centre for the Responsibility to Protect works to promote the acceptance and implementation of R2P norms. The website contains background documents on R2P, several publications, and [summaries of current global crises](#) related to R2P.
- Working Group on the Responsibility to Protect
<http://www.ushmm.org/confront-genocide/about/initiatives/r2p>
 - Working group on R2P organized by the United States Holocaust Memorial Museum, the United States Institute of Peace, and the Brookings Institution. The website provides some background on R2P, the working group's [Final Report](#) on R2P and the role of the United States, and several [Case Studies](#).

- Human Rights Watch: Philippines
<https://www.hrw.org/asia/philippines>
 - Provides up-to-date information on current human rights issues and individual human rights cases in the Philippines.

- Amnesty International
<http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/philippines>
 - Provides up-to-date information on current human rights issues and individual human rights cases in the Philippines.

- R2P Song – Murat & Jose
https://www.youtube.com/watch?v=V80YM_7nnQk
<http://www.r2pconference.com/>
 - A song written and performed by Slovenian rap band Murat & Jose for the Responsibility to Protect in Theory and Practice Conference at the University of Ljubljana in Ljubljana, Slovenia.

Videos

- Jennifer Welsh, Special Adviser on the Responsibility to Protect – 20th Anniversary Rwanda Genocide – United Nations
<https://www.youtube.com/watch?v=kAdSotl2OhA>
 - Interview with UN Special Adviser to the UN Secretary-General on the Responsibility to Protect, Dr. Jennifer Welsh, on the 20th anniversary of the Rwanda Genocide. Video provides a brief explanation of R2P and how the Rwandan genocide was a catalyst for the R2P principles. (Length: 5:54)

- Professor Jennifer Welsh, Co-Director, Oxford Institute for Ethics, Law and Armed Conflict
<https://www.youtube.com/watch?v=d-abrvhAnb4>
 - Interview with Professor Jennifer Welsh, Co-Director, Oxford Institute for Ethics, Law and Armed Conflict. Video provides a brief explanation of R2P and raises the question of who holds responsibility for implementation of R2P and the deaths associated with R2P implementation actions. (Length: 2:05)

- Humanitarianism and the R2P doctrine: A conversation with Professor Gareth Evans – Australian National University
<https://www.youtube.com/watch?v=wEUNzAKZuxQ>

- Interview with Professor Gareth Evans. Professor Evans co-chaired the international conference which created the R2P principle. Video provides a brief explanation of R2P, the question of state sovereignty, and the challenges and criticisms facing R2P. (Length: 13:21)
- Ghosts of Rwanda – Frontline, PBS
<http://www.pbs.org/wgbh/pages/frontline/shows/ghosts/>
 - PBS Frontline documentary on the Rwandan genocide. The video highlights the genocide’s atrocities and the failure of the international community to intervene. The video places in context the subsequent drive by the international community to prevent the occurrence of such crimes in the future. (Length: 120 minutes)

R2P Documents

- International Commission on Intervention and State Sovereignty. (2001). *The responsibility to protect*. Report of the International Commission on Intervention and State Sovereignty, Retrieved from <http://responsibilitytoprotect.org/ICISS%20Report.pdf>
 - The Responsibility to Protect is born out of this commission and the subsequent report detailing its work and recommendations.
- Full text United Nations General Assembly Resolution on R2P – September 2005
<http://responsibilitytoprotect.org/world%20summit%20outcome%20doc%202005%281%29.pdf>
 - United Nations General Assembly resolution in which the UN endorses the R2P principles (See paragraphs 138 and 139 of the resolution).
- United Nations Secretary-General. (2015). *A vital and enduring commitment: implementing the responsibility to protect – Secretary General Report*, Retrieved from <http://www.un.org/en/preventgenocide/adviser/pdf/N1521764%202015%20SG%20Report%20R2P%20English.pdf>
 - The article summarizes the current state of R2P within the international community, some of the challenges it has encountered since its inception, particularly in the Libya and Syria conflicts, and recommends a more robust and timely role of the international community in assisting states in implementing R2P within their own borders through capacity building, civil society building, poverty alleviation, and technical assistance. Such measures will increase the likelihood of preventing the onset of mass atrocities and reduce the need for military intervention. At the same time, this will help preserve the principle of political sovereignty.

	<ul style="list-style-type: none"> ➤ United Nations. (2014). Framework of analysis for atrocity crimes: A tool for prevention. United Nations, Retrieved from http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocities%20crimes_en.pdf • The <i>Framework of Analysis for Atrocity Crimes</i> outlines how the UN assesses conflict situations for the risk of genocide, war crimes, crimes against humanity, or ethnic cleansing. It provides an explanation of the terms and the institutions associated with addressing these crimes and the potential risk factors associated with the onset of such crimes. <p><u>Philippine Human Rights Documents</u></p> <ul style="list-style-type: none"> ➤ Human Rights Watch. (2014). World report 2014: Philippines. Retrieved from https://www.hrw.org/world-report/2014/country-chapters/philippines ➤ United States Department of State. (2015). Philippines 2014 Human Rights Report. Retrieved from http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236470 <p><u>Toolkit</u></p> <ul style="list-style-type: none"> ➤ International Coalition for the Responsibility to Protect. (n.d.). A toolkit on the responsibility to protect. International Coalition for the Responsibility to Protect. http://responsibilitytoprotect.org/ICRtoP%20Toolkit%20on%20the%20Responsibility%20to%20Protect%20High%20res.pdf • The toolkit provides a summary of the development of R2P and the role of various actors connected with R2P. The toolkit also provides a summary of several R2P country specific crisis situations.
Appendices	<ul style="list-style-type: none"> • Appendix 1 – R2P History and Background • Appendix 2 – Philippine Insurgency Movements and Human Rights • Appendix 3 – R2P Reading Questions • Appendix 4 – Philippine Case Study Questions • Appendix 5 – The Four Mass Atrocities • Appendix 6 – Map: Philippines • Appendix 7 – Map: Mindanao and the Autonomous Region in Muslim Mindanao (ARMM) • Appendix 8 – Philippine Government Civil and Political Rights Violations: July 2010 – June 2014

<p>Appendix 1: R2P History and Background</p>	<p style="text-align: center;">Appendix 1 – R2P History and Background</p> <p>Responsibility to Protect (R2P)</p> <p><u>History and Background</u></p> <p>The Responsibility to Protect (R2P) was born out of the failure of the international community to respond to mass atrocities in the 1990s, particularly the Rwandan genocide and ethnic cleansing in Bosnia. In each instance individual nations and the international community placed the value of political sovereignty and nonintervention into the internal affairs of other states above the value of protecting the victims of the atrocities. Political sovereignty is a long established and strongly held international norm. Codified into the United Nations Charter, political sovereignty preserves the independence of each member state and prohibits member states or international institutions from interfering within the internal affairs of other states without the expressed consent of the individual state. This principle leaves nations free to organize the political, economic, social, cultural, etc., attributes of their individual nation. The nonintervention principle, however, has also been used over the decades as an avenue for states to mistreat their citizens without the fear or threat of accountability by the international community. And the international community often resisted the urge or demands to intervene on behalf of victims out of fear that such actions would erode the principle of political sovereignty and that they too would be held accountable for such crimes or would suffer international intervention into their own internal affairs.</p> <p>The mass killings perpetrated in Rwanda and Bosnia as the international community stood idly by eventually forced the international community to question the absoluteness of the political sovereignty principle. Spurred by then UN Secretary-General Kofi Annan, a push began by world leaders, international governmental organizations (IGO), and nongovernmental institutions (NGOs) to find a means for the international community to protect victims when mass atrocities such as genocide are occurring. This push led to the convening of the “International Commission on Intervention and State Sovereignty” in Canada in 2000. The Responsibility to Protect principle was born from the Commission’s 2001 final report titled, <i>The Responsibility to Protect</i>.</p> <p>The International Commission on Intervention and State Sovereignty report is noteworthy in that it reconceptualizes the sovereignty principle. States no longer have absolute sovereignty, rather, sovereignty is conditional. States are awarded sovereignty by the international community so long as they do not engage in and continue to protect their citizens from four mass atrocities – genocide, crimes against humanity, war crimes, and ethnic cleansing. If a state engages in one of these crimes, or if it willing fails to protect its citizens from groups engaging in these crimes, or if a state’s capacity fails to such an extent that it no longer has the capability to protect its citizens from groups engaging in such crimes, the state forfeits its right to sovereignty and the international community may intervene on behalf of the victims. It is not until 2005 with the approval of the <i>2005 World Summit Outcomes</i> by the UN General Assembly that R2P enters the wider international community and the United Nations system (see paragraphs 138 and 139 of the document).</p>
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Responsibility to Protect Pillars

The Responsibility to Protect is composed of three core pillars:

- It is the responsibility of the individual state to protect its citizens from the four mass atrocities of genocide, crimes against humanity, war crimes, and ethnic cleansing (see Appendix 5 for explanation of each atrocity);
- It is the international community's responsibility to assist states in fulfilling their R2P responsibilities; and
- It is the international community's responsibility to take timely and decisive action in accordance with the UN Charter in those situations where states fail to meet their responsibility to protect.

Meeting the Responsibility to Protect Pillars

When first examining R2P many have a tendency to focus on the military intervention components, but military intervention is considered the last resort. Part of the international community's responsibility under R2P is to assist in building the state's capacity to prevent the four mass atrocities from occurring. This may include, but is not limited to, developing a state's judicial system, police force, or political institutions, assisting with elections or election disputes, providing economic assistance, dispute resolution training, or technology assistance, supplying a peacekeeping force, disarming warring factions, or acting as a mediator in dispute resolutions. If these efforts are inadequate, the international community can impose sanctions, freeze assets, or seek justice through one of the regional or international legal mechanisms. It is only if these efforts fail, or if the atrocity situation is dire and immediate, that military intervention is to be used. (For more examples of nonmilitary intervention and international support for the implementation of R2P see the International Coalition for the Responsibility to Protect document, *A Toolkit on the Responsibility to Protect*, and the 2015 United Nations document, *A Vital and Enduring Commitment: Implementing the Responsibility to Protect – Secretary General Report*.)

R2P Challenges

The creation of any new international norm takes time and R2P is no exception. While the international community has relative wide agreement on the general concept of R2P, the details of its application and implementation are less settled. Developing states in particular have two important concerns about the use of R2P. First, many of these states, particularly poor developing states with a colonial legacy, are fearful the great powers will use R2P as a pretext to intervene, either to gain access to resources or for regime change in favor of the great powers. Second, many of the developing states, such as the Philippines, continue to have domestic insurgency movements. These states wish to prevent R2P from being used as a means to interfere in what they consider an internal dispute. While supporting R2P in principle, these states continue to emphasize the importance of political sovereignty and the need for international support in implementing R2P domestically rather than direct international military intervention.

The wider debate on R2P is concerned about the application of R2P. It is specifically concerned with some of the following questions.

- When can and should military intervention be used and what should be the trigger or threshold for intervention? Should R2P instruments, both military and nonmilitary, be implemented each time a trigger has been met, or should it be a case-by-case judgement?
- Who can authorize military intervention? It is widely agreed that authorization is required from the UN Security Council. If the Security Council fails to authorize intervention, however, can states act independently to protect victims?
- What is the appropriate level of military intervention? Libya is an example. Should NATO have limited their operations to only civilian protection, or was regime change appropriate?
- Can the international community intervene in situations other than the four mass atrocities? For example, the failure of the Myanmar government to provide adequate aid to cyclone victims in 2008, leading to widespread deaths. Does this open the window for other interventions and eventually undermine the purpose and goal of R2P?
- To what degree can the international community compel states to accept aid and assistance to protect citizens prior to any military intervention?
- What types of nonmilitary assistance can be provide to assist states in fulfilling their responsibility to protect and when should this assistance be provided?
- How do we hold the international community to its commitment to R2P and its commitment to assisting states in meeting their R2P responsibilities?

Examples of R2P Implementation

- Kenya: 2007-2008
- Guinea: 2009
- Libya: 2011-2012

Possible Misapplications of R2P

- Georgia: 2008
- Burma/Myanmar: 2008

R2P and the Philippines

In principle the Philippine government supports R2P and its three pillars. However, because of its domestic insurgency movements the government continues to place a high value on political sovereignty and nonintervention. The Philippines is concerned with the possibility of outside forces interfering in the state's internal affairs. The government does support the role of the international community in providing R2P assistance such as dispute resolution training, mediation, police training, economic assistance, etc., which do not involve the use of military intervention by outside forces.

Philippine Insurgency Movements

Background - New People's Army

The New People's Army (NPA) is the armed branch of the Communist Party of the Philippines (CPP). Founded in 1969 the NPA and the current CPP, founded in 1968, are reorganized organizations built from the collapse of the People's Army and the CPP in the 1950s. Formed in the rural Luzon region of the Philippines during the dictatorship of President Ferdinand Marcos, the NPA fought to remove the President from power and to bring land reform to the rural population and landless peasants. Since the removal of President Marcos in 1986 and the establishment of subsequent democratic elections, the number of NPA members has dwindled from around 20,000 to approximately 1,500 today. Though the numbers are small the NPA still receives a measure of support from the rural and landless peasant population because of its push for land reform and better treatment of the country's poor (about 25 percent of the Philippine population falls under extreme poverty – those earning less than \$1.25 a day). In recent years its operations have spread beyond Luzon into the southern Philippine region of Mindanao and the southern archipelago islands. It is in the southern regions, where the Philippine government and military have a more limited reach, that the NPA can operate more freely and capture the resources of the south to fund its operations.

Despite its small numbers the NPA remains an active insurgency group targeting Philippine military and police forces. In turn, the Philippine military continues to wage a campaign to defeat and eliminate the NPA. However, the NPA's mountain location and continued support from local populations in the rural areas have made this goal difficult for the Philippine military.

Background – Mindanao

The Mindanao area consists of the southernmost region of the Philippine island chain (see maps in Appendix 6 and Appendix 7). The region differs religiously and ethnically from the rest of the Philippines. While the Philippines is predominately Christian (80% Roman Catholic), the Mindanao territory is historically Muslim. Because of the island's rugged and remote territory and the local population's resistance to colonialization Spain was never able to fully control Mindanao and convert its people to Christianity. When the United States took control of the Philippines after the Spanish-American War the US was also unsuccessful in gaining full control over the region. Culturally, the Moro ethnic group constitutes the territory's native indigenous population. Most are Sunni Muslim and often view themselves as having a Moro identity unique from the traditional Filipino identity that often binds the rest of the Philippine population into a common national identity. The religious and ethnic uniqueness of the Moro people from the rest of the Filipino population has fostered a long standing separatist movement. When the Philippines gained

independence from the United States in 1946 Mindanao unsuccessfully sought US support in gaining its own independence rather than remaining a part of the Philippines. Like the Spanish and Americans before them, various Philippine governments since independence have attempted to assert control over Mindanao – all have failed.

The Philippine government's desire to keep Mindanao a part of the larger Philippine nation and the Moro's desire for independence has produced a number of contemporary insurgency movements in Mindanao. The two predominant insurgency groups are the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF). Founded in the early 1970s in response to President Ferdinand Marcos's declaration of martial law in the Philippines the MNLF operated as the chief Moros insurgency group for the next 20 years. In the early 1990s the Philippine government and the MNLF leadership concluded a peace agreement and the establishment of an autonomous Mindanao region known as the Autonomous Region in Muslim Mindanao (ARMM). The ARMM granted internal domestic control of local affair to the local population while still remaining a part of the Philippines and leaving foreign policy issues in the hands of the national government. Items such as Sharia law would apply to the local Muslim population, but not to the non-Muslim population. While the ARMM remains in existence to this day, it faces a number of challenges. Conflict between the Philippine government and the MNLF has reignited over implementation of the ARMM agreement. More severely, however, the MNLF has been replaced as the dominant insurgency group by the Moro Islamic Liberation Front (MILF), which recently signed a peace agreement with the Philippine government that may replace the ARMM and move the MILF into the ruling power positions.

Founded in the late 1970s as a splinter group from the MNLF, the Moro Islamic Liberation Front's greater emphasis on Islamic ideology and teachings is what distinguishes it from the MNLF. Further, the MILF refused to recognize the ARMM agreement reached between the Philippine government and the Moro National Liberation Front. Despite the existence of the autonomous region the MILF continued its struggle against the Philippine government. In 2014 the MILF and the Philippine government signed a peace agreement with the intent of establishing a new autonomous region known as the Bangsamora and governed by a new Bangsamora Basic Law (BBL) that will replace the existing ARMM. Before the agreement can be implemented it must first be approved by the Philippine legislature and the people of Mindanao. The MNLF, however, is opposed to the new agreement, fearing that it will lose power to the Moro Islamic Liberation Front under the new BBL.

Philippine Domestic Insurgencies and Human Rights

The protracted nature of the PNA and Mindanao insurgency conflicts has created an environment conducive to human rights violations by both insurgency groups and the Philippine government. For its part, the PNA has been involved in the assassination of government officials, the killing of military and police personnel, extra judicial killings, kidnappings, and the threat and use of intimidation against civilian populations. The Philippine government has committed similar human rights violations. According to a

2014 report by the Philippine organization KARAPATA (Alliance for the Advancement of People's Right), between July 2010 and June 2014, the Philippine government was involved in 204 extra judicial killings, over 17,000 demolitions, and nearly 40,000 forced evacuations among other human rights violations (see Appendix 8 for complete list). Similar human rights violations, only on a larger scale, have occurred in Mindanao. Both the MNLF and the MILF have been involved in the attack and killing of Philippine military and police officials, the assassination of government officials, extra judicial killings, taking child hostages, and attacks on civilian populations. For its part, the Philippine government has engaged in the same human rights violations, often through its military or police forces or paramilitary forces working with support from the military or government. As a result of the conflict and the human rights violations the people of Mindanao have experienced massive internal displacement. According to the Internal Displacement Monitoring Centre, from 2000 to 2014 approximately 3.5 million people have been displaced as a result of the violence. The AARM has also seen a growing level of poverty and declining health and social conditions as the conflict lingers.

Making the Mindanao conflict more complex is the Philippine government's long history of encouraging political assimilation of Mindanao by supporting the resettlement of Christians from the north into the Mindanao region. According to the Philippine Statistics Authority, Muslims makeup just 20 percent of the Mindanao population, with Catholics comprising 60 percent. The more affluent Christian Filipinos have also succeeded in purchasing large quantities of land in Mindanao, thus, marginalizing the poorer Muslim population. Land, rather than religious differences, is the conflict's core dispute.

Appendix 3:

R2P Reading
Questions

Appendix 3 – R2P Reading Questions

1. What are the origins of the Responsibility to Protect (R2P)?
2. Describe the three pillars that makeup the Responsibility to Protect.
3. What are the four major atrocities that the Responsibility to Protect is designed to prevent?
4. What are the differences between the above four major atrocities?
5. What are some nonmilitary intervention ways that R2P can protect individuals and prevent the major atrocities from occurring?
6. Who decides if R2P military intervention is necessary?

<p>Appendix 4:</p> <p>Philippine Case Study Questions</p>	<p style="text-align: center;">Appendix 4 – Philippine Case Study Questions</p> <ol style="list-style-type: none"> 1. Do you believe one or more of the four major atrocity crimes under R2P have been committed by either or both sides in the Philippine government’s conflict with the New People’s army? If so, which ones? 2. Do you believe one or more of the four major atrocity crimes under R2P have been committed by either or both sides in the Philippine government’s conflict in Mindanao with the MNLF and MILF? If so, which ones? 3. If one or more atrocity crimes have been committed in either conflict should it trigger the implementation of R2P? Why or why not? Should this be on a case-by-case basis? 4. What nonmilitary intervention tools can the international community provide the Philippine government under R2P that may assist the government in preventing the escalation of possible atrocity crimes in either or both conflicts? 5. Is military intervention by the international community warranted in either of the two Philippine conflicts? 6. What national sovereignty issues are raised by both nonmilitary and military R2P intervention into the two Philippine conflicts by the international community?
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Appendix 5:

Appendix 5 – The Four Mass Atrocities

The Four
Mass
Atrocities

Genocide

After the horrors of the Holocaust, Member States in the UN General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide on 9 December 1948. Article II defines the term “genocide” as:

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, including :

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.

** Note: Genocide can happen in or outside of armed conflict.

Crimes Against Humanity

The Rome Statute of the International Criminal Court was adopted on 1 July 2002 to establish the International Criminal Court, a permanent, international judicial body that can investigate and prosecute cases of genocide, crimes against humanity and war crimes. Not all governments are signatories to the Rome Statute, but Article VII of the Statute defines crimes against humanity (which unlike genocide, requires no specific intent) as:

Acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

War Crimes

On 12 August 1949, the international community adopted four Geneva Conventions. These and the two Additional Protocols, adopted in 1977, protect individuals who are not involved in hostilities during times of armed conflict. The Conventions and Additional Protocols articulate the standard of treatment for these individuals under international humanitarian law, and define a war crime as an act committed during an armed conflict that violates international humanitarian or human rights law. The range of violations that constitute war crimes is broad and, among others, includes murder or ill-treatment of anyone who is not or no longer taking part in hostilities, including civilians, prisoners of war, wounded or sick, medical and religious personnel and staff of relief operations.

****Note:** War crimes under the Responsibility to Protect should be limited to crimes directed against civilian populations, committed in a widespread and systematic manner.

Ethnic Cleansing

Ethnic cleansing is not officially recognized as a distinct crime under international law, but entails a purposeful policy designed by one ethnic or religious group to remove, by violent and terror-inspiring means, the civilian population of another ethnic or religious group from certain geographic areas. Thus, ethnic cleansing is encompassed in crimes against humanity, which includes the forcible transfer or deportation of populations.

Source:

International Coalition for the Responsibility to Protect. (n.d.). [A toolkit on the responsibility to protect](http://responsibilitytoprotect.org/ICRtoP%20Toolkit%20on%20the%20Responsibility%20to%20Protect%20high%20res.pdf). International Coalition for the Responsibility to Protect.
<http://responsibilitytoprotect.org/ICRtoP%20Toolkit%20on%20the%20Responsibility%20to%20Protect%20high%20res.pdf>

Appendix 6:

Map:
Philippines

Appendix 6 – Map: Philippines



Source:

Maps of the World. (2015). [Philippines regions map](http://www.globalsecurity.org/military/world/philippines/images/map-regions-2.jpg). Retrieved from <http://www.globalsecurity.org/military/world/philippines/images/map-regions-2.jpg>

Appendix 7:

Map:
Mindanao
and the
Autonomous
Region in
Muslim
Mindanao
(ARMM)

Appendix 7 – Map: Mindanao and the Autonomous Region in Muslim Mindanao (ARMM)



Source:

Cook, M. & Collier, K. (2006). Mindanao: A gamble worth taking. *Lowy Institute Paper 17*, Lowy Institute for International Policy.

Appendix 8:

Philippine
Government
Civil and
Political
Rights
Violations:
July 2010 –
June 2014

Appendix 8 – Philippine Government Civil and Political Rights Violations: July 2010 – June 2014

**TABLE 1: Violations of Civil & Political Rights
under the Noynoy Aquino Government
(July 2010 to June 2014)**

Violation	No. of victims
Extrajudicial Killing	204
Enforced Disappearance	21
Torture	99
Rape	3
Frustrated Extrajudicial Killing	207
Illegal Arrest without Detention	272
Illegal Arrest and Detention	664
Illegal Search and Seizure	270
Physical Assault and Injury	395
Demolition	17,145
Violation of Domicile	504
Destruction of Property	12,694
Divestment of Property	355
Forced Evacuation	39,800
Threat/Harassment/Intimidation	65,712
Indiscriminate Firing	9,932
Forced/Fake Surrender	57
Forced Labor/Involuntary Servitude	172
Use of Civilians in Police and/or Military Operations as Guides and/or Shield	549
Use of Schools, Medical, Religious and Other Public Places for Military Purpose	141,490
Restriction or Violent Dispersal of Mass Actions, Public Assemblies and Gatherings	9,929

Source:

KARAPATAN Monitor. (2014, April - July). [Catapulted into power on the merit of his parents' legacy, Benigno S. Aquino easily and quickly used up all of his parents' magic.](http://www.karapatan.org/files/K%20Monitor%202Q%202014%20Issue%202_1.pdf) *KARAPATAN Monitor*, 2Q Issue 2, p. 1. Retrieved from http://www.karapatan.org/files/K%20Monitor%202Q%202014%20Issue%202_1.pdf