

Conclusion

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In his January 2009 report, 'Implementing the Responsibility to Protect', UN Secretary General Ban Ki-moon noted that the protection of refugees and the internally displaced were important goals tied to R2P.¹ The Secretary General has suggested that the time has come for the international community to translate R2P from words to deeds. It would seem that the improvement of the protection of displaced persons ought to be a central component of this task.

How useful a concept is R2P for advancing the protection of refugees and IDPs? What challenges confront attempts to reconcile R2P and the protection of the displaced? How might these challenges be overcome? These are the kinds of questions that have motivated the contributors to this volume. The volume has brought together some of the leading thinkers and practitioners on refugee, IDP and R2P issues in order to examine the relationship between R2P and the protection of the displaced, and to consider the conceptual and practical challenges that confront the international community if R2P is to add value to efforts to protect displaced persons.

In this conclusion, we want to very briefly draw some of the threads together and outline some of the broad themes of discussion in the preceding chapters about the relationship between R2P and the protection of refugees and IDPs.

A number of contributors to this volume considered the conceptual dilemmas involved in linking R2P to IDP and refugee protection. Susan Martin and Roberta Cohen reflected on the history of protection, outlining how the scope of the protection regime has expanded since the end of the Cold War to include not just refugees who have crossed state boundaries but those who are internally displaced. This prompted consideration about how wide the umbrella of protection ought to extend (Roberta Cohen, Sara Davies), what contribution R2P could make in this regard (Erin Mooney), and what this should mean for the responsibilities of both sovereign states and international organisations (Luke Glanville, Emma Haddad, Phil Orchard, Alex Bellamy and Paul Williams).

¹ 'Implementing the Responsibility to Protect', UN Document A/63/677, 12 January 2009, para. 68.

A number of contributors reflected on the intellectual debt owed by R2P to the work done by Francis Deng and others in the 1990s who developed the concept of 'sovereignty as responsibility' when working to persuade both governments and the international community to improve the protection of IDPs. These historical ties between the framework for IDP protection and R2P have led some observers to expect that R2P will enhance efforts to protect IDPs. Erin Mooney has offered a cautious endorsement of this view. Mooney noted that each of the four crimes with which R2P is concerned – genocide, ethnic cleansing, war crimes, and crimes against humanity – invariably create displacement, and thus the implementation of R2P could go a long way to averting displacement and improving the protection of those who are displaced. Further, Mooney observed that the natural compatibility between the R2P and IDP protection frameworks holds the promise of mutually beneficial coordination of protection efforts.

However, key differences between the two frameworks means that R2P can offer 'only a partial response' to addressing the problem of displacement. Mooney outlined differences between the frameworks in terms of their scope and purpose and also the divergent degrees to which they have each achieved political traction and been implemented in practice. In a similar vein, Roberta Cohen argued that it was by no means inevitable that R2P would enhance efforts to protect the displaced. Indeed, Cohen insisted, it is conceivable that there may be situations in which the application of R2P worsens the plight of existing IDPs and also creates more displacement.

Cohen suggested a number of conceptual and practical challenges that have hampered the extent to which R2P has offered a contribution to the protection of IDPs to date, which other authors picked up in their chapters. One such challenge is the fact that the narrowing of the scope of R2P at the 2005 World Summit to four key crimes has meant that R2P speaks to some but not all causes of displacement. In her own chapter, Sara Davies paid particular attention to the question about whether R2P can contribute to the protection of those who are displaced by natural disasters. Davies found that while the concept of sovereignty as responsibility underpins both the R2P and protection of person principles, they are at different purposes and stages of implementation. R2P is concerned with deepening the commitment that states have made to protecting individuals against mass atrocities and genocide. The protection of persons agenda is yet to gain acceptance by states and there is no evidence to suggest that this cause would be helped by aligning it with R2P.

Other challenges suggested by Cohen include the continued equation of R2P with military intervention in some quarters, and also the practical limits to the benefits that such intervention can offer to IDPs. With respect to the question of intervention, Phil Orchard pondered whether we can expect the