

§5.2.f UN Women

Reform Proposal with regard to Enrolment and Mutual Support: UN Women and R2P

A key operational issue is how to mainstream the protection of women (and children) while maintaining the need to safeguard their particular vulnerabilities. There is growing consensus that more institutional activities and focus is needed on the protection of women. More thought should be given to how R2P might resonate with the training of women leaders and otherwise be incorporated into education in schools and universities, while also linking with peacekeeping and peacebuilding initiatives at the national levels.

§5.2.g UNHCR

Ongoing Reform with regard to Role Development and Mutual Support: UNHCR and R2P situations

Further guidance is needed on how R2P and POC address the plight of refugees, particularly where there is a dispute over borders. The Secretary-General's 2009 Report on the *Implementation of R2P* engages with refugee protection at a number of points. Firstly, it recognises the historical role played by asylum in protecting persons from mass atrocities.¹⁷¹ Secondly, it recognises that the R2P principle requires mainstreaming of refugee protection in the work of UN agencies. Thirdly, the report encourages ratification and implementation of the 1951 Refugee Convention.¹⁷² Finally, UNHCR is recognized for "obtaining grants of asylum and protecting refugees" and thereby serving "numerous potential victims of crimes and violations relating to the responsibility to protect".¹⁷³

Similarly, prominence has been given to the protection of refugees and IDPs in the Security Council's thematic resolutions on POC. Resolution 1265 of 1999 refers

171 Secretary-General, *Implementing the Responsibility to Protect* (S/2009/677), ¶35.

172 *Ibid.*, ¶17.

173 *Ibid.*, ¶35.

to the vulnerability of refugees and IDPs during armed conflict and reaffirms the "primary responsibility of States to ensure their protection." Resolution 1296 of 2000 specifically requests the Secretary-General to bring to its attention situations where refugees and IDPs in conflict situations are vulnerable to the threat of harassment or where their camps are vulnerable to infiltration by armed elements.¹⁷⁴ Resolution 1674 of 2006 expresses the Security Council's commitment to ensure peacekeeping mandates contain clear guidelines regarding protection of civilians and "the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons".¹⁷⁵ Resolution 1894 of 2009 requests the Secretary-General to provide more detailed information on the protection needs of refugees and IDPs in his reports on country-specific situations.¹⁷⁶

Despite these exhortations, the Libyan intervention shows more needs to be done to protect those fleeing mass atrocity crimes. The insistence on a high-altitude, low casualty air war shifted the burden of risk and harm to the civilians who the intervention was meant to protect, as evidenced by the fact that displacement escalated after the commencement of air strikes.¹⁷⁷ And while Resolution 1973 praises the generous response of Egypt and Tunisia to those fleeing the conflict in Libya, the response of European countries to the direct arrival of refugees, especially the lack of solidarity and burden-sharing extended by other European countries to the frontline States such as Malta and Italy, was disappointing.¹⁷⁸

174 S/RES/1296 (2000), ¶14.

175 S/RES/1674 (2005), ¶16.

176 S/RES/1894, ¶32.

177 UN High Commissioner for Refugees, *Increased displacement in eastern Libya*, 25 March 2011. Available at: <http://www.unhcr.org/refworld/docid/4d8c959a2.html> [accessed: 1 April 2011].

178 UN High Commissioner for Refugees, *Italy*,

§5.2.h Humanitarian agencies

Ongoing Reform with regard to Mutual Support: Humanitarian agencies, POC, R2P and coordination and monitoring.

While it is widely accepted that the successful operationalization of R2P and POC requires complementarity amongst diverse actors – as typified in "Whole of Government" and "Whole of Nation" approaches – such complementarity itself comes as a cost. Attempts to achieve synergy amongst diverse actors can lead to extra layers of bureaucracy and the needs of coordination can create extra burdens of information sharing, such as reading and writing reports. For humanitarians especially, though also for other protection actors like peacekeepers, time spent in meetings and writing reports may be time lost from engaging in protective activities. More knowledge is needed regarding when complementarity requires active and on-going coordination between actors (rather than merely awareness of each other's mandates and activities), and how finite resources can be most efficiently allocated between primary and complementary tasks.

Malta receive first boats from Libya, stretching asylum capacity, 29 March 2011. Available at: <http://www.unhcr.org/refworld/docid/4d92e7bc2.html> [accessed: 1 April 2011].