

***THE RESPONSIBILITY TO
PROTECT: Answering Civil Conflict in
the 21st Century – A RAMSI Case Study***

The Way Forward to Ensuring the Right to Life, Liberty and Security of All

Lucy Pearson

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Department of Government and International Relations

Faculty of Arts and Social Sciences

University of Sydney

Australia

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ABSTRACT

This thesis will attempted to analyse the Responsibility to Protect, whether the doctrine has a future in the workings of the international system as an effective mechanism for conflict resolution and for consensus on issues that surround violations of life, liberty and security of person. The R2P is acknowledged as a very new doctrine, the that has its fair share of warranted criticism and a long way to go before it becomes customary law in the international system. Through an in-depth analysis of the Regional Assistance Mission to Solomon Islands, the thesis aimed to highlight the potential of the R2P in addressing modern conflict situations and providing long standing stability through committed assistance in capacity development. Despite failures in the RAMSI intervention, and the relatively small scale nature, it stands as a significant success in implementation of the R2P and exemplifies the doctrine's potential in application. At its base the R2P demonstrates a powerful normative shift towards the protection of the fundamental human rights of all people, and a shift away from traditional understandings of sovereignty as absolute.

For Louise, who was a champion of human rights her whole life and who fought for a better world where everyone could see the right to life, liberty and security of person. The message in this thesis is dedicated to her memory.

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This work is substantially my own, and where any part of this work is not my own, I have indicated this by acknowledging the source of that part or those parts of the work.

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INTRODUCTION

Everyone has the right to life, liberty and security of person (A3, UDHR)

The Responsibility to Protect (R2P) is arguably the most significant normative shift of the new millennium, and represents an extremely important aspect of modern society. It places fundamental human rights above state sovereignty and as such is a reminder of the essence of humanity and our solidarity as a race. For most of the modern era we have understood sovereignty as an institutional right - the right to political autonomy and territorial integrity. Yet as history has shown and the present day continues to provide examples, sovereignty as right proved often as power to those who seek to abuse it. Dictatorships like that of Mugabe, Pinochet, Gaddafi, and unstable, ideologically driven, political environments like that of Rwanda, the Sudan, and former Yugoslavia have highlighted the perils of unrestricted sovereign power. As such, the R2P has sought to change the language of sovereignty from that of right, to that of *responsibility* - emphasising the responsibility that comes with sovereign rights. The authors of the original report on the matter, and the international community at large have agreed that States have the responsibility to protect their citizens from harm, the responsibility to uphold all civil, political, economic and social rights and to strive to maintain peace and provide human security. The R2P articulates the need for all states to uphold and embody this notion of sovereignty in both a local and global sense, with the international community required to act in aid of countries that are unable to protect their citizens, and to intervene in instances where they are unwilling.

The R2P is a movement aimed at ridding the world of the terrors and tragedies that occur and threaten humanity, as was the creation of the United Nations in 1945. Through the framework created, the international community may act if a State is found to be abusing its power and/or unable or unwilling to protect its citizens. The international community under the jurisdiction of

the UN is a collective body, existing to face the challenges of the modern era, maintain order and to fight for humanity. However, as history has shown, the functioning of this mechanism for conflict resolution gets caught up in political loyalties, power struggles, and specific foreign policy concerns of states – especially those with the power of veto, the P5 of the UN Security Council (UNSC). Observing the world in 2011, the Arab Spring has brought with it considerable shifts toward more democratic nations, yet has also brought to the surface cases where the R2P should theoretically apply. Such cases as Libya and Syria have shown states that are unwilling to protect their citizens, yet there is considerable contention over whether the R2P can justify intervention.

The R2P is still a very new concept and as yet has not received the status of customary law which would cement its principles in the fabric of the international community, and the functioning of global conflict resolution. Customary laws are those rules which consist of State practice over time and that are considered as legally binding on all States. Such status and compliance to the norms that the doctrine espouses would enable a more effective mechanism to provide aid assistance to nations experiencing internal conflict, and above all to protect the human rights of civilians in situations where the state is manifestly unwilling or unable to protect them. To reach its full potential (if ever it will) or to work out the kinks that prevent its application to conflict situations and the abuse of the right to life, liberty and security of person across the globe. Many of the problems that plague the doctrine such as scope, operationality, political will, sovereignty, right authority will remain for some time and may restrain the potential, both normative and actual, of the R2P. If the doctrine is to gain weight, and someday become part of the customary laws which are the guidelines for states, then thorough sustained analysis of its application needs to be made so that these problems may be remedied to allow the doctrine's momentum to build. Without collective will from international authorities to apply the principles of the doctrine and enforce the responsibility to protect without discrimination and

inconsistency, and without successes to give it weight, little progress will be made with contemporary humanitarian intervention and in protecting the human rights of all. A crucial aspect of the R2P is that it reinforces, rather than undermines sovereignty. It aims to assist states in upholding their duty to protect their citizens and direct the country in an effective and sustainable way. The R2P works with sovereignty, not against it.

There are several cases today that invoke the R2P. The International Coalition for the Responsibility to Protect lists these as Darfur, the Sudan, Zimbabwe, Burma, Cote D'Ivoire, the Democratic Republic of Congo, Libya, Sri Lanka, Nigeria, Kenya, Guinea, and Kyrgyzstan. Each of these cases demands consideration of the costs, magnitude and feasibility of intervention, geographical considerations, political commitment as well as consideration of whether intervention is warranted due to the abuse of sovereignty, or to a states inability to uphold its sovereign responsibilities. This particular contribution to R2P seeks to apply the concepts of the doctrine to a particular case of humanitarian intervention that has embodied many of its core principles and which therefore provides an example of success. The Regional Australian Mission to Solomon Islands (RAMSI) has been in operation since 2003 when ethnic violence and civil unrest necessitated a sanctioned intervention. Over its eight years of operation it has maintained peace with the exception of a three day period in 2006 when violence again broke out, mostly directed toward businesses run by Chinese immigrants and fuelled by the political manipulation of large peri-urban settlement populations. RAMSI is involved in improving economic conditions in Solomon Islands, in the development of a sound and robust legal system and in instituting a transparent political system. The intervention highlights the three central aspects of the R2P – react, rebuild, prevent – where prevention goes hand in hand with rebuilding. Providing long term, committed assistance to building a sustainable, stable, functioning state, and peaceful conditions is a process by which prevention of future atrocities can occur. RAMSI endures in the Solomon Islands in a primarily capacity development role and

in order to prevent a relapse into the civil unrest and violence which would undermine the whole country.

RAMSI is a decidedly small case study, in its scope, geopolitical significance and scale of investment required which is far less than in other cases where R2P is needed, yet it still exists within R2P parameters and gives weight to the doctrine. The central issues and events which sparked the intervention surrounded long standing ethnic tensions between the Malaitan and Guadalcanal people and as the R2P relates specifically to four categories (ethnic violence, genocide, crimes against humanity, war crimes) it is mandated in this situation. RAMSI also highlights several important elements of pillar two of the R2P that is international assistance to help states manifestly unable to protect their citizens. Understanding RAMSI can highlight the prevention element of the R2P as well as identifying a need to fill the middle ground between intervention and action.

Methodology

This particular contribution to the R2P seeks to understand the successes and failures of the R2P and its current standing in the international system through its potential in addressing modern conflict situations and providing long standing stability through committed assistance capacity development. To achieve this, the paper will first look at the themes and concepts of R2P, the various analyses made as to the feasible aspects of the doctrine, as well as an examination of the issues that confront the R2P and whether they delegitimize the doctrine or may be overcome with lessons drawn from current interventions under the R2P logic such as the primary case study of this project highlights. The second chapter will examine the theory behind the Responsibility to Protect, the rationale of the doctrine, the normative changes it proposes and the potential it holds for future efforts at the universal protection of basic human rights taken away in conflict situations. This chapter also discusses the concept of humanitarian intervention, its

modern day form and the nature of RAMSI as humanitarian intervention. The third chapter delves deeper into the Solomon Islands case with a discussion of history, political climate and the nature of the tensions that led to intervention – why was R2P warranted and what was done to implement it? The chapter also analyses the motivations of intervening countries. The fourth chapter analyses that ‘rebuild and prevent’ elements of R2P and presents the bulk of information gathered from interviews conducted in Solomon Islands with RAMSI personnel and local Solomon Island politicians. Through this, the way RAMSI embodies the R2P is illuminated, and the lessons that can be taken from this particularly relevant example are presented.

As mentioned, part of this project, interviews were conducted with RAMSI personnel and local Solomon Island politicians on site in Solomon Islands. The perceptions of participants and the information gained from these interviews are integrated throughout this thesis and add were crucial to understanding the case study and the ways in which it embodies the R2P. Other primary documents used include a select few articles from the *Solomon Star* used in analysis of the conflict, key United Nations Reports that provide the theoretical and conceptual base for the R2P, and news articles following current conflicts to which R2P applies.

The R2P is part of a broader trend in world politics that is placing primacy on human rights, rather than state rights, and a movement that seeks to ensure states uphold their responsibilities through an international framework that mandates that they do, and provides a mechanism by which the international community can provide timely assistance if they do not.

CHAPTER 1 – Themes, Concepts and Challenges of the R2P

SECTION 1: Conceptual Framework

The Responsibility to Protect is a promising new concept in contemporary peace and security, reaffirming sovereign responsibility and the responsibility of the international community to ensure the protection of fundamental human rights. The doctrine emerged from the UN World Summit 2005 as a new and progressive discourse on humanitarian intervention and was unanimously endorsed. It has redefined and challenged the traditional concept of sovereignty and places a greater focus on notions of human security as essential in the prevention of atrocities occurring. The conceptual base of the doctrine is therefore inclusive of political as well as social and economic issues. The body of literature that surrounds the Responsibility to Protect is both extensive and varied, and is often dependent on the particular camp one identifies with. The discourse surrounding the R2P has focussed on the perceived challenges to State sovereignty that it implies, as well as its potential as an emerging norm in regards to human rights – protecting the right to life, liberty, and security of person.

The doctrine emerged from the international arena, through various UN reports commissioned which provide the basis for the extensive analysis the concept has received. In 2001, the International Commission on Intervention and State Sovereignty (ICISS) handed down its seminal report entitled ‘A Responsibility to Protect’, which built on the African Union’s efforts to move from “non-interference” into “non-indifference”. This shifted the ongoing debate concerning humanitarian intervention from discussions of the right of powerful states to intervene, to the right of vulnerable communities to be protected from international crimes. The Commission focused on the responsibility of states to protect their own populations, and noted that when States were either unable or unwilling to protect their own people then the

international community had a responsibility rather than merely the right to do so (Evans & Sahnoun, 2001).

The UN report 'A More Secure World' builds on this and is an essential theoretical document prefaced by the notion that today's world is vastly different from that of 1945 when the organisation was founded and core documents composed. The report discusses the widely observed phenomena of global interconnectedness and argues that it defines the necessity of shared responsibility. The report makes the connection between development and security which provides the logic for preventative action and long term engagement, a core concept of the R2P. Threats to both state and human security are complex and variable, yet mutual vulnerabilities necessitate a supranational body to coordinate and act in cases of grave human rights violations. This notion comes into conflict with the traditional understanding of sovereignty as absolute territorial integrity and political autonomy, yet is not an attack on the concept itself. Rather the R2P seeks to provide a mechanism to encourage states to uphold their sovereign responsibilities to protect their citizens, and one through which the international community can act to help a state uphold these if it is unable or unwilling to do so.

Tenants of the R2P

For logistical and practical reasons, the responsibility to protect was defined as relating to four crimes of sufficient severity. These are genocide, ethnic cleansing, crimes against humanity and war crimes. It is feared that if the R2P is expanded beyond this that it would lose any logistic viability, its potential for operationality, and political palatability. At the conclusion of the World Summit in 2005, the United Nations General Assembly (UNGA) stated that each member of the international community has the responsibility to protect their citizens against the threat of grave human rights violations (Resolution 60/1). Further, the UNGA (2005: 31) stated that members

have the 'responsibility to use appropriate diplomatic, humanitarian and other peaceful means' to do this, in accordance with Chapters VI and VIII of the Charter of the United Nations.

The principles of the R2P, affirmed by all member states at the 2005 World Summit, are threefold.

- 1) Each State has the responsibility to protect its citizens from the threat of violent conflict
- 2) The international community has the responsibility to use appropriate diplomatic, humanitarian, and peaceful means to help States realise their responsibility
- 3) In cases of grave human rights violations, the international community must act in a timely and decisive manner to ameliorate suffering

The ICISS added to these principles in its report, stating that the R2P comprises three main responsibilities: to prevent, to react and to rebuild. Bellamy (2008) has argued that where there has been significant attention given to the 'react' and 'rebuild' components, little has been paid to the responsibility to 'prevent'. He (Bellamy, 2008:135) makes the argument that prevention of deadly conflict is one of the fundamental goals of the UN, enshrined in the UN Charter which states the organisations central purpose as 'saving future generations from the scourge of war'. Pre-emptive prevention at present is a goal that involves considerable political risk, logistical difficulties as well as issues in legitimisation. The element of prevention is not refined to pre-crisis situations, but also to post when action by the international community has been taken, and the rebuilding of structures and institutions of the state is taking place. This does however involve significant cost, time and significant resources of the intervening countries and can be a significant deterrent. Noting these, multilateral interventions where costs are diffused can aid in the development of missions that can work to provide the capacities needed for long term progress and stability that is a crucial part of preventing a repeat of the atrocities that sparked intervention or any other form of assistance in the first place. In this sense, long term

commitment is a definitive aspect of the R2P and contemporary humanitarian intervention, and is explored through the in-depth analysis of the Solomon Islands case study in chapters three and four of this thesis.

Sovereignty and State Responsibility

Perhaps the most contested aspect of the R2P is the perceived attack it makes on the sanctity of sovereignty. The R2P conceives of sovereignty as conditional, as involving responsibilities of each State to its citizens, yet the doctrine does not impede on sovereignty, States 'raison d'être', rather it *reinforces* it. It does so through emphasis on the international community's responsibility to help provide struggling States with the capacity needed to uphold their sovereign responsibilities. UN Secretary General Ban Ki Moon (2008) has stated that the R2P strengthens and reinforces sovereignty through affirmation of existing international laws. Rather than taking away from sovereignty, the R2P highlights its core principles as enshrined in the Charters of the United Nations.

The responsibility of the international community to assist states to uphold their sovereign responsibilities is a core element of the doctrine. This second pillar of the R2P is in line with Bull's seminal theory of a 'society of states' which articulates the notion of collective action for mutual benefits. Bull (1977) has argued that a society of states is apparent:

'when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive of themselves to be bound by a common set of rules in their relations with each other, and share in the working of common institutions'

By this logic, the international community is not only a system but a society of states with shared responsibilities for social order and the maintenance of collective security. The R2P is an extension of this necessity and thus has the potential to be incorporated into existing customary law in a meaningful and effective way. In the same vein, Luck (2010: 352) has written that the

‘ultimate goal is for states, societies, and people to internalize its (the R2P) principles into their conceptions of the nature of the state and its obligations to the populations within its territory’. Therefore, whilst there is much support for the traditional notion of sovereignty, there is also significant support for the redefinition of the concept in terms of responsibility. The R2P shifts focus from the State to the individual, and through its second pillar it affirms Bull’s notion of a society of states, of the international community as a collective ensured with the responsibility to hold each member to their duty to the individual. This conceptual shift, a shift from sovereign rights to human rights is an important normative change that the R2P makes. A central issue with the mechanism that pillar two provides is that it can be abused by states with unsavoury motivations for intervention, motivations that are not in line with the R2P. This issue is discussed in greater detail in the next chapter.

R2P Normative Framework

There are people in the world who live in constant fear of their homes being burnt down in the night, people who live in countries without a functioning state and the basic protections that one such would provide. In such countries the escalation of conflict can be rapid and unrelenting. This is not a new circumstance - it is one that the international community has tried to remedy with the creation of frameworks for collective humanitarian action. Such lessons that have been learnt from Rwanda, from Srebrenica, may have resulted in fervent pledges to prevent these from ever happening again yet Darfur is still raging on, Libya and Syria are the midst of turmoil, East Congo has been suffering for years and still there seems to be no mechanism to stop the conflicts that plague these nations, to stop the grave human rights abuses from occurring, for whatever reason they are.

State authority, protection of sovereignty, and political risk assessment overpower many attempts to prioritise protection of human life of those outside of the power circles within which decisions

are made. For the world to reach a place where a majority can say that they do not have fears for their security, and have access to basic human rights such as health and education, and for there needs to be a normative agenda underpinning the international community that prioritises the protection of life over unilateral national interests that often determine the political risks of intervention too high. As Kofi Anan stated, the international community must be able to respond quickly to ‘gross and systematic violations of human rights that affect every precept of our common humanity’ (as cited in Evans, 2004: 70).

The Responsibility to Protect is an effort to further this end.

‘The emergence of the Responsibility to Protect concept challenges the theoretical conception of state authority as a given about which questions cannot be raised within the legal discipline. It also challenges the formal commitment to sovereign equality, self-determination and non-intervention as foundational principles of the UN Charter. In grounding the authority of the state and the international community on the capacity to protect, the concept represents a significant shift in thinking about the lawfulness of authority in the modern world...as a result, the articulation and embrace of the responsibility to protect concept represents one of the most significant normative shifts in international relations since the creation of the UN in 1945.’
(Orford, 2011: 41)

Case Study: Solomon Islands

To improve the standing of the R2P as an international norm, to give it weight and allow it to progress to higher standing in the international legal order so that it may have broader applicability, the doctrine needs to be applied to relevant settings of appropriate size and scale. The Asia-Pacific region provides an interesting and relevant context to apply the R2P, and the Solomon Islands case is the most compelling, with the eight year presence of the Regional Assistance Mission to Solomon Islands (RAMSI). It is however, a small size case study, and an

example of a situation in which a state was unable to protect its citizens from the violence that resulted from the breakdown in law and order. The conclusions drawn therefore will not inform every aspect of R2P intervention, as many cases are defined by states that are *unwilling* to uphold their sovereign responsibilities.

The case satisfied the criteria of the R2P, and with the request for assistance by the Solomon Islands government, intervention was legitimised. The mission also reflects the changing nature of international security post 9/11 as the dominant power in the region, Australia, went through a dramatic shift in foreign policy and its perceived place in the world (Wainwright, 2003). In this way the case also provides for an analysis of the motivations of the key contributor, and a platform to decipher how it differs from cases in which the motivations of contributing countries are questionable and thus interventions illegitimate.

The case has the potential to strengthen the viability of the R2P through not only the operational lessons learned, but also the translation of concept into reality, and the regional structure and interests that facilitated successful deployment of RAMSI. As has been noted, the Solomon Islands is small in scale and size compared to that of other countries that may require international assistance in responsibility to protect. This will limit the ability to generalise all lessons learned, but will not detract from a significant contribution to the progression of the R2P as it demonstrates a successful case which can be built upon to ensure that the doctrine gains momentum.

In the broader Asia-Pacific context, Bellamy and Davies (2009) have reported that only 2 countries in the region oppose R2P out of hand, far less than suggested by the prevalence of traditional concepts of sovereignty in the region. The potential for regional organisations to have

a major impact on conflict prevention through aiding in the provision of human security is exemplified by such successful organisations as the Organisation of African Unity (OAU) and the Organisation for Security and Cooperation in Europe (OSCE) whose projects and actions, among other organisations, contributed to a collective decline in global incidence of violent conflict according to the Human Security Report (2005). Overall, the case has the basic elements necessary to analyse the R2P in practice and its potential for future progression. The R2P is an evolving discourse and has room to grow, yet the reconciliation of R2P with the concept of non-interference must occur before it can truly take hold as both a global norm and element of customary law.

SECTION 2 - Challenges to the Responsibility to Protect

There are several criticisms levelled at the R2P. These regard the perceived attack on sovereignty, the potential for abuse of the doctrine, and questions of international authority – who decides? There are also issues identified with the doctrine’s operationality, scope, threshold for intervention and its inconsistent application. Attention must be paid to these arguments in consideration of how the doctrine can progress to a form that may be applied more effectively and to a broader cohort of international conflict situations.

Territorial Integrity and Political Autonomy

Article 2(1) of the UN Charter states that ‘the Organization is based on the principle of the sovereign equality of all its members’. This original codification of sovereignty is drawn upon by those who argue that intervention under any circumstances is unlawful. Arguments along this line tend to point out that the R2P doctrine could be used by the powerful and the ambitious to further a program of neo-colonialism. Intervening nations are often accused of unsavoury economic motivations, and most of the time there has been some truth to them. Even if there

were humanitarian reasons for intervening in a struggling nation, there would undoubtedly be economic gains to be made, most of the time from natural resource extraction. The multinational nature of any intervention under the R2P and the focus on strengthening sovereign capacities displays a movement away from the trappings of past humanitarian interventions, and can allow for more transparent undertaking of the protection of ‘life, liberty, and security’ of all people (A3, UDHR).

Legal Viability

Another issue with the R2P regards its status as ‘soft law’, along with most of the other non-binding international laws. The hope is that the R2P will be embraced as customary law, yet at present it stands only as an emerging norm, experiencing significant growing pains. It has been endorsed by the UNGA (2005) and reaffirmed by two Security Council Resolutions (1674 and 1706) in 2006, yet ratification and implementation of such a normative change will take more than 6 years to come into fruition, if ever it will. It may be doomed to never gain sufficient legitimacy as was the fate of the Abolition of War doctrine. The R2P is said to strengthen sovereignty because it requires the international community to help states uphold their sovereign responsibilities. This is however still subject to interpretation and political considerations. Some might look to Article 2(7) of the UN Charter which prohibits intervention in matters which are within the jurisdiction of the problem state, to justify their opposition to humanitarian intervention, while others may call upon the language elsewhere in the Charter and in documents like the Universal Declaration of Human Rights (UDHR) which codifies protection of the rights of the individual, not the state.

The Threshold and International Authority

A central issue that has plagued past interventions is the issue of numbers, what is the threshold for intervention? Who decides? Who has the authority to decide when enough people have died to warrant international intervention? The R2P applies to only the crimes of genocide, ethnic cleansing, war crimes and crimes against humanity. Who decides when this is occurring and whether intervention is necessary?

As B.J. Bjornson of the Lowy institute recently wrote:

‘How many thousands of civilians being in danger of massacre would be enough? If you believed that it actually was hundreds of thousands, would you then have supported the intervention? Tens of thousands? Just a few hundred? ... Are there any circumstances where you would call for the US and other nations to step in and try to prevent the worst from happening?’

The ICISS report on the R2P confirms the UN Security Council as the right authority in international conflict resolution, but what happens when the Security Council fails to act as it has in the past? The ‘Uniting for Peace’ mechanism is the logical solution, yet it too relies on consensus of a majority of UN member states which is difficult to reach, especially if there is opposition from any of the P5. So again, the implementation mechanisms by which the R2P is bound, often relegates the concept to paper only.

Inconsistent Application

Another problematic element of the R2P is its current inconsistent and selective application. At the crux of this issue is the aforementioned difference between States that are unable to protect their citizens, and those that are unwilling to do so. In the latter cases, conducting a humanitarian intervention becomes much more difficult as the abuse of sovereignty is not recognised by the State in question, and often not by those whose political loyalties lie with that State. Such cases

as these have highlighted the fact that despite clear indications that the R2P applies in many cases, no concerted international effort will be made because of the dangers to the sanctity of sovereignty and order of the international system that it entails.

For example, there has been much talk about the application of the R2P in Syria where civilians have fallen victim to abuse by the State. The Syrian government has been delegitimized by the use of violence on its citizens but it maintains control over the use of force. Conversely, in Libya a successful NATO mission was launched after majority consensus on the imminence of attack on civilians by the now toppled regime (UNSC Resolution 1970, 1973). Why Libya and not Syria? The lack of consistency here has led to recent commentary that accuses the international community of using the R2P for regime change rather than civilian protection, that the R2P is a tool used only in ad hoc responses to violent conflict (Western, 2011).

Also, despite relative success in application of the R2P in Libya for the protection of civilians, particularly in Benghazi and Misrata, there are complexities in such a situation that challenge the application of the R2P. Where pro-Gaddafi government forces have launched indiscriminate attacks on civilian populated areas such as Misrata, and committed several other violations of the international laws of war, rebel forces have also to answer such charges as looting, arson, and some beatings of civilians (ICRtoP, 2011). Many civilians have been killed in the conflict, as well as in efforts by NATO. Civilians have been in need of protection from both sides of the conflict, and in the fragile stages post conflict, assistance in rebuilding lives, homes and in starting the reconciliation process for crimes committed will be needed. Yet humanitarian assistance to the scale needed will be impossible in the current political environment. The complex nature of such a mission, costs involved, the 'invasion' connotations that would be

involved in the region, and the fact that the rebels have asked for military assistance and not intervention, add to the difficulties in applying the R2P long term for rebuilding and prevention.

Political Will and Questions of Scope and Resource

A lack of collective political will to further the R2P, to work out its kinks and give the doctrine weight in the international system is also a significant issue. As Benjamin (2009: 39) noted, the UN Assembly did not create clear guidelines for the enforcement of R2P, only going so far as to commit to ‘continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity’. Therefore, Benjamin’s conclusion that the R2P is a tenuous principle far removed from the norm of sovereign inviolability is troubling for the future of the doctrine (2009: 39).

Even if it were decided by the UNSC, or a majority of UN member states, the character of a humanitarian mission under the R2P highlights another issue involved - scope of intervention. It is simply not enough to re-establish security, as Hynd (2011) points out a glaring hole in current R2P logic on the scope of intervention – that is the fact that the considerable resources required to intervene, resources which many countries are without after the global financial crisis. The resources needed to sustain the inevitable long term nature of an R2P mission are considerable and as noted by Benjamin (2009: 42), many of the contributors to contemporary UN peacekeeping missions are from developing countries that do not have the infrastructure necessary to build troop competence. Long term humanitarian involvement in a conflict nation is especially questionable when it involves the use of violence to stop violence, and when these resources could be put to better use. Hynd (2011) also questions the lack of R2P application to other humanitarian disasters such as the current famine in the horn of Africa, where mass loss of life is occurring.

Another issue in regards to legitimacy of R2P intervention is pointed out by Newman (2009: 100) who argued that ‘the trend to separate R2P from a wider Human Security agenda is deeply regrettable. It simultaneously undermines the potential of the doctrine to counter the existing international political economy favoured by the global North, and means that many developing countries may simply regard it as a new slogan to justify military intervention against weaker and poorer states’. Legitimising intervention under the R2P without a mandate for ‘rebuild and prevent’ and a clear and justified goal focussed on protecting the fundamental human rights of populations that have these deprived of them, the viability of the R2P as an international norm and source of customary law will be all but impossible.

The Very Real Potential for Abuse

A final criticism levelled toward the R2P doctrine is the fact that it may be misused, as have humanitarian arguments in the past. R2P has the potential to be used to justify intervention under the language, the guise of human rights, yet in cases where the intervening nation/s stand to gain significantly - economically, politically or otherwise. The most obvious example is the US’ unilaterally motivated invasion of Iraq – ‘the axis of evil’. This argument is in line with selective and inconsistent application of R2P as pointed out in many papers on the matter, and by one of the RAMSI officials interviewed as part of this project. This official suggested that the R2Ps internal legitimacy is questionable if it can only be applied to some of the many crises which have and may in the future involve the violation of fundamental human rights and atrocities of the nature of any of the four crimes which mandate the R2P (ethnic cleaning, war crimes, genocide, crimes against humanity). Day and Freeman (2005: 140) also argued that the operationalisation of the R2P has been restrained by the dual deadlock of establishing a permanent international military capacity and well founded fears of non-consensual intervention that facilitate political exploitation. There is certainly potential for the misuse of R2P to

legitimize interventions that are defined by control, rather than protection of fundamental human rights.

Noting these valid critiques, the R2P does not progress without significant challenges. These challenges cannot however detract entirely from the necessity of having such framework as R2P that allows for international, collective action to alleviate mass suffering. As Kofi Annan stated in his 1999 address to the UN General Assembly:

'Surely no legal principle -- not even sovereignty -- can ever shield crimes against humanity . . . Armed intervention must always remain the option of last resort, but in the face of mass murder, it is an option that cannot be relinquished'

Is this testament enough to overcome the significant issues the R2P faces in regards to its legitimacy? The final chapter will analyse the responsibility to protect through the Solomon Islands case study and whether the humanitarian intervention that took place can shine light on this question and present an understanding of the parameters in which the doctrine can progress.

CHAPTER 2 – Theoretical Elements and International Law

To understand the full force of the R2P, it is necessary to have an understanding of the legal and theoretical framework within which it exists and how these effect its real world application. This chapter will therefore discuss the nature of sovereignty as conditional, the parameters of humanitarian intervention, the language of prevention, the international human rights framework, and the ways in which these elements are reflected by RAMSI.

The Sanctity of Sovereignty

As the second pillar of the R2P states, the international community has the responsibility to intervene for humanitarian purposes when a State is unwilling or unable to protect its citizens. When considering the operational form of the R2P and assessment of the consequences of each specific case where it may apply, the categorisation of whether the state is ‘unwilling’ or ‘unable’ may be the difference between the ability of the international community to launch a humanitarian intervention legitimised by the R2P, and for it to merely be discussed and analysed in the abstract. When a State is unable to protect its citizens, as was the case in the Solomon Islands, the intervention is consented by the state as well as the people which attributes it a certain level of legitimacy. When a state is unwilling to protect its citizens and possibly perpetrating the abuse, the prospect of humanitarian intervention and the R2P becomes much more contested. The same criteria would apply but international consensus and the formation of an intervening force sanctioned by the UN hits considerable road blocks. These include the problem of international authority and the political loyalties that may stand in the way of consensus on whether the State in question is manifestly failing in its ability to protect its citizens. Tilly (1985: 171) argues that government provision of protection often qualifies as racketeering with the monopolisation of violence to further their own ends of the accumulation of power. The problem is that they may use this against their own citizens if they appear as

potential rivals, or allies of rebellious peoples such as the situation with the Gaddafi regime in Libya (Tilley, 1985: 174).

The notion that the international community has the responsibility to launch an intervention if it happens that a State is manifestly failing in its responsibility to protect is contentious in that it challenges the absolute sanctity of sovereignty. By the same token it is progressive, as it provides a normative framework and a mechanism by which the international community can act as a society of states to ensure that every human being has the basic rights of life, liberty and security of person that are fundamental to existence. As aforementioned, the R2P does not undermine sovereignty, but rather reinforces it by placing emphasis on the responsibilities that it entails. The very fact that the R2P places emphasis on sovereign responsibility and thus deeming sovereign rights as conditional is a dramatic shift away from the traditional conceptual framework of international order and the norm of non-interference. It falls in line with the idea that sovereignty needs to be replaced by an understanding that the nation state is autonomous in specific spheres but responsible to higher levels of organisation in others (Rotblat, 1997: 7). The purpose of the State is to ensure the protection of its citizens, and thus the R2P is re-emphasising this through the framework of responsibility. This shift has been a necessary one, as has been noted in previous sections, with too many examples of mass loss of life that the international community has been unable to alleviate, unable to protect the sanctity of life. The R2P, with its emphasis on protection of human rights through ensuring State responsibilities are upheld, has also allowed for a greater level of legitimacy in humanitarian intervention when a situation is sufficiently severe as to call for it. The concept of humanitarian intervention is central to the R2P, and is a long term commitment.

Humanitarian Intervention

The conventional understanding of humanitarian intervention is coercive action against a State to protect citizens from harm (Abiew, 1999). Humanitarian intervention dominated the first post-Cold War decade of the 1990s, from saving the Kurds in Northern Iraq to the failing state in Somalia, the tribal wars for control in Rwanda, and ethnic cleansing in Bosnia and Kosovo. Humanitarian intervention and the R2P are not synonymous. However, the normative principles which inform both are in line. As Teson (as cited in Benjamin, 2009: 41) argued, when a state violates the human rights of its citizens, humanitarian intervention is warranted in both a moral and legal sense and the proportionate use of force involved supports the ultimate purpose of a State is the protection and enforcement of the natural rights of its citizens. States are in the service of the people, and not the other way around.

As Kofi Annan (2001) stated ‘to the critics I would pose this question: if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica to gross and systematic violations of human rights that offend every precept of our common humanity?’

The legitimacy of humanitarian intervention in international relations has long been a subject of controversy (Abiew, 1999: 5). This again comes back to the conflict between traditional realist notions of state interests and a more liberal view on the nature of cooperation in the international system and the priorities which define it. Humanitarian intervention cannot be legally justified within international laws as it violates the absolute nature of sovereignty, unless the P5 all agree to invoke Chapter VII of the UN Charter. This has only ever happened once (Korea), and relative consensus is unlikely to be reached again, thus in the current legal framework the notion of humanitarian intervention is flawed as it cannot be enforced. However, there has been a significant movement towards the universal protection of human rights and now the

responsibility to intervene when states are manifestly failing in their duty to protect the ‘life, liberty, and security’ (A3, UDHR) of citizens.

Legality of Humanitarian Intervention

As Heinze (2009: 79-83) notes, UN member states are party to the UN Genocide Convention (1949), the Convention on the Suppression of the Crime of Torture (1975), and a myriad of other international legal instruments that prohibit crimes against individuals and groups. The most important of these are those that hold weight as customary laws. These are rules which consist of State practice over time and that are considered as legally binding. The respect for sovereignty of each nation and the territorial integrity and political autonomy that this involves, has long been part of customary law of the international system, yet as has been noted before, the R2P’s unanimous endorsement is a testament to the fact that sovereignty is not absolute and it is not right – it is responsibility.

Further, Magnuson (2010: 3) states that a world that demands respect for human rights cannot coexist with a world that demands absolute respect for state sovereignty. As discussed previously, the mere fact that the entire UNGA endorsed the R2P is a testament to the ability of the international community to look beyond the absolute nature of sovereignty. The doctrine espouses that people should be protected under international law, not just states.

Strict Criteria

The ICISS’s ‘Responsibility to Protect’ document (2001) stated that humanitarian intervention must be in accordance with acknowledged precautionary principles: just cause, right intention, last resort, proportional means, and reasonable prospects. Accordingly, the international community has established this checklist that defines legitimate intervention on humanitarian terms and these must be satisfied for any such intervention to occur.

The report that followed this, submitted by the Secretary General's High Level Panel on Threats, Challenges and Changes, emphasised the emerging norm. The panel members wrote that:

'we endorse the emerging norm that there is a collective international responsibility to protect, exercisable by the Security Council authorising military intervention as a last resort, in the event of genocide and other large scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign Governments have proved powerless or unwilling to prevent' (as cited in Magnuson 2010: 8).

Evans (2004: 70) has argued that the R2P is a considered attempt to formulate set criteria for any intervention that involves military force and in this way the functioning of the UNSC can be vastly improved. He lists five specific criteria for legitimate intervention, in line with *jus ad bellum*, as 1) seriousness of threat; 2) proper purpose; 3) last resort; 4) proportional means; and 5) balance of consequences. These along with the limitation of the R2P to the four specific crimes (genocide, crimes against humanity, war crimes, ethnic cleansing) ensure that the R2P is not doomed to fail because of lack of collective support, as it ensures that the doctrine does not apply to every country in the world that is experiencing some form of civil or ethnic conflict. This would simply be logistically impossible, and permanently unpalatable to many States that are already wary of a diminution of their sovereign authority. The five criteria maximise the possibility of achieving UNSC consensus and minimise the possibility of individual member States bypassing or ignoring the UNSC using the R2P as a 'convenient rationalisation' of intervention (Evans, 2004: 78). It must be noted however, that there is a troubling relationship between humanitarian intervention and national interest as Chesterman (in Lang, 2003: 55) notes, with the potential for misuse of humanitarian intervention by states with unilateral interests as was discussed in the previous chapter.

UDHR

The Universal Declaration of Human Rights (UDHR) is one of the most important pieces of international law, and is central to the normative proposals of the R2P. Although its universality is debated, it remains one of the most important normative documents in existence. Many of the articles are applicable to situations where human rights abuses are occurring, and where states are manifestly failing in their responsibilities to protect and provide for their citizens. The normative aspects that guide the R2P with its shift of focus to the protection of human rights is certainly in line with the rights codified in the UDHR and is a step further to ensuring that these come first when there is contention between the rights encoded there, and other aspects of international law. Many of the articles can be called upon when justifying the normative agenda that the R2P espouses – Article 13 regarding freedom of movement, Article 17 regarding the right to possessions, Article 25 and 26 regarding the basic rights to health and education, Article 30 prohibiting the abuse of the rights encoded in the UDHR. The list goes on.

The R2P and the language of prevention

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (Article 1, UDHR)

Normative theory in international relations challenges conventional understandings of the international system and its workings. It broadly encompasses theories such as cosmopolitanism, communitarianism, and various anti-foundational approaches such as constructivism. These espouse an understanding of international ethics, moral inclusion, international and distributive justice, and often place a focus on the individual rather than the

state (Cochran, 1999). The R2P has a definitive normative proposal - it is changing the language of sovereignty to responsibility and as such is constructing a new normative framework with which the international system functions. It is hoped that the R2P can create this framework, with its principles the guidelines for state functioning and international efforts to combat conflict when civilians are at risk. Part of how the doctrine is doing this concerns constructivist theory which argues that humans gain knowledge and meaning from an interaction between knowledge and ideas. All truth is socially constructed in other words. The primacy of language, of how thoughts, ideas is argued to be central to the functioning of the international system and thus with the R2P articulating sovereignty as responsibility, prevention and all that this entails, a new normative framework may be constructed. The theory proposes that the formation of international relations, the elements that define the international system are historically contingent and thus the realities of the system have been constructed over time, through interaction, and can be moulded in this day and age.

Further, R2P conforms to a broader human rights movement that has roots much earlier than 2005, and is part of a broader trend of conflict management with strategies that include more targeted development aid to build state capacity, more comprehensive post conflict stabilisation, reconstruction and reconciliation efforts (Western, 2011). As Luck (2010) argues - political will can be built (or destroyed) over time, and as such the endorsement of the R2P in 2005 reflected how much political, social, and security values had already changed and continue to change in the evolution of global politics. He observes that like the political paths of human rights and humanitarian affairs, the concept of human security has moved to the forefront of international attention and political priorities and is contributing to the re-evaluation of traditional concepts (Luck, 2010).

This thesis challenges the notion that states may only rely on their own capacities for security. That the anarchic nature of the international system demands, or compels them to constantly act in their own self interest. This is not to say that protecting national security, economic and political stability should be forgotten, but this task and the reality of states cooperating to ensure international peace and security, to ensure the universal protection of human rights, are not exclusive. To believe that every player in the international system would desire this goal is a naive understanding. However it is not naive to state that a majority would prefer a world where consensus in issues of global peace and human security, the protection of fundamental human rights of every person, could be achieved and cooperation for long term preservation of life and freedoms be the defining norm of the international system.

Hedley Bull's society of states fits this logic, is a good articulation of these concepts, of this attainable version of world politics. But in relation to the R2P, articulation of the a central goal of the responsibility to protect as 'prevention' and focussing on the protection of human rights, thus changing the unit of analysis from the state to the human being, is a crucial articulation. Prevention furthers the goal of avoiding the contentious use of military force. As has been noted however, pre-emptive prevention involves significant challenges in terms of legitimising any sort of intervention under the R2P in its fragile state. This may become possible if the doctrine is able to progress as a norm. However prevention not only applies pre conflict, but post conflict in situations like the Solomon Islands where a long term commitment is necessary in preventing a recurrence of the ethnic violence and great instability that spurred the initial intervention.

Along these lines, a final argument which underpins the theoretical basis for the long term preventative nature of intervention to uphold the responsibility to protect regards the necessity of human development. Welzel, Inglehart and Klingmann (2003: 344) argued that

socioeconomic development; rising emancipative values and democratisation constitute a coherent syndrome of social progress. The capacity development programs that are involved in such a mission as RAMSI exemplifies, further the goal of enabling these elements that cement sustainable development and stability for a developing nation and its people. The central argument is that:

‘the syndrome of human development op by a operates across nations, regions and cultural zones...(it) is shaped by a process in which socioeconomic development and rising emancipative mass values lead to rising levels of effective democracy and the effect of emancipative values on effective democracy operates through their impact on elite integrity. Indeed elite integrity is the factor that makes formal democracy effective’ (Welzel *et al*, 2003: 344).

Human development is a definitive element of national progress, long term peace and stability. The R2P mandates states to ensure the conditions for human development, and if they fail to do so, it is the responsibility of the international community to act in a timely and decisive manner to restore or create such enabling conditions.

Humanitarian Intervention, the R2P and RAMSI

The Regional Assistance Mission to Solomon Islands was an intervening force, but one which was invited in by the government of the day and mandated to return security and economic stability to a nation plagued by waring militia and unfettered criminals. Therefore under the conventional understanding, RAMSI was not purely a ‘humanitarian intervention’, however the core of the concept is the protection of civilian population from threats unanswered by the state, and so RAMSI can be understood as primarily humanitarian in nature. One of the central

issues of past humanitarian interventions was the use of military force against a state. In the first stages of RAMSI, an active military presence was needed to re-establish a secure environment and carry out the mass disarmament of the rebel militias. Subsequently, the military has taken a back seat, and now functions as a third tier of security, only called upon in emergency situations like the 2006 riots or extensive security operations as were put in place to ensure no repetition of such violence in the 2010 general elections.

The point here is that RAMSI is a humanitarian mission. A mission that answered a threat to the life, liberty and security of the Solomon Islands people and one which has remained in the country to aid in the process of re-building the state to ensure that this basic human right is not taken away from the Solomon Islands people again, as it was during the 'Tensions' period (1998-2003).

Strengthening sovereignty through aiding the responsibilities that it entails to be upheld by State authorities is a core principle of the R2P. Abiew (1999) argues, as does this paper, that sovereignty and humanitarian intervention are not incompatible. The Responsibility to Protect also presents this logic - the world through this lens observes a cosmopolitan situation of global partnership and assistance for development and security. Under the new framework, the decision to intervene is made from the point of view of those needing support and not those providing it. Provision of protection carries a broader meaning than intervention; implying not just an obligation to react, but also equally important and parallel obligations to prevent and rebuild Acharya (2002: 734).

Following this logic, the central message of this year's World Development Report (World Bank, 2011) is twofold:

1. Some 1.5 billion people live in countries affected by repeated cycles of political and criminal violence – causing human misery and disrupting development
2. To break these cycles, it is crucial to strengthen legitimate national institutions and governance in order to provide citizen security, justice, and jobs – as well as alleviating the international stresses that increase the risks of violent conflict

Observing RAMSI's pillars and associated programs are in line with the logic espoused by the World Bank's report. Clearly the Solomon Islands is an entirely different case to somewhere like Libya, like Syria whose specific issues and geographical context call make any intervention under R2P much more complex and difficult to legitimise. This does not suggest however that R2P will never be able to manifest in a transparent, physical form in such nations, rather that there is certainly no one size fits all form of the R2P to counter the repeated cycles of political and criminal violence. This is especially true considering the central element of the R2P that makes it palatable – the doctrine *reinforces*, not detracts from sovereignty. What we can take from R2P in Solomon Islands is that successes can be had, changes made and the fundamental human rights of people protected in the face of failing sovereignty.

Furthermore, the report acknowledges the downfalls of the current system of diplomatic, security, and development institutions that answer interstate conflict and civil wars. The repeated cycles of instability and in many of today's struggling nations are not well dealt in this framework and thus need the specifics of the R2P need to be integrated. Emphasis needs to be placed on focused assistance on confidence building, citizen security, justice and jobs; reformation of the procedures of international agencies to respond more swiftly; responding at the regional level; and renewal of the cooperative efforts between lower, middle, and higher income countries (World Bank, 2011).

This brings us back to one of the central arguments of this paper, that before any new doctrine such as the R2P can gain weight and legitimacy its application needs to be verified through successful interventions. These interventions must be consistent with the three pillars of the R2P and the specific criteria they mandate, must be legitimate in the eye of constituents by their nature as humanitarian (not invasion for economic gains), multinational in nature and deep enough with a long term commitment so as to truly provide the opportunity to develop a state's capacity to further the goal of prevention and underscore an international commitment to the protection of fundamental human rights. The following chapters present such a case.

CHAPTER 3 – Why R2P? State failure and ethnic violence in Solomon

Islands

Why assistance to the magnitude of intervention was called for in Solomon Islands? Why was there a need for the members of the Pacific Islands Forum to ensure the responsibility to protect in Solomon Islands and in what ways has RAMSI embodied the R2P? This chapter explores these issues as well as the motivations of the intervening nations with an analysis of the motivations of Australia, the dominant power in the Pacific Islands region and leader and chief funder of RAMSI.

An unstable environment, an unable state – reasons for R2P

In 2003 when RAMSI was formed and began its operation, the Solomon Islands was in a state of lawlessness and severe civil unrest resultant of economic hardship and ethnic tensions. Until 1978 the Solomon Islands was a British colony. After gaining independence, charge of the country was left to an ill-prepared local political elite and the years that followed resulted in mismanagement, increasing corruption and deterioration of the economy. As Mayerson (2009: 11) argued, this last factor combined with increasing migration of Malaitan peoples to Guadalcanal, home of the country's capital Honiara, was the catalyst to the civil conflict of 1998. Deep seated ethnic tensions between the Malaitan and Guadalcanal people produced the Guadalcanal Revolutionary Army/Isatabu Freedom Movement (IFM) which in turn provoked the formation of the Malaita Eagle Force (MEF) and drove Solomon Islands into a situation of civil unrest, violence, and guerrilla warfare.

Political and Economic instability

As a former British colony, Solomon Island's political system is based on the Westminster model with a parliament whose members elect the Prime Minister. This and the lack of well established parties, makes it much more fluid than ones such as Australia, despite being based on the same fundamental principles. The resultant frequent votes of no confidence, reshuffling and firing of ministers and high level of corruption has systematically undermined the systems founding principles and led to the development of a weak parliamentary system (Moore, 2008). The institutions that define the modern state were developed during the colonial period, and very poorly at that. It is argued that after decolonisation in 1978 when power was placed in the hands of local officials, weaknesses crept into the system and a culture of corruption developed (Maine, 2010). Within a country where traditional subsistence lifestyles are led by the majority of the population and only 25% are in waged work, power is centralised in the hands of a few and dictated by short term economic gains that degrade natural resources and the long term viability of the economy. Leadership is driven by money and the system abounds in a lack of transparency, responsibility and accountability instead of efficient use of authority in state direction. As Roughan (2010) writes, 29% of funding is in the hands of provinces whereas 71% is controlled by the central government. This disproportionate distribution of power has led to the underdevelopment of rural areas in which 85% of the population live. With such power differentials even within the institutions of government, it is clear that short term economic gains outweigh those of long term growth of sustainable industries and an equitable distribution of resources or delivery of services in Solomon Islands. This is greatly exploited with the dollar diplomacy strategies of Asian nations, most prominently Taiwan, which results in regular siphoning off so called 'constituency aid' to MPs. Dobell (as cited in Moore, 2008) has argued that, specifically, the dollar diplomacy of Taiwan allows the country to exert undue malevolent influence on the political process in Solomon Islands, especially in the case of logging where

timber exports account for 70% of all exports and 17% of all government revenue (*Sydney Morning Herald*, 26 October 2009). The benefits of corrupt actions such as these also serve to continue the practice by sitting members of parliament and thus compound a vicious cycle of the perpetual misuse of state power. With such an unstable political environment, the continuation of RAMSI in a capacity development function falls under the R2P mandate of prevention.

The Governor of Solomon Island's Central Bank, Denton Rarawa, says that the practise of vote buying by most MPs in power leads to a situation where 'the wrong kind of people come in – not because of their merit but because of their ability to buy votes and influence the outcomes of the election – when these kind of people come in, in most cases, they would, be interested in what they can get out of the system not what they can contribute to the system' (Coutts, 2010). He argues that a stable political environment would allow for sound and transparent economic decisions and a subsequent improvement in living standards for Solomon Island citizens. A significant lack of public engagement with the state in the past is cited as a contributing factor to the continued nature of corruption in successive governments (Ronia, 2010).

Added to this unstable environment with a malfunctioning parliament, poor economic prospects and direction, and corrupt practices, is significant ethnic diversity and some deep seated tensions based on ethnic differences. At the start of the 'Tensions' in 1998, the number of Malaitan migrants to Guadalcanal had reached significant proportions, and had created anger and resentment amongst the local Guale population based on land rights, economic opportunities and considerable cultural differences (Boyers *et al*, 2009). With careful and covert political manipulation these tensions were fanned in 1998-99, leading to terrible violence against Malaitan settlers in rural Guadalcanal, unable to be effectively dealt with by an under-resourced and highly compromised police force. In the absence of any decisive action to address this issue or even recover the bodies of those killed the MEF was formed a coup removing the government of the day executed on 5 June 2000 (Boyers *et al*, 2009: 14). Many Solomon Islanders lost their

lives, their homes and their possessions during the period that spanned 1998-2003. The Solomon Island government was unable to protect its citizens from this violence and the collapse of the rule of law, the severity of the situation called for international assistance. The international community had a responsibility to protect.

The deployment of a police led intervention

RAMSI was launched in 2003 at the request of Sir Allan Kemakeza's government and pursuant to the Biketawa Declaration (In July 2000, following coups in two member states, Fiji and Solomon Islands, in May and June respectively, the annual Pacific Islands Forum (PIF) Heads of Government meeting In Kiribati, endorsed a declaration (named after the island upon which they were meeting) establishing a framework for coordinating a regional response to member states in crisis (Boyers *et al*, 2009: 17). Under the Biketawa Declaration, the PIF acts as a mechanism for providing assistance to threatened states by consent of that state's government, therefore qualifying as a viable regional body with the authority to exercise pillar two of the R2P. RAMSI is the first multinational regional mission in the Asia Pacific, with all members of The PIF involved. Prior to RAMSI, in October 2000, Australia had facilitated 'peace talks' between the Guadalcanal and Malaitan militia, resulting in the Townsville Peace Agreement which included the establishment of an Australian led and funded, International Peace Monitoring Team (IPMT) to assess local efforts to monitor its implementation.. A Ceasefire Monitoring Council, chaired by Paul Tovua, was created, and maintained for a time. However the program was unsuccessful in stemming the violence and associated collapse of the state which continued, ultimately leading to the withdrawal of the woefully inadequate 20-member IPMT expected to implement the agreement (Boyers *et al*, 2009: 15).

Mission Structure

As has been discussed in previous sections, the R2P mandates any mission legitimised under its normative framework be long-term and committed to rebuilding the enabling structures of the necessary for long term peace, stability, security and improvement of economic welfare. Each particular case of the R2P, each unique context has its own set of core issues, traditional or pre-existing structures, geopolitical concerns that define the character of a humanitarian mission, not least amongst these the aforementioned difference between a state that is ‘unwilling’ and a state that is ‘unable’ to uphold its responsibilities to protect. RAMSI highlights the nature of two central elements of the R2P as envisioned by former UN Secretary General, Kofi Annan – *Rebuild* and *Prevent*. Regional cooperation, partnership, restoration of peace and committed efforts at capacity development are all part of these processes and can be seen through the RAMSI’s distinct mission structure.

The first stage of the RAMSI mission was to restore law and order through the disarmament of militant groups, bring an end to criminal impunity. RAMSI succeeded in this, with 733 people being arrested and 3700 weapons removed from circulation by the end of 2003. The second stage in which RAMSI continues is primarily as a capacity development mission. Mayerson (2009: 13) has outlined the six distinct projects involved in this as: 1) detailed specification of institutional problems in the Solomon Islands’ law and justice system; 2) community-relationship building measures (winning hearts and minds); 3) identification, mentoring and coaching of key Royal Solomon Island Police Force (RSIPF) personnel; 4) identification of gaps between what the authorities ought to be able to accomplish in an effective and legitimate manner and what they could actually accomplish given present capacity; 5) establishment of transparent institutional processes; 6) development of a meaningful exit strategy. As such these are the goals assessed to be within the capacity of the regional assistance mission, considering numbers, resources, risks, costs.

Australia's Motivations for Intervention – humanitarian?

RAMSI is a mission led by Australia. Its formation highlighted a move to the next level of humanitarian assistance and was a significant departure from Australia's non-interference foreign policy in the region. The mission also demonstrates a movement toward regional cooperation for collective security, with all 15 members of the PIF contributing to the mission. This particular fact helped get the mission off the ground with a significant diffusion of costs. The past eight years has shown that Australia is committed to the long term mission along with the 14 other Pacific Island nations whose contributions reflect their capacities, and has shown considerable leadership as the dominant country in the region. As with any other multilateral intervention, intentions are questioned as to their humanitarian nature and whether a mission is pursuant to the UN Charter and human rights treaties.

- **A Decisive Policy Change**

A key document in analysis of this issue is '*Our Failing Neighbour*' (Wainwright, 2003), the inaugural initiative of the newly established Australian Strategic Policy Institute (APSI), *Our Failing Neighbour* is touted as the document which pushed the Howard government into a new policy direction in the Pacific Islands and in particular in Solomon Islands. Prior to its publication and its eventual manifestation in the form of the RAMSI, a strict policy of non-intervention was followed by successive Australian Governments who took bipartisan cue from the lessons learnt in Vietnam in the seventies. Aid was given to developing nations in the region, but with little forethought to the desired outcomes. Applied to the early years of the Bougainville crisis and the Solomon Islands Tensions, this policy in reality meant mass violence went unchecked by the international community, an arms trade proliferated and lawlessness was able to prevail, right on Australia's doorstep (Wainwright, 2003). The shift symbolised a move away from the absolute respect of sovereignty, to the primacy of human rights and security of

populations. As such, the shift brought Australian foreign policy, as far as Solomon Islands goes, in line with the normative agenda of the R2P.

Only months prior to RAMSI landing in Solomon Islands, the then Foreign Minister Alexander Downer said it would be a great ‘folly in the extreme’ for Australia to intervene in Solomon Islands. Interviewee Mary Louise O’Callaghan stated that ‘I don’t think Solomon Islands rated much attention in Australia’s foreign policy...generally they didn’t start paying attention until it started collapsing’ (10th August, 2011).

There were many who prickled at the conclusion that Solomon Islands was a ‘failing state’ in 2003, yet the APSI document was to be the catalyst to the RAMSI intervention. The introductory chapter states that:

‘Australia faces a new challenge: how to promote our interests in these island territories as they struggle to achieve viability as independent sovereign states in a tough world. Many of them are, to a greater or lesser degree, failing.’ (ASPI, 2003)

The report certainly had a significant impact in Canberra as within months RAMSI was deployed and a long-standing policy of non-intervention was left behind. The tone of the report would suggest that this was largely due to the potential threats to Australia’s national security that might have arisen if Solomon Islands people were left to and to deal with the internal struggles. This is in contravention to the normative agenda that this paper puts forward through the R2P and to the theme that came through from all those interviewed.

The document was written for Australian political audiences in a time when the ‘terrorist’ threat was becoming very real in the eyes of world leaders, mostly as a consequence of 9/11 and the Bali Bombings of 2002. As Allen (2011: 4) wrote, the policy change was in line with ‘broader shifts in the international strategic environment following 9/11’. The Bush administration had

launched the ‘war on terror’ with invasions in Iraq and Afghanistan, and terrorism featured in most daily headlines. The intervention in Solomon Islands may have been driven in part by this new global security threat, yet it was also a decidedly humanitarian mission. Interviewee Mary Louise O’Callaghan stated that Australian national security in the context of declining regional security was the primary motivation for intervention, yet that it did not supersede the humanitarian reasons for intervention (August 10th, 2011). Be the case in Canberra what it may, successive RAMSI Special Coordinators have perceived the mission as a defined by R2P principles, and these views are consistent with the views of a majority of interviewees.

For example, Nick Warner, RAMSI’s first Special Coordinator stated on the day of RAMSI’s deployment that ‘people everywhere have a right to live their lives peacefully, to go about their daily business without threats or violence or intimidation, to have their children educated in schools, to have illness attended to in hospitals and clinics, to have a government that is permitted to govern for the benefit of all people, free from intimidation or coercion by armed thugs.’ (2003). Warner goes on to confirm an essential element of the R2P - the intervening forces are in Solomon Islands to strengthen the sovereignty of SIG by aiding the development of infrastructure necessary for the SIG to be effective in upholding its sovereign responsibilities. Special Coordinator Nicholas Coppel (2011) confirmed that RAMSI’s role in Solomon Islands was to create a safe space, and now to aid the international dialogue on the R2P.

It is the people on the ground, the people that have been with RAMSI and in Solomon Islands for its duration that are best placed to acknowledge the necessity and nature of intervention and its continuance. As Ms O’Callaghan noted – “I had been arguing for an intervention saying ‘they are not going to be able to fix it up on their own, so it’s not going to go away’, and a) we have the responsibility as the most established nation in the region, to use the resources and expertise at our disposal to assist them to get out of this hole” (10th August 2011).

The central normative base that is espoused in these pages is that humanitarian intervention should occur for humanitarian reasons, as soon as a situation in which ethnic cleansing, genocide, crimes against humanity or war crimes, is identified. The people suffering in such a situation should not have to wait for there to be a threat to a country, or a region with resources to provide effective relief. In the Pacific Islands region, Australia has significant capacity to alleviate the suffering of such people as the hundreds of thousands of Solomon Islanders that were affected by five years of bloody conflict, of people fearing for their security, their lives, for any major action to be undertaken. When finally Australia, along with the 14 other member nations of the Pacific Islands Forum came together to create the Biketawa Agreement which mandated RAMSI, a much greater intervention was required. The R2P advocates long term efforts in situations such as the Solomon Islands where political and economic stability is extremely vulnerable to outside forces and manipulation by those in power. RAMSI has been and continues to be informed by a long term agenda of capacity development, of providing those essential blocks that empower a people to further economic growth and political stability within a framework of equitable distribution of resources and opportunity.

Years before RAMSI there were those like interviewee, Ms O'Callaghan who could see that the lack of infrastructure and functioning political system in the Solomon Islands coupled with the long standing ethnic tensions and a worsening economic situation would eventually implode. There had been several requests made by the Solomon Islands Government prior to Sir Allen Kemakeza's request to the Howard government in 2003. This one of the many lessons that can be learned from RAMSI – when warning signs were as clear as they were during the 'Tensions' in Solomon Islands, prolonging a decision to commit a multinational mission such as RAMSI, can mean the difference not only of hundreds of lives lost and tensions further cemented in the fabric of a nation like Solomon Islands, but also on the length and size of the intervention ultimately required. This includes relative costs assumed by intervening nations. Australia may

find itself in a similar situation in the future, especially with ongoing instability in some Pacific Island nations, such as Bougainville, PNG. It is only hoped that more concise and expedient effort is made before the Solomon Islands threshold is reached, and that our leaders respond to requests for assistance before it is too late.

The Foundations of RAMSI -- Operation 'helpem fren'

There are three distinct pillars that inform RAMSI's mandate: law and justice, economic growth, and machinery of government. Under these pillars are a number of different goals that have been part of the successive stages of the eight years the mission has been in existence, and within which capacity development for long term stability and peace is undertaken.

- **Law and Justice**

The law and justice pillar of RAMSI initially involved disarmament, and arrests of the perpetrators of the ethnic violence and other crimes against the state. The next phase after this was building on the peace. In the stages following this, the departments involved have been working to institute a sound, just legal system that pays attention to traditional *kastom* law, but is not defined by it. The work being done with the Royal Solomon Islands Police Force (RSIPF), in partnership with the Participating Police Force (PPF) falls under this pillar and has been one of the most successful partnerships. During the Tensions, many of the RSIP (as the force was then known) were involved in the violence and corruption. In the first year of mission, more than 200 of those officers compromised by their actions during the Tensions were purged from the force, many of them charged and later convicted of serious crimes. The RAMSI partnership has helped develop a more transparent, accountable and capable security force and walking through the streets of Honiara now, you see mostly RSIPF when only a few years ago these would have mostly been RAMSI's Participating Police Force (PPF) personnel. Permanent Secretary of Police, Justice and National Security John Wasi confirmed this fact, and touted the development

of the new RSIPF one of the chief successes of RAMSI. The 2010 People's Survey reported a greater proportion of respondents answered positively regarding the RSIPF, thus indicating the improvements in capacity (ANU Enterprises). This trend was consistent with the previous two People's Surveys conducted. Solomon Islands does not have a military, and thus the island nation's security will be solely in the hands of the RSIPF. Huge emphasis is placed on their role and ability to control all security operations when RAMSI transitions out of the nation. As is widely acknowledged, development and security are irrevocably linked, mutually dependent. Thus a sound security element is an essential part of the 'rebuild' pillar of the R2P, and of ensuring that states have the capacity to uphold their sovereign responsibilities. An issue in regards to law and justice, is how to accommodate and strengthen Solomons' traditional *kastom* laws at the same time as not perpetuating practices that may come conflict with international human rights particularly in relation to gender and human liberty. The complexity of this task can begin to be grasped when it is recognised that Solomon Islands has some 150 different systems of law and justice across the nine provinces.

- **Economic Growth**

The economic growth pillar of RAMSI's long-term involvement in Solomon Islands has seen marked improvements in management of government finances and economic growth, with substantial increases in national revenue. The year before RAMSI came, revenue was at \$258 million; by 2006 it was at \$700 (Batley, 2006). Following this revenue growth halted with the 2006 riots, and the 2008 GFC, yet is now back on track with the Department of Inland breaking through the \$1 billion revenue collection barrier in 2010. GDP growth of 7% between 2003 and 2008 was followed by a decrease of 2.2% in 2009 but must also include population growth rate which finalises growth of SI GDP as a decline of 1.3% a year since 1998 (World Bank as cited in Allen 2011: 7). In attempts to improve this, RAMSI has provided numerous advisors to Solomon Islands Government (SIG), establishing an Economic Reform Unit in the Ministry of Finance

which has spearheaded key economic reforms (including new or amended supporting legislation) of foreign investment processes, State Owned Enterprises and deregulation of Telecommunications working in partnership with the Solomon Islands Government and donors. Significant problems still exist under this pillar however, with forestry revenues on the decline and as yet unfettered nascent mining industry joining destructive cash crops, largely palm oil plantations compared with more sustainable agricultural practices that create many more jobs and do not cause irreversible damage to the environment. For several years many foreign business people have dominated sectors of Solomon Islands economy, using unsavoury and inequitable means to do so. Unsavoury business deals and corrupt practices have manifested in the current state of Solomon Islands economy where sustainable industries and jobs and business opportunities for Solomon Islanders are few and far between. More education and employment opportunities for some of the youth bulge over in neighbouring New Zealand and Australia is a possible solution to this. Allen (2011: 3) argues the necessity for this Pacific labour mobility – preferential access for Solomon Island youth to Australian labour markets in order to give them a way of providing for themselves, and so dampen the tinder of the country’s youth bulge which has proven so combustible. Such skills acquired could be transferred back to Solomon Islands and create a positive growth cycle, and remittance used to provide living essentials for families in an increasingly urbanised environment. One of the outcomes of the 2011 Pacific Islands Forum was an increase in the migrant worker program which allows Solomon Islanders to do this.

Plagued by corruption and continually challenged by the country’s scattered geography and high population growth rate - 2.3 % per annum - the economic future of Solomon Islands is one of the most challenging aspects of the nation’s stability, with the forecast 2015 collapse of the logging industry expected to cause a fiscal crisis and exacerbate existing socio-economic grievances. The issue of land tenure was touched upon by several of the interviewees, including Jane Lake and

Sir Peter Kenilorea who commented that in terms of the Solomon Islands economy, it is the most problematic element. With no formal legal rights for most traditional, customary land across the nine provinces of Solomon Islands is unbounded and this causes many issues. The economic situation in Solomon Islands conforms to Tilly's analysis of State sovereignty that perpetuates 'merchant capitalism' practices and the control over resources to further the accumulation of power (1985). Therefore, this particular pillar of the RAMSI intervention stands on shaky ground and may prove to be a factor to undermine state capacity in sovereign responsibility.

- **Machinery of Government**

The third pillar of the RAMSI intervention is the machinery of government. A transparent and accountable government framework is central to the functioning of a stable and democratic nation. A fluid political system such as that which characterises the Solomon Islands government is not one which can effectively manage a nation facing high unemployment rates, continued ethnic tensions, constant power struggles and foreign business influences, in themselves a corruption influence.

As noted, before the RAMSI intervention, the machinery of government had all but collapsed. As the first Prime Minister of Solomon Islands, Sir Peter Kenilorea, noted - 'of course the situation that caused RAMSI to come to Solomon Islands was such that the most, if not almost all, the development institutions and institutions of govt had collapsed as it were. And they have been doing great work in that respect now, in strengthening institutions and operation of government' (9th August 2011).

One area in which RAMSI has been particularly successful is in the restoration of sound financial and macroeconomic management through its work in the Solomon Islands Ministry of Finance (Allen, 2011: 7). This may seem questionable considering the state of Solomon Islands economy, yet the changes that have been made since the 'Tensions' period are substantial, and

without the transfer of knowledge and efficient management practices, Solomon Islands would be in a far more dire state. In terms of financial assistance, 30% of education expenditure, 50% of health, and 90% of development expenditure provided by RAMSI, bilateral and donor programs (Allen, 2011: 10).

RAMSI advisers are located within the Solomon Islands Government systems, not apart from them. All RAMSI advisers and in-line personnel are answerable to their respective Solomon Islands supervisors, Permanent Secretaries and Ministers. And it is the Solomon Islands Government that has the final say in policy decisions, including government expenditure. For instance experienced RAMSI economists have been working with Department of Finance and Treasury to develop and implement economic reform to drive economic growth in Solomon Islands. Reforms are considered by Cabinet and must also be passed by Solomon Islands Parliament. Solomon Islands Minister for Finance and Cabinet have the power to reject reform proposals, and have done so on occasion (George, 2007: 4). Authorities maintain that they are enhancing, not detracting from or impeding on, sovereignty of the Solomon Islands which is line with the R2P framework which seeks to enhance sovereignty, not overpower it.

Due the inability of the Solomon Islands state to protect its citizens from the widespread ethnic violence that was taking place with no end in sight, the R2P was certainly warranted in Solomon Islands, and is still valid in terms prevention through building institutions such as described above. These preventative efforts all seek to reaffirm sovereignty of the state and ensure that it has the capacity to protect its citizens from all manner deprivation to life. RAMSI's successes in terms of protection lie in its considerable successes in the first stage of the mission, and in its maintenance of security over the past 8 years, with the exception of the 2006 riots. The long term protection of civilians will be decided by the success of capacity development efforts and the reconciliation process. The elements defining RAMSI and Solomon Islands future are discussed in detail in the next chapter.

CHAPTER 4 - REBUILD and PREVENT: successes and failures of RAMSI

FOCUSSING ON THE LONG TERM

Humanitarian intervention under the R2P is legitimised by long term commitment through capacity development to prevent the crimes which once occurred, from occurring again. Part of this process is the institution of the essential structures needed to provide agency to the individual. This process needs to involve several areas that are essential for providing stability and security. Most important amongst these are security, economy, and provision of essential services such as health and education. Providing the state with the capacity to provide these services is an overarching element crucial to the success of all others. Undertaking these tasks is essential to the prevention of future atrocities occurring and for the stability of the state, functioning in its duty to protect.

As part of this thesis, interviews were conducted in Solomon Islands with local politicians and dignitaries, and RAMSI personnel. This section presents the views and perspectives of these people, well informed to comment on the workings of RAMSI in Solomon Islands, the reasons why R2P was applicable and the nature of the missions continuing presence. As this thesis seeks to show the normative importance of the R2P and to emphasise the need for long term commitments to nations like Solomon Islands, the information given by these interviewees is invaluable. The Solomon Islands case was one in which the state was *unable* to protect its citizens, and this particular aspect combined with the relative size of Solomon Islands allowed a long term intervention committed to underscoring the State's sovereignty with the capacity to uphold its responsibilities.

RAMSI and the R2P

‘The international community must know, and it does, that good governance and the welfare of the people of all nations is a duty that must call for a sense of mission and duty. Those who know, those who enjoy, those who have greater choices and opportunities, must help those who do not’

These are the words of distinguished SI politician Sir Fr. John Ini Lapli, who contributed to the ASPI report that motivated a policy change within Canberra that led to RAMSI. This statement’s sentiments have been embodied by RAMSI in its efforts to build capacity in Solomon Islands, particularly through the three pillars it focuses on. These pillars are in line with the R2Ps mandate of rebuilding and preventing future collapse of institutions. The third pillar of R2P is about building the institutions and capacities of a nation to take care of the country and its people and provide the opportunities necessary for agency. In other words, to embody the notion of sovereignty as responsibility. Second Special Coordinator for RAMSI, James Batley (2006) described sovereignty as:

‘...sovereignty is not just about having the ability to pass laws. It’s also about the capacity of a nation to enforce those laws. Sovereignty is not just the ability to announce government policies. It’s about the capacity of a nation to implement those policies and to pay for them. Sovereignty is not just about having local personnel occupying key positions; it’s ensuring they are effective in those positions. Sovereignty is not just about being an independent country, having a flag and a national anthem. It’s about winning the respect and the cooperation of other countries.’

As this paper has emphasised, the R2P works with sovereignty and is an effort to establish the responsibilities of States to protect their citizens from grievous harm and circumstance as far as they have the capacity to do so. It places primacy on the human being, rather than on the state and the sanctity of absolutist sovereignty.

Law and Justice, Economic Growth, and Machinery of Government, as discussed in the previous chapter, are the three central pillars of RAMSI, the programs involved judged to have prospects for success. Beneath these pillars lie a myriad of different issues and themes that run through the literature that surrounds the intervention, and the words of those interviewed as part of this project. These aspects of RAMSI serve to highlight the successes of the intervention, as well as the issue areas and aspects that determine what will need to be done in the future. As such these elements highlight the aspects of the mission that RAMSI has had the capacity to deliver, and those that it hasn't.

- **HUMANITARIAN INTERVENTION OR INVASION?**

RAMSI is unique in that it is a police lead, multilateral regional (all members of the PIF involved) mission with a military element that is only there to provide security for the police and other personnel and to be called upon in emergencies like the 2006 riots. Day and Freeman (2005: 141) described this as the new operational model for peacekeeping – policekeeping. They argue that this needs to integrate military assistance, rule of law, domestic institutions, and local civil society. The operation must integrate a participating police force such as that of RAMSI, into local system and employ structural assistance to all aspects of the internal security architecture of the developing state. Eventual transfer of authority and operational responsibility to local police forces must occur, but in a phased and careful manner (Day & Freeman, 2005: 141). RAMSI is now moving into the transfer of authority phase, and the opinion of interviewees was that the partnership between the PPF and RSIPF has been very successful, and has built the capacity to the RSIPF significantly.

RAMSI does not have the 'military' air of previous peacekeeping and humanitarian missions that have been conducted globally. As Major Alistair Mitchell confirmed – 'the primary role of that we (the military contingent) have is to support the PPF.....what we do on a day to day basis is to

be ready and be on standby for any higher level and higher risk events if they were to occur' (August 9th, 2011). When asked what was the primary reason that troops considered themselves in Solomon Islands for, he commented that 'from the perspective of the contingent and the soldiers it's about their support for the Solomon Islands first and foremost and having a stable environment here' (August 9th, 2011). This would lead the observer to conclude, as far as the military contingent goes, that the mission is about humanitarian assistance, not an aggressive foreign security agenda.

Similarly, the term 'invasion' is synonymous with extracting wealth and resources from the intervened nation. Second Special Coordinator for RAMSI James Batley confirmed the contrary in his speech to the Honiara Campus of USP in 2006:

'The idea that Australia or other participating countries are here simply to take advantage of Solomon Islands economically, or to dominate the country, is frankly ridiculous. The Australian economy is two and a half thousand times larger than the Solomon Islands one. This is not meant disrespectfully but to put some perspective into this particular issue. To be honest there are much easier ways for Australians to make money.'

A second aspect that confirms the humanitarian nature of RAMSI is the fact that it was invited in by the Solomon Islands Government under the leadership of Sir Allen Kemakeza. RAMSI was further legitimated by the Facilitation Act that was passed by Solomon's National Parliament allowing RAMSI to undertake the tasks mandated under the three pillars, within a distinct partnership framework. This partnership framework has allowed for many of RAMSI's successes. As RAMSI Development Coordinator Jane Lake (August 6th, 2011) confirmed, RAMSI may have started as an intervention but evolved into a true partnership for development. Ms Lake identified this as in line with what is called the ACCRA and OECD PARIS declaration on aid effectiveness. Essentially the understanding that for development to work effectively it

has to be led by the country itself, so any programs a partnership country institutes should be with the goal of empowering the people to lead development.

RAMSI is a long-term intervention, mandated to assist Solomon Islands in the many processes of state-building, and to help enable the capacities necessary for the government and people effectively direct and distribute the wealth of their nation, and to uphold their responsibility to protect.

- **NATIONAL UNITY**

The lack of national unity in Solomon Islands was one of the central issues raised by a majority of interviewees and remains a significant challenge in the process of creating lasting peace and stability. The Solomon Islands is a group of almost 1000 islands, more than 1000 of them inhabited with extensive ethnic and linguistic diversity. The distance that separates the different ethnicities, both physically and culturally, has perpetuated a lack of a cohesive and meaningful national identity. This has led to situation in which division and separation characterises much of the public realm in Solomon Islands. Fraenkel wrote that ‘allegiance of Solomon Islanders to the state was, and remains, less strong than self-identification with separate provinces, islands, regions or wantoks’ (2003: 182). Without a cohesive sense of the whole, what reasons would Solomon Islanders have to invest in their country?

A product of this is the lack of a ‘social contract’ between the people and the state, which is an agreement that the government will act in the best interests of the people at all times. Benjamin (2009: 44) argues that the state exists because of a social and political contract among the sovereign people that gives the state its internal legitimacy. Due to Solomon Islands fragmented nature, with little sense of national unity, this has been difficult to achieve, and is something that RAMSI has had little success inspiring. With a greater sense of a cohesive whole, and a greater investment in the nation’s future, issues like greater government accountability may be pushed

by popular support. There is an existing Leadership Code Commission (LCC) in Solomon Islands, yet the 2010 People's Survey (ANU Enterprises) indicated that 66% of the population had never heard of it, and a majority of those who had did not know what it did. Sir Peter Kenilorea stated that the nation's young people need to be taken out of their comfort zones, their insular communities that unwittingly reinforce the fragmentation of the nation. His solution to this was a simple, yet potentially extremely effective one – boarding schools (August 9th, 2011). The problem with this, as Sir Peter noted, was that it would take a considerable amount of resources to achieve, resources that the Solomon Islands simply does not have, and which would take a more transparent state system to achieve – one unshackled by the demands of Wantokism.

- **POLITICAL WILL – WANTOKISM?**

A major issue in Solomon Islands is the lack of sound economic leadership by the Solomon Islands Government. As discussed in a previous chapter, extractive industries like logging, mining and cash crops dominate the economy of Solomon Islands. These industries are owned by foreign business people who pay their way through the paperwork to get the permits and land necessary to undertake these kinds of economic activities. For example, as interviewee Jane Lake (6th August, 2011) commented, the Gold Ridge Mine outside Honiara will provide some economic growth for the country, yet it won't create many jobs or improve the economic welfare of many Solomon Islanders. More sustainable industries like cocoa plantations as opposed to the dominant and destructive palm oil plantations or mines would be far more likely improve the welfare of a great number of people. Such economic direction and creation of sustainable industries are not directed by the Solomon Islands Government, which leads to little sustainable economic development.

Interviewee Ms O'Callaghan (August 10th, 2011) observed that according to the latest People Survey, Solomon Islanders had found the last election (2010) to be the most corrupt they had

experienced. This resulted in the election of a government unwilling and unable to make the policy changes necessary for a more accountable administration. Traditional wantok practices, rather like familial clientelism and preferential treatment, perpetuate corruption and unequal distribution of resources. Fraenkel (2003: 10) has noted the pervasive cronyism that runs throughout the Solomons political elite, with benefits extending to insiders and *wantoks* rather than redistribution throughout society and pragmatic investment. The functioning of Solomon Islands Government through cash handouts can best be exemplified through the ‘check book diplomacy’ used during the Tensions period, with the manipulation of custom rife throughout society – custom remoulded, selectively styled and redefined to meet new circumstances (2003:11). This is in line with the argument that Solomon Islands was never truly a functioning nation-state, that its democratic systems have never really taken root but been virtually strangled from within. Post colonial parliaments expanded the stage for ‘big men’ - indigenisation of introduced institutions, ministries became intertwined with personal patronage systems (2003: 185).

The question that emerges from this is whether the very elements of Solomon Islands that generated a need for intervention will be the Achilles heel of the mission and on a broader scale the R2P?

- **A CULTURAL DIVIDE?**

Paying attention to local customs and the way in which the society functions, as well as integrating local strengths into the programs being carried out in terms of nation building is very important to the success of an intervention such as RAMSI. The multinational make up of RAMSI ensured that there were participating forces from neighbouring Melanesian and Polynesian countries with similar cultural norms. This was important to the process of mission

localisation, and acceptance by Solomon Islanders as it effectively diluted what could have been perceived as a somewhat 'colonial' profile.

A reality of RAMSI however is that the largest contributors to the mission are not the neighbouring island nations but Australia and New Zealand. In light of this fact, clashes and misunderstandings due to cultural differences would be expected to occur, especially in the initial stages of the intervention. Despite a few interviewees indicating that there had been a few misunderstandings of this nature, across the board in answer to the question of whether there have been many cultural barriers faced between Solomon Islands people and RAMSI personnel was that if problems had occurred then it was an issue of personal agenda and particular personalities rather than cultural norms differing. As Sir Peter noted there have been 'cultural misunderstandings sometimes....otherwise there is no deliberate breach of sovereign understanding' (August 9th, 2011).

The recently released People's Survey 2010 reported that a majority of the Solomon Islands population support the presence of RAMSI, and that a majority of people believed that law and order had improved or stayed the same in the last year (ANU Enterprises). This is in line with the two previous People's Surveys conducted in Solomon Islands. However according to Moore (2008) RAMSI has experienced significant difficulty in the past in its efforts to coordinate projects with the government of the Solomon Islands, especially when Manasseh Sogavare came to power (2006 – 2008) off the back of the 2006 riots. Cultural ties often override legal stipulations due to the different epistemology in Solomon Islands. The characteristics of the Melanesian social structure are the practice of subsistence agriculture; recognition of bonds of kinship with important obligations extending beyond the immediate family group to local and clan loyalties that far outweigh regional or national affiliations; and a strong attachment to the land. Observing these characteristics it becomes clear that if RAMSI is to have any real influence

in the political process in Solomon Islands it must consider culturally relative stipulations and work within the system – localise intervention.

The conclusion drawn from this particular reality of Solomon Islands is that for true and lasting change to happen in Solomon Islands then it needs to come from within, and that a happy medium must be found between the modern and the traditional. This middle ground also needs to be stable enough to prevent the manipulation of custom from directing national development.

- **EMPOWERMENT or DEPENDENCY?**

With any foreign involvement in the development of a country, but particularly one as intrusive as an intervention such as RAMSI, there is always the danger that that country will become too dependent on aid and fail to develop the capacity to stand on its own feet when the interveners eventually leave, as RAMSI will one day. Part of the process of rebuilding to stabilise a nation and providing the infrastructure necessary to prevent a relapse into the circumstances which destabilised the nation, is giving agency to the people, empowering each and every person to create their own livelihood, and sustain life.

This notion of empowerment was most succinctly put by Sir Peter Kenilorea who stated that ‘let us not create this dependency....on what Australia or New Zealand have been outside of Solomon Islands...we should be helping ourselves, should be helping them to help us’ (August 9th, 2011).

Sir Peter thus acknowledged that while the international community had the responsibility to protect Solomon Islands people, the Solomon Islands government holds the responsibility to make sure that this is not in vain, and that a situation of dependency is not developed.

Another significant element of empowerment is progress toward gender equality, an area that holds significant development potential, but has a long way to go in Solomon Islands. Programs like Muhammad Yunus’ Grameen Bank which is a microfinance venture that provides loans to

women in developing countries has had immense success and highlights the potential of investment in women in developing countries. The 2010 People's Survey of Solomon Islands reported that women were less likely to feel safe in their community; women were mostly obtained money through informal employment such as market activity amongst other findings. Instituting microfinance programs like that of the Grameen Bank, and pushing for women to attain seats in Parliament could potentially bring many positive returns for Solomon Islands in the long term. Development Coordinator Jane Lake confirmed this argument, referring to a study conducted in India, she stated that 'the more women have control of their own lives, and the more educated they are, the better you are as a community as a whole' (August 6th, 2011). Investment in human opportunity, as Ms Lake called it, is essential in terms of prevention.

Investing in people, in health and education is essential to improving economic welfare, and providing the freedoms, the opportunities for people to make choices about the substantive direction of one's own life. This logic of welfare economics is central to a state's responsibilities regarding its citizens and the social contract that governs this. The governing body of any democratic nation is empowered to provide basic services to its citizens, and to provide the economic opportunities for individuals to create livelihoods.

- **LOCALISING INTERVENTION – TRUE PARTNERHIP**

A final element to discuss, as has been mentioned previously, is the vital importance of localising intervention. The APCR2P (2009: 8) noted the importance of engaging and integrating civilian expertise. The reasons they articulate are fivefold: 1) to provide conflict-sensitive development analysis to ensure that development assistance ameliorates rather than inflames existing tensions; 2) indigenous mediation capacity to find internal solutions to problems; 3) to facilitate inclusive and participatory processes of dialogue about contentious issues; 4) local dispute resolution capacity; and 5) the capacity to sustain and grow new capacities.

The Australian Centre for Peace and Conflict Studies at the University of Queensland recently conducted a study in Solomon Islands titled ‘Working with Local Strengths: Supporting States and Interveners to Institutionalise the Responsibility to Protect’ (2010). As the title suggests the study focused on understanding how local strengths could be utilised effectively in the peace building process, and intern how the intervention could truly be localised and capacity for stability ingrained in society through partnership. The authors of the report of the study stated that ‘local actors are at the front line of conflict management, prevention and the provision of peace and order so are crucial players in the implementation of R2P, particularly in situations of limited state capacity’ (Brigg & Brown, 2010).

Localising intervention is an essential element of any R2P intervention such as RAMSI, which seeks not only to bring security back to a nation, but to help in the process of capacity development so that the atrocities which sparked the intervention in the first place are not doomed to repeat. The next stages of RAMSI will be about this transition – handing over more power to local bodies and Solomon Islands agencies and slowly decreasing the numbers that make up RAMSI. The goal of transition is to create the space for more opportunities for local actors to step up and take the lead in ensuring the state upholds its responsibility to protect.

The current Solomon Islands Government Permanent Secretary responsible for RAMSI, Paul Tovua is a perfect example of the importance of and value in engaging local strengths. He has been given the task of informing Solomon Islands people, across the entire nation, about what will happen next as RAMSI transitions. A former Speaker of the National Parliament, he was co-chairman of the National Peace Council which laid the foundations for RAMSI with the work done across the islands after the 2001 Townsville Peace Agreement. Mr Tovua (August 10th, 2011), indicated that many of the local population are frightened by the prospect of RAMSI leaving, as they fear a return to the violence of the Tensions period if RAMSI were to up and leave. Yet interestingly, he has noted a generational trend in that many of the youth of Solomon

Islands are seeing the necessity and the opportunity in this, just as many of their elders are not. Theoretically, working with and drawing upon local strengths is what will enable a nation to maintain stability in all areas of national governance and thus the State's responsibility to protect.

Has RAMSI succeeded? What elements of the mission can inform the progress of the R2P?

RAMSI been extremely successful in bringing peace and a secure environment to the Solomon Islands, and has had significant successes in creating the infrastructure necessary for long term stability. The chief motivation for analysing RAMSI in such detail is to extract from this the successful elements of the mission that can be transferred to future humanitarian exercises of the same nature and to identify mistakes made and opportunities missed, so that these can be avoided in the future. Similar analyses of RAMSI have been done in the past by the Asia Pacific Centre for the R2P (APCR2P) and McMullen & Peebles (2006). The APCR2P (2009: 4) noted the five operational lessons to be learnt from RAMSI as 1) rapid deployment of civilian, military and police; 2) definite capacity required to fulfil mandated tasks; 3) different components of mission must be closely integrated; 4) capacity development is a crucial but long term endeavour; 5) international engagement can provide effective assistance to states. The centre further articulated lessons under the umbrella of prevention, arguing that it was not only the best form of protection, but the cheaper option as far as monetary costs go (according to the Carnegie Commission's 1997 report on Preventing Deadly Conflict), and the most effective way to enable partnerships that help strengthen states. They also emphasised the importance in utilising civilian strengths and in establishing early warning mechanisms.

In a similar vein, McMullen and Peebles (2006) articulated lessons learnt from RAMSI as 1) interventions must be multilateral; 2) they must display overwhelming force so as not to be

challenged; 3) interventions must be deep (i.e. committed to rebuilding all elements of State function); 4) the intervened society must be ready for intervention; 5) financial resources must be secured for intervention before it is conducted. They note that failure to intervene early enough, as RAMSI is criticised as doing, can lead to an unnecessary escalation of conflict and costs of intervention, as well as arguing that an effective state apparatus, one that is transparent and accountable, that gives citizens a stake in their society, in the system, must be constructed. They also confirm the necessity of UN sanction in future interventions, and recommend the construction of a permanent Pacific Peace & Security Centre, as well as a permanent Pacific Peace Monitoring Group which together may allow for prevention of conflict through a regional framework that promotes economic development and early warning mechanisms to ensure minor disagreements do not become major human rights catastrophes. The crucial challenge they note, will be how Australia with its Pacific neighbours can better promote the R2P in the Pacific, working with the international community to give effect to it globally (McMullen & Peebles, 2006: 17).

In terms of mistakes made, interviewee Mary Louise O'Callaghan stated that – 'most of the issues are still there.... to protect is one thing, and to prevent is another. I don't think RAMSI has done that for a number of reasons. For example land and reconciliation, the concept of how that is a problem and what the solution might be are a bit beyond the people who drive RAMSI because it is really an issue for the indigenous people of this country.....lessons get learnt by someone in RAMSI but they take those lessons home and they don't get passed on' (August 10th, 2011).

Whilst the land issue remains one for the government of the Solomon Islands to address, the reconciliation process has been greatly aided by the Truth and Reconciliation Commission (TRC). Corallie Ferguson of Solomon Islands Media Assistance Scheme (SOLMAS) stated that – 'because of the work we are doing we interface with a lot of RAMSI programs, we can see the

work they are doing and the benefits that the Solomon Islands is getting. But sometimes it is two steps forward and one step back’.

Noting these, there are several other lessons that can be taken from RAMSI to inform the future application of R2P.

LESSONS:

- 1) As Allen (2011) noted, one of the most important elements of such a mission as RAMSI exemplifies, is to maintain a mindset that enforces the long-term nature of intervention so that the people and the processes involved can undertake the tasks necessary in the most efficient and appropriate way. This also involves the transfer of knowledge between RAMSI personnel regarding the programs and processes of the mission. Continuity of purpose and goals needs to be maintained if any significant progress is to be made.
- 2) Localising intervention is crucial to the long term success of R2P missions, and helps build empowerment and overcome some cultural barriers. As Sir Peter Kenilorea stated, Solomon Islands people must not slip into a condition of learned helplessness from RAMSI's presence – ‘we must help them help ourselves’.
- 3) Investment in social capacity and economic opportunity builds stable legs upon which the nation can stand, giving the people more stake in the society and its progress which they are certainly desiring. With such enabling processes, comes enforcement of elite integrity and a state that is willing to uphold its responsibilities.
- 4) Policekeeping – After an initial display of force to achieve a secure environment, a police led intervention helps dispel the ‘invasion fear’ that has plagued other humanitarian interventions.
- 5) Creative diplomacy – encouraging greater interface and communication across Solomon Islands to aid the crucial reconciliation process.

As one official noted, RAMSI is part of the furniture in Solomon Islands, and as the transition phase is conducted, the enabling architecture will need to remain. One sure conclusion that can be made is that RAMSI embodies many of the principles that the R2P advocates. RAMSI focuses on capacitating the State and on bringing opportunity to the nation's population, and is committed to long-term, yet not permanent, effort, as the past eight years has shown. RAMSI is committed to bringing the conditions necessary for a return to stability, peace and a growing economy in Solomon Islands, and has avoided impeding upon sovereignty. By this notion it embodies the R2P and is an example of what the international community can do with collective action and consensus such as was found at the 2005 UN World Summit. The operational lessons learned (long term mindset, continuity of purpose, sufficient resources, clear humanitarian mandate, localised partnership framework and enabling social capacity, multinational commitment, policekeeping), if transferred can inform cases of similar size and scale and give weight to the doctrine through successes. With the momentum that can build with such cases, the doctrine may be able to provide a mechanism for answering 21st century conflict cycles. The establishment of the R2P as a decisive norm through this process may lead into a new era of greater international consensus on state responsibilities to protect the human rights of citizens across the globe.

CONCLUSION

'Everyone has the right to life, liberty and security of person' (A3, UDHR)

This paper has attempted to analyse the Responsibility to Protect and whether the doctrine has a future in the workings of the international system as an effective mechanism for conflict resolution and for consensus on issues that surround violations of life, liberty and security of person. Through the lens of the Regional Assistance Mission to Solomon Islands, the issue areas as well as the positive functioning of the R2P in action has been analysed and discussed.

Many issues still exist in relation to the application of the R2P. Firstly, it is an attack on the *absolute* nature of sovereignty, instead shifting focus to fundamental human rights and the *responsibility* of states to ensure they are protected. Secondly, the international community has so far shown inconsistent application of the concept, with questions to its viable operationality in the varying conflict contexts across the globe. Thirdly, the issue of international authority remains in discussions of whether the R2P can become a legitimate source of customary law and normative instruction. Finally, there remains a potential for abuse of the doctrine by states with unsavoury motivations for intervention.

Despite these issues, all of which are founded and deserve attention, the R2P holds significant potential and there can be optimism for the future of the doctrine. Part of this optimism comes from successful contemporary humanitarian interventions like RAMSI, which has been shown to embody the principles of the R2P in its conduction and various programs. Most significantly, RAMSI shows a commitment to prevention in its long-term nature and focus on capacity development and partnership. This is what has truly defined RAMSI as an intervention, an assistance mission rather than invasion such as the recent decade has seen in Iraq. RAMSI is not without its issues, as interviewees noted some of the underlying causes of the 'Tensions' are still to be addressed, and could again rise to the surface. Corruption is still endemic and the economic

direction uncertain. Yet these must not detract from the important changes the mission has instituted, and the protection and provision of fundamental human rights that the mission has facilitated. RAMSI has shown that a police led intervention that is defined by true, stable, sustained partnership with local authorities and integration into local systems of government can produce significant results. In other words, localisation of intervention allows for more effective and efficient processes for the delivery of humanitarian aid and for building the blocks of a nation that provide the stability, security, and opportunity that a developing country needs. There is much work still to be done, but these lessons must be learned and transferred to future instances where an R2P mission such as RAMSI will be needed.

RAMSI is relatively small scale case, and one in which the government was unable to protect its citizens. Moving from small cases such as this to cases in which the powerful, abusive and unwilling state is will demand an R2P that holds greater normative standing and operational capacity. With the more successful the cases, the more likely the norm is to be established, expectations to develop and the society of states to feel compelled to respond.

Humanitarian Intervention remains an unwelcome necessity, as Benjamin (2009) notes, with the failure of states to abide by their sovereign responsibilities to protect their citizens, and with power struggles at both the domestic and international level. It is a reality that many of the other nations that need humanitarian assistance in such a form as RAMSI has given, have more complex issues surrounding them and the political expediency of an intervention is extremely difficult. Are the successes of missions like RAMSI enough? Enough to shift the foreign policy of states toward involvement in humanitarian assistance in line with the principles of the R2P, when violations of human rights are occurring? Will the international community and individual states commit to long term assistance which is necessary for capacity development and the prevention of future atrocities and sustained civil unrest? Peace is a choice that must carry

greater incentives than war, and the international community has the responsibility to ensure that this is a reality.

The conclusion of this study and analysis of the ways in which the RAMSI embodies the principles of the R2P, is that despite the many issues that still surround global conflict resolution and complex peacekeeping efforts, successful undertaking of humanitarian intervention can occur and the R2P can progress as a norm in the international system and as an impartial mechanism for conflict resolution, building a culture of prevention. There are many elements that have contributed to the successes that RAMSI has had, and its failures can be recognised and lessons drawn for the progression of R2P and its application beyond the Pacific Islands. It is certainly acknowledged that geopolitical, social, and cultural specificities of different conflict areas present very different challenges for the application of R2P and its consistency, as well as considerable issues of international political will and consensus, yet the outlook remains positive from this author's point of view. The successes of RAMSI can be transferred to other contexts in the future, and primacy can be put on the protection of each individual's right to *life, liberty and security of person*.

APPENDICIES

APPENDIX 1:

Universal Declaration of Human Rights – Relevant Articles

Article 2 - *Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.*

Article 8 - *Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.*

Article 13 (1) - *Everyone has the right to freedom of movement and residence within the borders of each state.*

Article 17 (1) - *No-one shall be arbitrarily deprived of their property*

- Civilian homes, land, possessions are often destroyed in missile fire, or burnt down by rebel groups in situations of civil conflicts that necessitate international humanitarian assistance. In Solomon Islands, many homes were burnt down when the warring Malaitan and Guale rebel militia (MEF & IFM) were at the height of the conflict.

Article 22 - *Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality*

- Human security and provision of essential economic freedoms and opportunities are crucial to sound, stable and sustainable development of any nation.

Article 25 (1) - Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

- Transparent, accountable and capable governing officials and structures are tasked with the provision of such services, essential to sustaining life and improving wellbeing of citizens

Article 26 (1) - Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

- Education provides agency and drives awareness. It gives people the capacity to contribute to the development of a modern economy, and to question unsound government practices

Article 28 - Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

- The international community has the responsibility to act in a timely and decisive manner to assist states in their responsibilities to protect the life, liberty and security of person, of each individual

APPENDIX 2:

Speech by Current RAMSI Special Coordinator Nicholas Coppel

Building the Capacity to Protect: The work of the Regional Assistance Mission to Solomon Islands

Nicholas Coppel, Special Coordinator,

Regional Assistance Mission to Solomon Islands

Wednesday, 22 June 2011

Eleven years ago this month, (on June 5, 2000) armed gunmen - consisting of both police officers and civilian militants - took over the streets of this capital, forcing a democratically elected Government from office, affectively ‘collapsing’ the rule of law and with it the capacity of the sovereign state of Solomon Islands to protect its citizens.

Most of you here today know, and indeed many of you lived through, what happened from this point on. Even after parliament had ‘elected’ a new national government, without a functioning police force to enforce the rule of law, the capacity of the state to protect or even provide for its citizens, continued to erode as increasing lawlessness led the country to near economic collapse.

In 2003, at the request of the then Prime Minister of Solomon Islands, Sir Allen Kemakeza, Australia agreed to fund and form with all other member states of the Pacific Islands Forum, a Regional Assistance Mission to work with Solomon Islands people, its governments and institutions to help rebuild the capacity of this state to protect and provide for its citizens.

RAMSI, as it is now known, is made up of two important partnerships which define both the shape and the overarching goal of the mission. The first of these is the partnership of the Forum states, which as the contributing countries provide the personnel that make this a truly regional mission. It is through this regional partnership, that RAMSI can be seen to be fulfilling the commitment of the international community to assist states in meeting their obligation to protect, in this case the citizens of Solomon Islands.

The second and equally important partnership that defines us is our partnership with Solomon Islands. RAMSI has always been predicated on the assumption that working together, the

mission could and should assist the Solomon Islands to rebuild its capacity to protect and provide for its citizens.

I was pleased to see that the full title of the project that has produced the framework being launched today is “Working with local strengths: supporting states to build (the) capacity to protect” for that, in a nutshell, sums up the overarching goal of RAMSI, to work with the people, governments and institutions of Solomon Islands to help create a space safe enough that Solomon Islanders could re-engage more effectively in the business of state building than was possible during the period of conflict here known as *The Tensions*.

The research that has been done as part of this project in Solomon Islands is valuable and much of what has been set out in the framework of engagement reflects RAMSI’s own experience over the past eight years of working in partnership with the Solomon Islands.

RAMSI is a unique initiative, never before attempted by the countries of our region or elsewhere for that matter. The mission’s commitment to assist Solomon Islands goes well beyond simply creating a stable environment and strengthening the capacity of the security sector, to a much broader commitment to assist Solomon Islanders in their efforts to strengthen the functions of the state in areas such as economic management and good governance. This was an ambitious but very deliberate decision, reflecting the unanimous views of the Pacific Island Forum Leaders that the mission should assist Solomon Islanders to address the fundamental causes of their nation’s near collapse and not just be a ‘quick-fix’ focused on security.

This was new territory for all involved and has of course been a learning experience for all, Solomon Islands and contributing countries alike. I am sure my predecessors, RAMSI’s four previous Special Coordinators would agree, that we have learnt as much, if not more, from our failures and omissions as we have from our successes. What I do know is that we have always worked hard to try to ensure that the mission is transparent and accountable both at the national and at the village level.

RAMSI has always recognised that in addition to the government, the police and other state institutions, local actors such as women leaders, youth leaders, churches, chiefs and their communities, non-government organisations and the media are important partners in the process of rebuilding the capacity of the state to protect its citizens. Identifying and drawing on the strengths of these local actors has been an important part of how the mission has sought to give meaning to its work in Solomon Islands.

In the first year of RAMSI, when the mission was new and its make-up and mandate not widely known or understood, the then Special Coordinator, Nick Warner, and Commander of the Participating Police Force, Ben McDevitt, personally devoted a large amount of their time to travelling throughout the country's nine provinces in order to consult face-to-face with the communities and their leaders whom they were seeking to partner in building peace.

But probably one of the best and earliest examples of the mission's recognition of the value of working with local actors and building on their strengths can be seen in the very close partnership that RAMSI enjoyed with the National Peace Council from the outset of RAMSI deployment on 24 July 2003. With its strong local leadership, headed by its chair, the highly respected national leader, Paul Tovua and its network of peace monitors in every province, the National Peace Council, proved to be the perfect local partner for RAMSI's Participating Police Force, in their drive to rid the country of the guns that had so undermined the nation's stability. Importantly and quite uniquely for those times, the National Peace Council had established credibility locally as a neutral body that was above the ethnic, criminal and other rivalry and divisions that had fractured the country's politics and peace. In return the Participating Police Force, backed by RAMSI's military contingent, provided the very real security and protection required if the National Peace Council was going to be able to do their work safely. This combination of the protection afforded by an international force combined with the local networks and local knowledge of a neutral and credible local body proved to be a hugely successful formula resulting in the collection and destruction of more than 4000 high powered weapons and firearms in the first year of the Solomon Islands-RAMSI partnership.

Now, seven years later, this partnership has moved to the point where together we are planning for Solomon Islands to more fully reassume primary responsibility for providing for and protecting its citizens. As part of this process, we have been holding intensive consultations with groups of key local actors such as women leaders, chiefs, church leaders and youth. Known as *Wakabaot Toktoks*, these consultations have sought to explore the issues, the possible complications and the opportunities that the transition of the Solomon Island-RAMSI partnership may create for local actors and their communities.

For in order to assist in building the capacity of our Solomon Islands partners, we have also had to inform and educate ourselves not only about their strengths but also about the challenges involved. It has been our experience, for instance, that the traditional mechanisms for peace building and conflict resolution are not so widely known nor understood by many in the

country's diverse communities. So while many speak about a desire to incorporate and meld traditional systems into those inherited more recently at Independence, there is a gap between this desire and the knowledge of how this might be achieved. To this end, RAMSI is supporting the World Bank's *Justice for the Poor* program which is working with the Ministry of Justice and Legal Affairs investigating and mapping the different types of traditional justice systems in use across Solomon Islands. It is only when we have a clear understanding of what is culturally in place that donors and government will be able to sensitively and productively engage with these traditional justice systems.

Having said this, RAMSI's own recent experience has shown the value of drawing on traditional mechanisms for resolving conflicts, even if the community needs to be led through a renewed knowledge of these traditions by their own leaders. Last year following the very first fatality of a Solomon Islander in the history of RAMSI's deployment, which occurred during a joint RSIPF-RAMSI operation, we sought immediately the advice of the deceased's community on the most culturally appropriate way to express both our regret and sympathy. In this we were very fortunate to have at our disposal both the Assistant Special Coordinator, Masi Lomaloma, a highly experienced and respected Fijian public servant who has now served with RAMSI for the past five years as well as Solomon Islands Permanent Secretary responsible for RAMSI Affairs, Paul Tovua, an equally experienced and respected senior Solomon Islands leader that I referred to earlier. Together these two men were able to seek out from those leaders in the grieving community, the relevant traditional knowledge to guide our interactions, to ensure that we drew on the most culturally appropriate mechanism for moving forward without conflict. I believe Masi will discuss in more detail how this was achieved during this afternoon's discussion.

Another example pertinent to the need to recognise both local strengths and weaknesses can be found in the work we have been doing and continue to do with the Royal Solomon Islands Police Force (RSIPF). In recent years this work has focused on building both the capacity of individual officers as well as the institution itself. Soon RAMSI will begin withdrawing personnel from the some of the 13 provincial police posts that we are currently supporting throughout the country. This is largely as a result of the much improved capacity of the local police but it is also, in part, recognition that while RAMSI's role was to help create a safe space. After nearly a decade, it is also time to make sure that we do not continue to occupy too much of that space ourselves.

Recognition that there are actors within local communities with the strength to occupy some of this space, particularly in the area of maintaining public order, is partly what has informed

RAMSI's strong support for the RSIPF's pilot Community Officer program which assists communities to nominate their own representatives or *community officers* to deal with petty crime and social disorder at the village level and act as liaison point for the police. This project which builds on an earlier concept of *area constables* that worked effectively in the decade following independence, has been embraced enthusiastically by many communities and hopefully will be able to be expanded further. It is but one example of where a local strength has been identified to assist in addressing a weakness in the state's capacity to carry out more conventional modes of policing, and in particular the economic reality that the RSIPF cannot be expected to maintain a permanent presence in all of the hundreds of islands that make up this nation. I believe there are others here today who will talk later about this in more detail.

Finally, if I could commend the efforts both of the researchers and the local participants that have contributed to this important research, in bringing together the international dialogue on the Responsibility to Protect to Solomon Islands door. We have eight years of first-hand experience to share about this unique attempt by the countries of the region to *Helpem Fren*. I look forward to today's discussions and the insight they might provide not only for those of us in RAMSI but also those in Solomon Islands and in the international community who are now going to be building on the work we have done thus far.

APPENDIX 3:

Programs External to RAMSI

1. The Truth and Reconciliation Commission (TRC) that was launched in 2009 by Bishop Desmond Tutu. The commission draws upon, although is not exclusively modelled on, the South African TRC. Its process involves taking statements, holding public hearings in which both victims and perpetrators tell their stories, exhumations and investigating statements in an effort to bring dignity back to the victims, and heal the wounds left from the conflict without causing more tension. The TRC focuses on examination of human rights violations and writing a history of what happened during the Tensions.
2. The communications for development program that is run by the Solomon Islands Media Assistance Scheme (SOLMAS) is one amongst several programs that seek to integrate the isolated communities across the some 100 inhabited islands that make up the country, as the Peace Council did during the 2001-2003 period. Communications for Development aims to assist NGOs to bring awareness to the remote areas with no access to other methods of communication. It is hoped that through this program, the transfer of information that it facilitates, will bring behaviour change so that citizens are aware of such health issues and how they are contracted.

APPENDIX 4:

Strategies for Structural Prevention (Mayerson, 2010: 18)

- Democracy as a Protective Factor, Supporting Nations Transitioning to Democracy
- Economic Growth and Economic Stability
- Development Assistance
- Good Governance
- Strengthening legal protections and judicial systems
- Security Sector Reform
- Fighting Corruption
- Promoting Civil Society and Civil Institutions
- Educating for Tolerance
- Programs to Combat the Political Manipulation of Ethnic Tensions
- Promotion of Human Rights
- Develop the Capacity of the United Nations to respond to potential R2P Crimes
- Develop the Capacity of Regional Organisations to contribute to prevention
- Deterrence as a Form of Prevention

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Interview 8 – Paul Tovua: Co-Chairman of National Peace Council (10th August 2011)

Interview 9 – Sir Allen Kemakeza: Former PM, Current Speaker for Parliament (10th August 2011)

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