

# The Role of Stable Small States in Implementing the Responsibility to Protect

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## The Role of Stable Small States in Implementing the Responsibility to Protect

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### 1. Introduction

*"Like the sun the great powers will, by their very existence, radiate gravitational power. But if there are many suns then the smaller planets can, by judicious balancing of pulls and counter-pulls, enjoy a greater freedom of movement..."*

**Sinnathamby Rajaratnam**, 1973 speech to the Asia Society in New York

The responsibility to protect (R2P) was unanimously recognised and accepted by the international community at the 2005 *World Summit*. The concept acknowledges responsibility for the international community to, through appropriate means, protect populations from war crimes, ethnic cleansing, genocide and crimes against humanity. Since the endorsement of the norm, focus has shifted to the crucial question of implementation; considerable scholarship has since accumulated addressing the ways in which the R2P can be translated from rhetoric into practice.[1] However, other than on middle powers like Canada or Australia, opinion is scarce on the roles particular groups of state actors can play in the agenda. This paper is based on the observation that, in responding to R2P crisis situations within the past five years, smaller nations have arguably played a secondary role to the major world powers, either merely following their initiatives or not acting at all.[2] This is despite them today 'enjoy(ing) more international prestige and visibility than at any other time in history[3] and is sharply discordant with the R2P's 'collaborative and inclusive' ideal.[4] In this paper, I seek to establish that stable small states, as Sinnathamby Rajaratnam so eloquently opined, can and indeed should transcend their smallness and limits to play truly instrumental roles in implementing the responsibility to protect. This is a distinct opportunity that, whilst realistically will not be embraced by all stable small states, can nevertheless be harnessed to great potential. In Section II, I address the definitional issues surrounding stable small states, in Section III, I present the bases for action by stable small states and in Section IV, I advance five strategies that stable small states can employ to furthering the R2P agenda.

### 2. Definition of Small Stable States

The concept of small states, despite having been debated for decades, remains poorly defined. As 'countries can be small in one sense and not in another',[5] there is 'no internationally established or academically agreed upon definition of the "small state"'.[6] This is despite there being an 'abundance of characterizations, rationales and proposed definition.' [7]. Whilst most scholars approach the concept by linking size to specific quantitative characteristics, others have either defined size based on qualitative perceptions of states[8] or skirted the definitional issue altogether.[9] Contemporarily, quantitative criteria for identifying small states include the size of a state's population, [10] physical size, [11] economic strength [12] and military might. [13] Qualitative approaches typically consider the abilities [14] behavior [15] and self-perception [16] of states to determine smallness.

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There is a distinct category of small states with clear capacity to implement the responsibility to protect. I propose that this category be identified by a fresh term of '*stable small states*', where stable small states are:

States with a population of under 10 million and which rank above the 75<sup>th</sup> percentile globally for 'Political Stability and the Absence of Violence' under the World Bank's World Governance Indicators. [17]

This composite characterisation of stable small states includes two criteria: size and stability. The former is considered because a state's population is the best indicator of size. This is not just because it is the 'most widely used quantifiable criterion for state size', [18] but also because population data is readily available, because it allows for the line between small and larger states to be drawn with precision, and because it largely correlates with other indicators of state size such as economic strength and military might. [19] Flowing on, countries with much potential to contribute to R2P operationalisation like Austria, Switzerland, Denmark, Finland, Singapore, Norway, UAE, Ireland, New Zealand and Qatar have populations of fewer than 10 million. Whilst recognising that setting an upper limit for small state populations is an arbitrary process, a cut-off population of 10 million would best serve the purposes of a definition for the current purposes as it would include a fair number of potential R2P state actors while excluding traditional R2P proponents like Canada and the UK and middle powers like Australia.

Next, the criterion of stability would delimit the ambit of stable small states to states that are not likely to be potential subjects of the R2P themselves. After all, it is axiomatic that states that are politically stable are the ones best positioned to act for a purpose beyond themselves, like the R2P agenda. Annually since 1996, the World Bank has published the 'Kaufmann-Kraay-Mastruzzi Worldwide Governance Indicators' which ranks states on a percentile based on six measures of governance. [20] Of the six, 'Political Stability and Absence of Violence' *prima facie* has the greatest bearing on the R2P, it is the most patent indicator of stability and is thus used as a criterion for delimiting stable small states. This indicator also incorporates the advantage of contemporary relevance as it is updated annually. A necessarily arbitrary, but categorically fair, cut off of the 75th percentile on this indicator would include within the proposed definition countries like Iceland, Monaco and Slovenia whilst excluding states that may be subject to R2P-related scrutiny, such as Serbia, Guinea and Georgia. Additional delineators are deliberately disregarded as they would add little value to the definition and to keep the definition lean and functional. Based on current 2009-2010 data (see Annexe A), 46 out of the 193 nations of the world fall within the ambit of 'stable small states'. Stable small states thus presently constitute a significant 24% of the world's states; this underscores the importance of research on their capabilities and potential.

### 3. Bases for Action by Stable Small States

#### *Benefits to Small Stable States in contributing to the R2P agenda*

Two primary factors affect stable small state involvement in the R2P agenda; this subsection will examine the benefits to stable small states when they do so and the following will consider the stable small states' abilities to play significant roles in the agenda. On benefits, it is recognised that 'the most important single central fact about a free market is that no exchange takes place unless both parties benefit'. [21] There are indeed, however, significant advantages for stable small states where they do more for the R2P agenda.

#### The Prima Facie Strategic and Humanitarian Cases

Contributing to the R2P agenda offers strategic benefits to stable small states. One such benefit is that it would facilitate stable small states in establishing themselves in niche areas of expertise. Specialising in the niche of R2P implementation can allow stable small states to more substantively and efficiently contribute to change internationally than if a diversified approach is taken. Should practical efficiency in exerting influence not be regarded as a sufficiently desirable end in itself, Leonard [22] further argues that 'ruthless prioritisation' accords a nation 'greater visibility than its size warrants'. This means that taking more proactive roles in operationalising the responsibility to protect would allow stable small states to accrue greater international recognition and prominence for themselves.

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In active participation in the responsibility to protect, stable small states would also be furthering a humanitarian end. The R2P agenda, in its fundamentals, upholds the right to life [23] and decries the imposition of arbitrary suffering; it embraces the commonality of our humanity. Engagement in and with the agenda would thus allow stable small states to be true stakeholders in the moral and normative imperatives underlying the R2P.

## The Humanitarian-Strategic Nexus

It is the nexus between the abovementioned two classes of reasons, however, that arguably offers the most compelling incentives for stable small states to play proactive roles in the R2P agenda. As the 'responsibility to protect represents a moral appeal in advocating the prevention of and end to human suffering', [24] playing an instrumental role in its furtherance would accord significant moral capital to stable small states. Participation would, in essence, provide key state actors 'compelling and legitimate public relations material' and allow their leaders opportunity to 'define relations with the broader community in ways that yield benefits' for all involved. [25] Public policy focus on the responsibility to protect would also stir domestic interest in the agenda and related fields.

## *Ability of Small States to contribute to the R2P agenda*

To every disadvantage, there is a corresponding advantage'; [26] despite their size, stable small states *can* meaningfully contribute to the responsibility to protect agenda as they have unique capacities that larger nations lack. Firstly, the perception of small states as being less intimidating vis-à-vis larger powers accords them the invaluable trait of perceived neutrality. Small states, by their very lack of size, are viewed as having less power ambitions and controversial vested interests in particular outcomes in the international arena. This renders small states well poised for roles such as mediators. [27] Notably, Jayakumar [28] observes that small states tend to be called to the role of the 'impartial chairman in multilateral institutions or negotiations'. Stable small states having such an image would have capacity to influence change in the international arena in ways that larger powers cannot. Relatedly, stable small states may also be able to amass and maintain credibility with greater ease than larger nations. The internal solidarity that Katzenstein [29] observes in small states can plausibly be attributed to them tending towards more streamlined, unitary forms of government as opposed to federations with inter-provincial tensions. Internal solidarity correlates with policy consistency, which contributes to building credibility and maintaining international standing. Furthermore, minor policy blunders of small states also naturally attract less international media attention and civil society censure than those of major powers like the USA. Such comparative advantages in credibility place stable small states well in being honest brokers [30] in the R2P agenda.

Further, small states generally enjoy a level of flexibility, political and otherwise, that larger nations lack. Thorhallson [31] observes that small states tend to have a more narrow range of interests. That being so, they are more able to devote their resources exclusively to these select few objects rather than diluting their efforts chasing multitudinous ends. Katzenstein [32] attributes this to small states enjoying internal solidarity and external flexibility. Such flexibility would clearly apply with increased pertinence to stable small states, and would be able to be channelled to implementing the responsibility to protect. Additionally, in international and transnational organisations and institutions with fixed voting systems where each state gets a vote, stable small states also enjoy voting capacities disproportionate to their size. [33] As will be examined later on in this paper, especially taking into account the fact that there are currently 46 such states, this may be of particular relevance to UN Security Council and UN General Assembly dynamics.

With these traits, stable small states can be effective in 'bridge-building' roles. [34] To adapt the words of Galbreath and Lamoreaux, [35] it is only patent to surmise that stable small states are well poised to be bastions, beacons and bridges between nations in implementing the responsibility to protect. In the 2009 General Assembly Debates on the Responsibility to Protect, stable small states like Ireland, New Zealand, Singapore, Luxembourg, Slovakia and Sweden have indeed expressed commitment to implement the responsibility to protect. Also during the Debates, other stable small states like Monaco and Iceland have expressed their support for the responsibility to protect and the three-pillar approach to its implementation. In the next section, five areas in which such stable small states can effectively contribute to implementing the responsibility to protect will be canvassed. These areas are in preventive diplomacy, alternative dispute resolution, Security Council influence, good governance and norm advocacy.

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Together, they will demonstrate the potential for stable small states to be instrumental actors in the R2P agenda.

## 4. Strategies for Action by Stable Small States

### *Preventive Diplomacy*

This section advances the proposition that stable small states are particularly well placed to be competent champions to the practical prescience of preventive diplomacy in potential R2P crises. Prevention is fundamental to the R2P agenda; in the ICISS Report, it was said to be the R2P's 'single most important dimension'.<sup>[36]</sup> Particularly in relation to genocides and mass atrocities, prevention has been advocated to be of primary importance as it 'is cheaper in all respects, almost always easier, and more morally defensible'.<sup>[37]</sup> Prevention is also emphasised in paragraphs 138 and 139 of the World Summit Outcome Document.<sup>[38]</sup> Preventive diplomacy is defined as 'action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur'.<sup>[39]</sup> With the object of preventing conflicts from emerging, escalating and spreading,<sup>[40]</sup> preventive diplomacy in a crisis situation can constitute bilateral, multilateral or unofficial efforts 'to pressure, cajole, arbitrate, mediate or lend "good offices" to encourage dialogue and facilitate a nonviolent resolution of the crisis'.<sup>[41]</sup>

Whilst recognising that preventive diplomacy is not universally supported by stable small states, stable small states are regardless well suited to engaging in preventive diplomacy efforts. This is because they are more likely to exhibit the trait of impartiality which contributes to their credibility and, concomitantly, the likelihood of success in preventive diplomacy. The involvement of (stable small state) Switzerland's Henry Durant Centre for Humanitarian Dialogue (HDC) in conflict management in the Indonesian province of Aceh<sup>[42]</sup> is illustrative of this proposition. In January 2000, the HDC initiated the facilitation of dialogue between the leaders of the conflicting Government of the Republic of Indonesia and the Free Aceh Movement (GAM). This was done by the organisation of confidential talks in Switzerland between the parties. By May, the dialogue achieved the signing of a Joint Understanding for a one month Humanitarian Pause in Aceh, which provided for, amongst other things, 'security modalities to assist reduction in the levels of violence and tension'.<sup>[43]</sup> By early 2001, the HDC had contributed to the establishment of two independent monitoring teams (Humanitarian and Security) to assess levels of compliance to the agreement, representatives of both parties had agreed to establish 'mechanisms for finding lasting solutions to the conflict' and a moratorium on violence was implemented.<sup>[44]</sup> Despite new obstacles to the peace process arising in the middle of 2001, the HDC's continual work with the local actors can be said to be instrumental to the conflicting parties agreeing to engage in another round of dialogue in Switzerland by February 2002.<sup>[45]</sup> These talks and their genesis of a joint statement in May 2002 formed the foundation for the latter 'Preparatory Conference on Peace and Reconstruction in Aceh' and the signing of an Agreement stipulating the establishment of a Joint Security Committee for Aceh.

Preventive diplomacy is most effective when it is timely, credible, applied coherently, and not misconceived and thereby misconstrued by any relevant party. Reflective of its Swiss nationality, the HDC identifies as one of its key strengths and reasons for success in Aceh its 'political independence and impartiality that is valued by belligerents in third parties'.<sup>[46]</sup> This suggests that stable small states, being small, impartial and more likely independent in the global political arena, may be able to contribute more effectively than larger states which tend to be more involved in international power politics. Such traits essentially contribute to credibility, and with credibility, the representatives of stable small states may gain additional leverage in terms of persuasiveness.<sup>[47]</sup> Also, stable small states' tendency towards internal policy consistency provides them with the capacity for the clear, unambiguous communication of policy that is so vital for successful preventive diplomacy.<sup>[48]</sup> The less intimidating fronts that stable small states present will also contribute to their preventive diplomacy efforts being better received by belligerents and less likely misconceived or misunderstood. As such, stable small states have particular capacity to conduct preventive diplomacy with the 'strong foundation of trust and confidence among the parties involved' and the 'basis of neutrality, justice and impartiality'<sup>[49]</sup> that are so fundamental to such operations' success.

Lastly, the HDC's convening of confidential talks in Switzerland in the Aceh crisis also demonstrates the potential for

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stable small states to engage in the quiet diplomacy aspect of preventive diplomacy. Quiet diplomacy encompasses 'discreet and discrete'[50] attempts at 'negotiation, mediation and critical dialogue'.[51] In the context of the responsibility to protect, such communication 'away from critical public and media scrutiny'[52] may be particularly 'persuasive in changing regime behaviour'[53] in early-stage conflict prevention[54] as they incorporate an accommodative aspect to negotiations and are more likely to be perceived as bona fide attempts at resolving issues. Such may well weigh significantly in convincing regimes to rescind from engaging in conduct that may lead to genocides and mass atrocities. The same factors of timeliness, credibility, coherence and perceived impartiality mentioned above would aid stable small states engaging in quiet diplomacy attempts to prevent the escalation of potential R2P crises. In summation thus, the preventive aspects of the responsibility to protect have significant potential to be practically operationalised where stable small states are cognisant of and leverage on their advantages for the conduct of preventive diplomacy. Slovakia, which in the 2009 General Assembly Debates on the Responsibility to Protect professed its full commitment to all three pillars of the implementation of the responsibility to protect and proclaimed that it 'feels very strongly about the importance of prevention'[55] is just one of many stable small states that could contribute materially to the implementation of the responsibility to protect through astute engagement in preventive diplomacy.

## *'Alternative Dispute Resolution'*

The practice of alternative dispute resolution techniques like mediation, conciliation and arbitration by stable small states can also present great potential for the operationalisation particularly of the preventive aspects of R2P. Clearly, such techniques have inherent capacity to be applicable to ethnic conflicts, intractable conflicts and violent conflicts.[56] Mediation consists of a third party facilitating resolution to a dispute between parties. The judicious use of mediation has helped broker the resolutions of disagreements the world throughout.[57] An example of successful international mediation occurred in 1992-1993, when Norway facilitated negotiations between Israel and the Palestinian Liberation Organization which led up to the eventual signing of the 'Declaration of Principles on Interim Self-Government Arrangements'. These negotiations were conducted over a series of 14 meetings held in Oslo, Norway, between Israeli and Palestinian delegations in the backdrop of the official 'Madrid Negotiations' in London and culminated in the signing of the Declaration by Shimon Peres, Foreign Affairs Minister of Israel in August 1993. Jan Egeland, Secretary of State of Norway, has suggested four reasons for the success of Norway in its facilitative role. He intimated that:

(1) Norway had a smaller bureaucratic machine which allowed it to decide on facilitation and implement this decision in a short period of time; (2) Norway's foreign policy was coherent and consistent; (3) Norway had a relatively independent international position, not being under any economic or political obligations. This contributed to its impartiality as a facilitator. (4)

For a small country like Norway, it was easier to keep the process in secret.[58]

Stable small states are particularly suited to facilitating mediation in potential R2P crises because they generally exhibit most if not all of the above-mentioned traits. Related to mediation is the occurrence of conciliation. Conciliation involves the building of trust and the fostering of cooperation, and increases the likelihood of successful mediation. According to Moore,[59] conciliation is 'essentially an applied psychological tactic aimed at correcting perceptions, reducing unreasonable fears, and improving communication to an extent that permits reasonable discussion to take place and, in fact, makes rational bargaining possible.' For the same reasons enunciated above, stable small states would similarly have greater proclivity to be effective conciliators than larger powers.

On a parallel note, localised alternative dispute resolution centres in stable small states have immense potential to contribute their expertise to averting responsibility to protect crises. Singapore has recognised the influence it can wield through alternative dispute resolution and taken steps to promote proficiency in it. The Singapore International Arbitration Centre (SIAC) and the Singapore Mediation Centre (SMC) have garnered recognition as pre-eminent centres of their kind in Asia since they were formed in 1991 and 1997 respectively. In Sweden, the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) is similarly recognised as 'one of the most important and frequently used arbitration institutions worldwide'.[60] A far cry from the population sizes of their constituent

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countries, as national arbitration centres, both the SIAC and the SCC rank amongst the top five in the world in terms of arbitral caseloads.[61] Though these centres primarily cater to business and commercial matters, it is inconceivable why such expertise cannot be used in the international arena in the context of averting responsibility to protect crises. Indeed, former UN Special Envoy Tommy Koh has suggested that the SMC expand its scope of operations to encompass international mediation.[62] In potential responsibility to protect crises, the specialised knowledge and deft negotiation techniques of mediators and/or arbitrators from such centres may contribute much towards international efforts aiming to prevent such situations from escalating. Coming from stable small states, such experts would also be more likely to be viewed as impartial than would experts from major powers like the USA. As such, to practically operationalise the responsibility to protect, stable small states may consider engaging in the following: the facilitation of preventive mediation themselves, the expanding of the capacities of their domestic alternative dispute resolution centres to engage in dispute resolution involving potential conflicts, and the commissioning of their individual expert mediators and arbitrators to facilitate preventive negotiations in potential R2P crises.

## *Security Council Influence*

Stable small states that have a term in the UN Security Council enjoy real opportunities to 'lift the national game and perform at the global level and achieve an impact which is disproportionate to actual size'.[63] Such occurrences are common. Security Council membership data since 1966, when the current formulation of membership was instituted, suggests that there is an 80 % likelihood that there will, at any relevant time, be at least one stable small state on the Council (see Annex B).

A threat to the implementation, particularly of pillar three, of the responsibility to protect lies in the potential for UN intervention initiatives to be vetoed in the Security Council. This was identified as early as 2001 by the ICISS as the problem of 'capricious use(s) of the veto'.[64] The use, or threatened use, of the veto power has in the past stymied UN sanctioned intervention in situations of escalating genocides or mass atrocities. This occurred in Rwanda in 1994, when 'several P5 members, notably France, the UK and the US, used their influence during the Council's private deliberations to prevent the deployment of a reinforced peacekeeping operation in the first few weeks after the genocide began'.[65] Similarly, during the Kosovo crisis in 1998 and 1999, the threat of the Russian and Chinese veto resulted in a failure of the NATO members in securing a Chapter VII resolution authorising forcible intervention. The NATO members then had to settle for Resolution 1199, which merely 'defined Yugoslav activities in Kosovo as a threat to the peace under Chapter VII of the UN Charter'.[66] Recognising the crucial nature of this difficulty, the 2009 Report of the Secretary General, *Implementing the Responsibility to Protect*, urged the permanent five members of the Security Council to 'refrain from employing or threatening to employ the veto in situations of manifest failure to meet obligations relating to the responsibility to protect';[67] this may be said to be the 'responsibility not to veto'.[68] It is worth noting at this juncture that, though there are five unilateral vetoes held by the P5 in the Security Council, the Council's rules also provide for a sixth, democratic veto as no resolution or part of a resolution can be adopted without nine affirmative votes.[69] An example of such a veto in action was in 2003, when a draft resolution proposed by the US and the UK to authorise the invasion of Iraq was withdrawn after it failed to attract the necessary nine votes.

Stable small states may have particular capacity to prevent intervention initiatives from being vetoed as their credibility (through a perceived impartiality, specific R2P expertise or otherwise) adds to their capacity to be of influence.[70] 'Not being much of a "power"', they also 'invite less polarised reactions'[71] and are more likely perceived as 'honest brokers'. As such, stable small states may be better able to more persuasively frame R2P implementation measures as being neither attempts at Western imperialism nor attempts at the imposition of Western values upon the global community. Council members (particularly those of the Eastern bloc) could thus conceivably be more receptive to R2P-related agendas, negotiations and proposals by and of stable small states than to those of major powers like the USA, which may be viewed as incursive proclamations of a Western hegemony. It becomes particularly crucial for stable small states to be aware of such capacities and to leverage on them to initiate positive action to mitigate veto possibilities in R2P circumstances, especially where the P5 members themselves 'don't have any very good ideas or they find themselves checkmated within their own domestic bureaucracies or as between each other'.[72]

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One practical strategy stable small states can utilise to reduce the likelihood of a veto is agenda setting. Agenda setting encompasses the gaining of influence over an agenda and the shaping of it 'through efforts to bring a particular issue to the forefront, push for a particular problem definition or introduce new ideas'.<sup>[73]</sup> During the Rwandan genocide, for example, such was achieved on 29 April 1994 by (then) Council President New Zealand, through the efforts of its ambassador, Colin Keating. Keating believed that if the Security Council was to admit that what was occurring was genocide, the states that had signed the 1948 Convention on the Prevention and Punishment of Genocide would be legally bound to act.<sup>[74]</sup> He wanted the killing in Rwanda to be given its rightful name – genocide.<sup>[75]</sup> His efforts, supported by Argentina, Spain and the Czech Republic, resulted in a statement including the paragraph:

The horrors of Rwanda's killing fields has few precedents in the recent history of the world. The SC reaffirms that the systematic killing of any ethnic group, with intent to destroy it in whole or in part constitutes an act of genocide as defined by relevant provisions of international law. . . the Council further points out that an important body of international law exists that deals with perpetrators of genocide.

While Keating's efforts were in vain on this occasion, they do highlight the potential value of agenda setting. As such, by the timely, appropriate and assiduous setting of either the responsibility to protect itself or R2P-related issues like prevention, capacity building, early warning and humanitarian response to R2P crises onto agendas at the United Nations, stable small states can render opposition to the R2P agenda more politically untenable and, concomitantly, less likely.

Another strategy that stable small states can employ as a multiplier to their own persuasive capacities is the astute use of group formation and coalition management. The cooperation of states with similar ideologies or goals operates to 'increase the influence of each over outcomes'.<sup>[76]</sup> Such was done in the Security Council in 1994, when elected members New Zealand, Argentina, the Czech Republic and Djibouti forged amiable working relationships and essentially constituted a network of members 'who would back up each other', 'especially if one was opposed by a P5 member'.<sup>[77]</sup> Such arrangements intensify pressure on major powers to comply. Concomitantly, where a stable small state member in the Security Council has the backing of a globally significant bloc of nations (e.g. the Non-Aligned Movement), it could also wield disproportionate influence over a permanent member's decision; this may just be sufficient to prevent the use of a veto over a R2P intervention.

Lastly, it is notable that for the purposes of compliance with 'the responsibility to not veto', it is not necessary for a permanent five member to vote 'yes' to a resolution furthering the R2P agenda; an abstention would suffice as one would not stymie the said resolution's passing. On 31 March 2005, Security Council Resolution 1593, which referred the case of Darfur to the International Criminal Court, was passed with abstentions from permanent members China and the United States. An abstention allows a permanent member to not block a resolution whilst simultaneously making its 'moral or political objections' to it clear;<sup>[78]</sup> to comply with a 'responsibility to not veto' whilst withholding approval for a particular approach to implementing the responsibility to protect. To advance the R2P agenda in the Security Council in the face of a P5 veto threat then, the undertakings of stable small states may in reality be less onerous than garnering the active support of a P5 member; they need only convince the permanent member to abstain.

On analysis, therefore, an astute awareness of their negotiating capacities coupled with adroit applications of diplomatic strategies like agenda setting and coalition management will allow stable small states to exert positive influence on other members to further, or at least not impede, the R2P agenda. Actively doing so is only sensible. After all, in the words of the Colin Keating, Executive Director of Security Council Report,

My experience is that a small state, which does its homework, which is professional and focused, which is balanced and fair minded and transparently applies the same standards to each of the P5 and all of the regional groups, which absolutely shuns grandstanding but is always unafraid to speak the truth as it sees it, will get much more respect from the P5, from friends and allies and from wider constituencies such as the NGOs, than a Council member which chooses the passive option.<sup>[79]</sup>

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## *Good Governance*

The elusive gossamer thread of good governance is, in the words of Gareth Evans,[80] 'at the heart of effective long-conflict and mass atrocity prevention'. Governance is the process of governmental decision making and implementation and it is 'good' where it is 'representative, responsive, accountable, and capable'.[81] Mayersen[82] identifies three vital constituents of good governance that operate to prevent genocides and mass atrocities. They are: legal system robustness, security sector reform and corruption management. Stable small states by definition are states that have made significant headway into the quest for good governance and as such have great potential to be exemplars and guides for others. Where they do so, the dual benefits of bolstering both pillars one and two of the responsibility to protect accrue.

In seeking to advance the R2P agenda, stable small states may draw pertinent lessons from the example of Singapore's export of the 'Singapore Model of Development' through the Singapore Cooperation Programme (SCP). Under the auspices of the SCP, Singapore provides a broad base of technical assistance to developing countries in the form of idea transfer through bilateral programmes, joint training programmes in collaboration with other developed countries or international organisations like the World Bank, Initiative for ASEAN Integration Centres, study visits, and scholarships. Areas of idea transfer under the Programme include corruption management, disaster management, financial management, legal system frameworks, public administration, public housing, and public security, amongst others. Since 1992, the Republic has trained over 68 000 officials from 169 countries under the Programme.[83] As a further testament to the Programme's international reach and influence, a Nigerian participant has explicitly written in an anti-corruption journal that '[L]ike Singapore, Nigerian leaders should strategically focus on three related areas of legislation, enforcement and adjudication as a package' as it is 'easier to have a good clean government, and a good clean system, than for an anti-corruption agency to clean up a corrupt government and a crooked system'.[84]

Though the SCP did not have in its genesis the goal of operationalising the responsibility to protect and even now does not consider that one of its aims, it nevertheless has the practical effect of mitigating preconditions to mass atrocities and genocides as it promotes good governance worldwide. For one, the strengthening of legal systems reduces the probability of violent aggressor impunity, reduces the prevalence of discriminatory legislation and increases the rate of ratification of international conventions and the enactment of protective legislation like domestic Bills of Rights.[85] The improvement of accountability and regulation of police, military and other security forces, furthermore, 'may be one of the most direct and effective means of removing the capacity to commit atrocities'[86] and lastly, the combating of corruption upholds the rule of law[87] and averts the subversion of governments from within.[88] Essentially, all of these are effective in the structural prevention of mass atrocities.

Such transfer of governance expertise from stable small states is not just effective, but also affordable to implement. By illustration, Chong[89] points out that between 1999 and 2008, the SCP's annual budget has remained well under 0.2 per cent of national GDP and argues that 'the S\$105.9 million set aside for participation in international organisations and the Cooperation Programme in 2008 alone speaks of a very efficient shoestring aid policy'. This is because knowledge transfers can be easily accomplished with government study missions and workshops. All that are needed are visionary instructors and willing learners and the primary expense would be merely travel costs. By contrast, the aid budgets of most developed nations run into the billions. When one fully appreciates the fact that this relatively low-budget programme of one stable small state has spread and influenced 68 000 officials internationally, one inevitably contemplates the crystalising possibility for weaving a truly global tapestry of good governance if and when other stable small states institute congruent programmes. Patently, this possibility concords well with broad stable small state opinion in international fora; in the 2009 General Assembly Debates on the Responsibility to Protect, the Representative for Luxembourg, a stable small state, expounded that '(m)y country is convinced that investing in training programs on ... good governance will be beneficial in the long term.[90]

## *Norm Advocacy*

Stable small states have much potential to be vanguards in the further advocacy of the responsibility to protect norm. This could contribute to the bolstering of international political will for the implementation of the responsibility to



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protect and simultaneously make its opposition more untenable. The practice of norm advocacy aims to convince another to share one's normative convictions.[91] A responsibility to protect norm advocate would thus be an actor 'strongly committed to' the responsibility to protect agenda, and 'ready to invest energy in promoting' the agenda to 'shape the behaviour of others'.[92] According to Bjorkdahl,[93] the successful norm advocate should possess 'diplomatic, rhetorical and pedagogical skills, moral authority and legitimacy', and moral authority and legitimacy accrue when the advocate 'acts as a forerunner and complies with the norms it propagates'.

The United Nations General Assembly is a particularly suitable springboard for R2P advocacy by stable small states. The General Assembly is the primary forum for international norm development with respect to R2P.[94] An illustrative example of R2P norm advocacy occurred in the July 2009 General Assembly Debates on the Responsibility to Protect. Numerous stable small states there effectively employed the technique of framing, knowingly or unknowingly, to advance the responsibility to protect's normative capacity and weight by couching the idea in a way that 'resonates with the audience and fits with the existing normative framework'.[95] Despite his reservations over the practical exigencies of implementing the responsibility to protect, perhaps the best illustration of such from the debates came from the address of Mr Al-Shafi, the representative of Qatar. He opined there that:

No one could object to the noble foundations and aims of the principle of the responsibility to protect. The solidarity of human beings with their fellow rises above political, racial, ethnic and religious differences, and is one of the noblest achievements of human civilisation. There is no doubt that the international community, united as one family, must not stand silent before crimes against humanity, war crimes, ethnic cleansing or genocide, no matter where they occur.[96]

Where made, such resonating statements cost stable small states little and would indeed maintain or possibly even add to the 'rhetorical momentum'[97] that the responsibility to protect has amassed over the past decade. R2P advocacy by stable small states can also be effected through the keen use of the diplomatic tactic of agenda setting in regional and international organisations. This strategy was adroitly utilised by Sweden during the period from 1998-1999 to keep 'conflict prevention on the EU agenda in times when support for crisis management was strong'.[98] Similar to what was set out above in the 'Security Council Influence' section, appropriate and assiduous setting R2P itself or R2P-related issues like prevention, capacity building, early warning and humanitarian response to R2P crises on the agendas of organisations international like the UN, or regional like ASEAN, the AU, the EU or the OAS will allow stable small states to build the doctrine's normative force and have a 'collective legitimizing function'.[99] These contribute to ease of practical implementation when situations call for such.

Also in the context of regional and international organisations, the adept utilisation of opportunities of the chair by stable small states can be a powerful driving force for the R2P agenda. Above and beyond informational and procedural resources, chairs of transnational organisations frequently wield a potential for normative influence that can be employed to 'encourage norm adoption and a change in normative conviction'.[100] An example of how such potential was translated into reality occurred when Sweden occupied the EU Presidency in the first half of 2001. Then, Sweden's judicious use of the Presidency's procedural control privileges and 'problem formulation prerogative' allowed it to define conflict prevention as a concern deserving of collective attention and to facilitate concrete proposals for action,[101] entrenching a norm of its own national interest into the regional consciousness. Such techniques can conceivably be applied to further build the R2P's normative capacity.

To surmise, stable small states have great potential to build the international normative character of the responsibility to protect. The Representative of New Zealand in the 2009 General Assembly Debates on the Responsibility to Protect expressed indeed that his country 'will continue to strongly support all endeavours that further implement the responsibility to protect'.[102] To further entrench the international recognition of the doctrine from the 2005 World Summit practically, stable small states can actively engage in dialogue about the doctrine in the United Nations General Assembly and draw focus onto its importance and implications when occupying positions of the Chair in transnational organisations. Through such, stable small states may indeed take on the mantle of being bastions for the responsibility to protect.

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## 5. Conclusion

The responsibility to protect is 'all about nations working – individually and together – to protect people'. The responsibility to protect is about all nations, and where stable small states are involved in the agenda, benefits accrue for all involved. This essay has highlighted how stable small states are particularly well placed to contribute to the implementation of the responsibility to protect. The engagement in preventive diplomacy generally or through quiet diplomacy, the employment of alternative dispute resolution methods through mediation or the contribution of expertise, the exerting of influence in the Security Council to reduce the likelihood of contemplated R2P intervention efforts from being stymied by the veto, the exporting of good governance to build structural capacity and the exercise of norm advocacy to truly coalesce the R2P norm into the global consciousness are R2P advancing strategies that are appropriate and adapted to the idiosyncrasies and exigencies of stable small states. Through the judicious finesse of such, stable small states can indeed practically transcend their conventional limitations, raise their national game, and make 'never again' resound not just in rhetoric but in reality by making real contributions to the forwarding of the R2P agenda at this crucial stage of implementation.

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[14] Rothstein, *Alliances and Small Powers*, p. 12.

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[16] Hey, *Small States in World Politics: Explaining Foreign Policy Behaviour*, p. 3.

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