

THE CENTRE FOR INTERNATIONAL & PUBLIC LAW (CIPL)
ANU COLLEGE OF LAW PRESENTS:



PUBLIC SEMINAR

OPERATIONALISING THE 'THE RESPONSIBILITY TO PROTECT' AND CONFLICT PREVENTION: DILEMMAS OF CIVILIAN PROTECTION IN ARMED CONFLICT

Dr Hitoshi Nasu

Senior Lecturer

ANU College of Law, The Australian National University



Friday, 1 May 2009, 1-2pm
Phillipa Weeks Staff Library
ANU College of Law (Bldg 5), Fellows Rd, ANU
The Australian National University

Please RSVP (by cob Wednesday 29 April) to E: rsvp@law.anu.edu.au

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This event is free and open to the public.

The Lecture

The responsibility to protect is a nascent, highly contentious concept. Although a restrictive understanding of the concept was agreed upon by world leaders in 2005, the perspective of conflict prevention reveals the conceptual gap in terms of its scope, stage, and strength, failing to bridge the gulf between rhetorical support for prevention and tangible commitment to international action. It is argued that this commitment gap can be bridged by exploring the basis and boundaries of the legal responsibility that encompasses the transcending nature of the responsibility to prevent and to react at the operational level. The reach of legal responsibility to protect can be defined by drawing on the existing rules of international law relating to the protection of civilians. While such an extension of the legal responsibility to protect can be appreciated as furthering the agenda of conflict prevention, the marriage of the two concepts appears to be destined to failure, causing normative, operational, and ethical dilemmas. It will be suggested that a Human Protection Council be established as an alternative 'right authority' in order to resolve or mitigate those dilemmas by separating the responsibility to protect civilians from the Security Council's primary responsibility for the maintenance of international peace and security.

The Lecturer

Dr Hitoshi Nasu is a lecturer in law at the ANU College of Law, The Australian National University, teaching international law, international security law, international humanitarian law, and military operations law in the military law program. He received his Ph.D. in International Law from the Faculty of Law, The University of Sydney in 2006. His recent publications relating to the seminar topic include: *International Law on Peacekeeping: A Study of Article 40 of the UN Charter* (Martinus Nijhoff Publishers, 2009); 'Chapter VII Powers and the Rule of Law: The Jurisdictional Limits' (2007) 26 *Australian Year Book of International Law* 87-117; 'The Responsibility to React? Lessons from the Security Council's Response to the Southern Lebanon Crisis of 2006' (2007) 14(3) *International Peacekeeping* 339-352.

The views expressed in this seminar are those of the presenter and do not necessarily represent the views of The Australian National University.