

Canadian Journal of Peace and Conflict Studies

CALL FOR SUBMISSIONS

Special Issue

“Racism, Rights, and the Responsibility to Protect (R2P) Refugees”

The United Nations’ Responsibility to Protect (R2P) principle was adopted nearly 20 years ago to prevent people from suffering the most vile and heinous crimes known to humankind. The United Nations (UN) unanimously adopted the R2P principle that recognizes that States have a responsibility to protect their own people from genocide, war crimes, ethnic cleansing, and crimes against humanity, and accepted the collective responsibility to encourage and help each other to uphold this commitment. In addition, states agreed to take timely and decisive action, in accordance with the United Nations Charter and in cooperation with other relevant regional organizations, when national authorities manifestly failed to protect their population.¹ These most serious international crimes nearly always occur in situations of war or protracted armed conflict. Indeed, war crimes can only occur in situations of armed conflict or war. Accordingly, civilian non-combatants that are caught in situations of protracted armed conflict or war flee to save their lives. The commission of serious international crimes are the triggers for the civilian non-combatants’ flight from a war zone or conflict zone. Those who flee across international boundaries are refugees, and those who flee to safe areas within their own country are internally displaced persons (IDPs). The correlation between refugees and other forced migrants and war and protracted armed conflict is an obvious one and is tantamount to a sociological principle, if not a law in social science. Wars and protracted armed conflict generate mass forced displacement. It is self-evident, then, that the R2P principle ought to extend to the protection of those who are forcibly displaced due to war and armed conflict.

The UN R2P principle should cover all those who are seeking refuge from protracted armed conflict and war. Thus, the R2P principle should cover those who are fleeing armed conflict and wars. At present, war refugees are not accepted as being covered under the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol*.² This Special Issue challenges this traditional notion that war refugees are not subsumed under the *1951 Convention* and its *1967 Protocol*. Rather, those who flee wars or armed conflict are covered under the UN R2P doctrine.

¹ United Nations, Office on Genocide Prevention and the Responsibility to Protect, *Responsibility to Protect*, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>, (accessed June 26, 2023)

² UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection, Under the 1951 Convention and 1967 Protocol Related to the Status of Refugees*, Reissued Geneva, February 2019. <https://www.unhcr.org/sites/default/files/legacy-pdf/5ddfc47.pdf>, (accessed June 26, 2023) See Special Cases, Chapter V, A. War Refugees, Paragraphs 164-166. This is not the case under the regional refugee rights instruments such as the *1969 Organization for African Union Convention*, <https://www.unhcr.org/sites/default/files/legacy-pdf/45dc1a682.pdf>, the *1984 Cartagena Declaration on Refugees*, <https://www.unhcr.org/sites/default/files/legacy-pdf/45dc19084.pdf>, and the *2011 EU Qualification Directive*, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:337:0009:0026:en:PDF>.

All this points to the notion, inevitably, that peace is the only genuine viable solution for refugeehood. If war and protracted armed conflict mass produce refugees then their absence, that is, peace, will end the current world's refugee crises or what some consider "political crisis." Whether peace is "negative peace" (absence of direct violence) or "positive peace" (absence of indirect or structural violence) needs to be explored and examined.³

Related to this is the protection of the "rights of refugees" and not only the right to access asylum or the freedom of movement, but the protection of the most fundamental and essential of human rights, the right to peace.⁴ Without the right to peace no other human rights would be possible. Those who are fleeing a war zone or conflict zone have had their right to peace severely violated and should have a basis for a claim for refugee protection.

In addition, too often, race may be a factor in deterring people who are seeking refugee protection. The vast bulk of the world's forcibly displaced are being hosted in the Global South. Those from the Global South who risk everything to try to reach a Global North country are frequently pushed back or denied admission to claim asylum.⁵ The racial dimensions of those seeking asylum are overlooked or ignored when considering R2P and the protection of refugees.

This Special Issue of the *Canadian Journal of Peace and Conflict Studies* is seeking submissions that cover our main theme of "Race, Rights and the Responsibility to Protect (R2P) Refugees." In addition, we welcome submissions that examine, critically interrogate, analyze, and take innovative approaches and perspectives on any of the following subthemes.

The Responsibility to Protect and Refugees

The UN's Responsibility to Protect doctrine is essential to helping to ensure that people are protected against the most serious international crimes. However, what of those who are fleeing persecution and seeking asylum? As noted above, most of those who are seeking asylum are escaping extreme organized political violence or armed conflict and war. Should those who are seeking refugee protection not also be covered under R2P? This subtheme concentrates on the applicability of the R2P principle to the plight of refugees.

Human Rights, Conflict Resolution, and the Responsibility to Protect

The right to seek asylum is universal and is one of the most important human rights. The R2P principle is premised on the prevention of breaches to our most fundamental human rights. Indeed,

³ Johan Galtung, "Violence, Peace, and Peace Research." *Journal of Peace Research*, vol. 6, no. 3, 1969, pp. 167–191.

⁴ James C. Simeon, "Realizing the Human Right to Peace," *Peace Magazine*, April-June 2023, pp. 18-21. <file:///C:/Users/jcsimeon/Downloads/Peace-Magazine-Spring2023-lowres.pdf>. (accessed June 26, 2023)

⁵ Kathy Fallon, "Revealed: EU border agency involved in hundreds of refugee pushbacks," *The Guardian*, 22 April 2022, <https://www.theguardian.com/global-development/2022/apr/28/revealed-eu-border-agency-involved-in-hundreds-of-refugee-pushbacks>. (accessed June 26, 2023); Michael Garcia Bochenek, "The Persistent, Pernicious use of Pushbacks against Children and Adults in Search of Safety," *Laws* 2023, 12(3), 34; <https://doi.org/10.3390/laws12030034>. (accessed June 26, 2023)

the commission of the most serious international crimes of genocide, war crimes, crimes against humanity, and ethnic cleansing represent violations to the right to life, liberty, and security of the person, among other widely recognized international human rights. Moreover, the R2P principle is also premised on the most essential of all human rights, the right to peace. Peacebuilding requires addressing systemic and structural violence. This subtheme calls for submissions that explore the interconnections and relationships between human rights, conflict resolution, the R2P principle, and refugees.

Racism and the Responsibility to Protect

State parties to the refugee rights instruments have not fully honoured their legal obligations in allowing those in need of refugee protection to claim asylum. Underscoring much of this are manifest racist tendencies that deny access to those fleeing from the Global South.⁶ Sadly, racism factors into the situations where those who are seeking refugee protection are ignored, discriminated, and occasionally denied protection. This subtheme tackles the subject of how racism can impact on R2P and those who need refugee protection.

Methodological Issues in Conducting Research on the Responsibility to Protect

What are the methodological issues and concerns relevant to conducting research on the Responsibility to Protect, refugees and other forced migrants? How do the methodologies employed in the study of R2P affect our findings and conclusions and, ultimately, our understanding of R2P and the forcibly displaced? This subtheme is dedicated to considering and, when warranted, to advancing the latest methods in examining and researching the R2P principle and its application by the United Nations and other international actors. It would also be useful to include the intersection of R2P and refugees when considering this subtheme of the Special Issue.

We welcome inquiries regarding this Special Issue from anyone who may be interested in making a submission. Please send your manuscript submissions in no later than **December 31, 2023**.

Dr. Stephanie Stobbe, Associate Professor
Chair, Conflict Resolution Studies
Redekop School of Business
Canadian Mennonite University (CMU)
Winnipeg, Manitoba, Canada, R3P 2N2
sstobbe@cmu.ca

Dr. James C. Simeon, Associate Professor
School of Public Policy and Administration
Faculty of Liberal Arts & Professional Studies
York University, Toronto, Ontario, Canada, M3J 1P3
jsimeon@yorku.ca

⁶ UNHCR, *Guidance on Racism and Xenophobia: How UNHCR can address and respond to situations of racism and xenophobia affecting persons under its mandate*. Human Rights Liaison Unit, 2020, <https://www.unhcr.org/sites/default/files/legacy-pdf/5f7c860f4.pdf>. (accessed June 26, 2023); Human Rights Watch, “Racism and Human Rights,” undated, <https://www.hrw.org/legacy/campaigns/race/refugeepresskit.html>. (accessed June 26, 2023)