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**THE EVOLUTION OF RESPONSIBILITY TO PROTECT THROUGH UN SECURITY
COUNCIL ACTION**

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Table of contents

List of Abbreviations	4
Abstract.....	5
Introduction.....	6
Part 1: Literature review.....	10
1.1 The UN Charter in state sovereignty vs. intervention debate	10
1.2 Humanitarian interventions in the 1990s: between “right” and “duty”	13
Part 2: The birth of Responsibility to Protect under the UN umbrella	18
2.1 From Kosovo Commission to the ICISS: Emergence of RtoP	18
2.2 The core UN documents on RtoP: From Annan’s High-level panel to Ban-Ki Moon’s report of 2009	22
Part 3: Implementing RtoP through the UNSC	28
3.1 UNSC resolution 1674(2006) and the debate around it.....	28
3.2 International conflicts in the UNSC watch 2006-2015.....	31
Sudan.....	32
Kenya	35
Libya	37
Syria	39
Conclusion	42
Bibliography	45

List of Abbreviations

AU	African Union
CAR	Central African Republic
CAT	Convention Against Torture
ICC	International Criminal Court
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICISS	International Commission on Intervention and State Sovereignty
ICCPR	International Covenant on Civil and Political Rights
NATO	North Atlantic Treaty Organization
OPCW	Organisation for the Prohibition of Chemical Weapons
RtoP	Responsibility to Protect
UCPD	Uppsala Conflict Data Program
UNAMIR	United Nations Assistance Mission for Rwanda
UNOSOM	United Nations Operation in Somalia
UNSG	United Nations Secretary-General
UNSC	United Nations Security Council

Abstract

This research capstone examined the evolution of much debated Responsibility to Protect (RtoP) doctrine in the UN Security Council through the policies, decisions and resolutions of the UNSC. Moreover, it investigated to what extent the implementation of RtoP was successful through the UNSC in the selected cases. Particularly, this research used four cases where RtoP was invoked by the UNSC, which are Sudan, Kenya, Libya and Syria. Even though there was evolution in the thinking, policies and approaches of the international community, which changed the rhetoric from “right to intervene to responsibility to protect” (ICISS 2001) between the 1990s and the 2000s, the “promise” hardly ever matched with the state practice. The capstone finds out that the main reason of this mismatch is the political interests of the UNSC P5 members, which hinders the implementation of RtoP. As a result, RtoP is failing to halt the ongoing mass atrocities in Libya, Syria and elsewhere in the world. For overcoming this situation the study suggests to empower regional organizations, international courts and civil society.

“A destruction, an annihilation that only man can provoke, only man can prevent”¹

Elie Wiesel

Introduction

Throughout the 20th century humanity witnessed a series of genocides and other mass atrocity crimes in different parts of the world. Even though the UN passed number of Conventions – first and foremost the Genocide Convention of 1948 - and resolutions calling upon States to enhance human rights protection and prevention capabilities for humanitarian catastrophes around the world, it hardly stopped perpetrators from committing their heinous crimes against the humankind as such. Thus, there was an increasing need to find a doctrine, which would give the answer to such called “never again”s and contribute to the preservation of peace and security around the world.

Undoubtedly, the end of the Cold War and the existing international security architecture in early 1990s generated several conflicts around the world, which resulted in *erga omnes* crimes in Bosnia, Somalia, Rwanda and Kosovo. Importantly, the UN Security Council, which holds the “primary responsibility for the maintenance of international peace and security” as stated in the UN Charter (United Nations 1945) often failed to take timely action and prevent or at least stop atrocity crimes. It was during this period when military intervention for the sake of internationally recognized human rights protection was at spotlight of international arena. However, humanitarian intervention doctrine, which was based on the notion “right to intervene” lacked consensus among different states in the world and particularly the global South described

¹ From Elie Wiesel’s Nobel Prize lecture of 1986.
http://www.nobelprize.org/nobel_prizes/peace/laureates/1986/wiesel-lecture.html

it as neo-colonialism by the global North after NATO-led humanitarian intervention in Kosovo (G. Evans 2008, 30). Hence, international community needed a doctrine, which would be based on consensus and would reconcile the differences between state sovereignty and intervention.

With the beginning of new millennium, international community with the leadership of the UNSG Kofi Annan started to search possible ways for stopping systematic violations of human rights without ‘assaulting’ the sacrosanct principle of state sovereignty. As a result, Kofi Annan established High-level panel, which was followed-up by the creation of International Commission on Intervention and State Sovereignty (ICISS) in 2001 that introduced the “Responsibility to protect” (RtoP) doctrine and gave new approach to the notion of sovereignty (G. Evans 2008, 31). According to ICISS report the state’s sovereignty should be viewed as responsibility (ICISS 2001, 10). As opposed to humanitarian intervention, the doctrine was broader as it did not concentrate merely on intervention, but also on prevention, reaction (including through non-military means) and rebuilding (ICISS 2001).

Ultimately, with some differences from the original ICISS report, RtoP emerged as consensus among states at the UN General Assembly World Summit in 2005, where RtoP was adopted unanimously by all Member-States in the World Outcome Document (International Coalition for the Responsibility to Protect 2014, 1). The latter emphasizes the important role of the Security Council particularly when it refers to taking collective action for protecting populations from genocides, war crimes, ethnic cleansing and crimes against humanity (United Nations 2005b).

Despite the fact that the Security Council was deemed to play her “primary” role in the enforcement of this doctrine, *erga omnes* crimes continue in different parts of the world up until

now – either as a manifest failure of national authorities or in combination with other international factors. The most vivid examples are humanitarian catastrophes in Syria, Iraq, CAR, DRC, Libya and Sudan. On the one hand, nowadays this emerging norm is of utmost importance for the world because of the large-scale human rights violations by the so-called Islamic State, or Daesh, terrorist organisation in Iraq and Syria, and even in Europe, as we witness the terrorist acts in Brussels or Paris. On the other hand, RtoP is crucial for Armenia to make sure that these types of heinous crimes would be prevented and halted as a country whose nationals experienced Genocide at the beginning of XX century in the Ottoman Empire and ethnic cleansing at the end of XX century in Azerbaijan.

Hence, as the primary responsibility for the implementation of RtoP lies within the Security Council, this research capstone tries to gain deeper understanding how the doctrine was being invoked throughout the last decade in the Security Council.

Methodology

The design of this capstone is descriptive as it tries to gain deeper understanding of the existing phenomenon. Particularly this capstone touches upon the following research questions and hypotheses.

RQ1: How did the UNSC implement RtoP after 1674(2006) resolution in relevant situations?

H1: Political interests of UNSC Member States, in particular the P5 play primary role in the implementation of RtoP in UNSC.

RQ2: To what extent were the UNSC actions successful in stopping and preventing *erga omnes* crimes?

H2: UNSC is failing to implement RtoP in times of *erga omnes* crimes.

For answering these research questions and testing the hypotheses the capstone uses secondary data. Particularly, the data collection for this capstone included ICISS report (the founding document of the doctrine) UNSC resolutions, UNSG reports, UNSC meetings as well as other relevant UN documents. Additionally, for testing the success of RtoP's implementation UCPD graphs were used, which demonstrated the number of casualties before and after the eruption of the conflicts.

Part 1: Literature review

1.1 The UN Charter in state sovereignty vs. intervention debate

The adoption of Responsibility to Protect doctrine in 2005 by the UN General Assembly generated various debates among politicians, scholars, philosophers and human rights defenders across the world. The crux of the debate is revolving around the permissiveness for foreign states to intervene into intra-state conflicts in order to protect civilian populations from *erga omnes* crimes – when local governments are either unable or unwilling to halt humanitarian catastrophes in their respective countries while also rejecting international cooperation to that end.

It is noteworthy to mention that the entire debate around RtoP is centered on the challenge to find common ground between the norms and values of state sovereignty – famously institutionalized among nations in Treaty of Westphalia in 1648, and *internationally recognized* human rights. According to Krasner, in the Treaty of Westphalia established the system of modern states based on the “principles of autonomy, territory, mutual recognition and control” (Krasner 2001, 17). Thus, Westphalian sovereignty, implying non-interference in the other country’s *internal* affairs, became in many ways the last shield of defense for vulnerable governments, including those engaged in atrocity crimes or demonstrating inability to stop those atrocities.

Throughout centuries the principle of state sovereignty and non-intervention norm had been considered indeed the cornerstone of international law and international relations, which perhaps have been best encapsulated in the maxim of *cuius regio, eius religio* (Johnson 2014, 48). The notion of Westphalian sovereignty was later on conceptualized in the articles 2(1), 2(4)

and 2(7) of the UN Charter, which respectively referred to the sovereign equality of states, ban on the use of force against members states, as well as prohibition of the UN intervention in the domestic affairs of the member-states unless it is authorized under chapter VII resolution (United Nations 1945). Hence, the Charter generated debates concerning the legality of the intervention.

The strict interpreters of the UN Charter were referring to the abovementioned articles by stating that intervention under any circumstances is illegal and contradicts to the main principles of the UN Charter (Jackson 1999; Joyner 2006; de Sousa 2010). Importantly, the advocates of this stance prioritize sovereignty over internationally recognized human rights. Some of the advocates who consider the notions sovereignty and human rights as equally important, state that human rights promotion can be successful only by using peaceful means, while intervention which also implies the use of force it will disrupt the respect for human rights norms by renewed conflicts between the adversary sides (Schabas 2007; Kuperman 2008; O'Connell 2010). Indeed, during several armed conflicts when Western powers intervened such as in Kosovo, Libya and Iraq, the intervention triggered hostility and aggression instead of promoting human rights and democracy.

The second group of scholars mention that the notion of sovereignty has evolved throughout the centuries and thus in the modern world it also entails responsibility of states to protect their populations from human rights abuses (Deng 1996; G. Evans 2006; Glanville 2011; Luck 2008). Their argument can also be strengthened by referring to article 1(3) of the UN Charter, which stresses the importance of human rights promotion and encouragement (United Nations 1945). Nonetheless, the Charter does not refer to the protection of human rights in armed conflicts, which quite often used by the opponents as a sign for prioritizing state sovereignty. In response to the opponents of intervention these scholars argue that for the sake of human rights

protection intervention does not contradict to the UN Charter as article 2(4) forbids use of force only if it is inconsistent with the UN Charter (Evans 2008; Heinze 2009).

Furthermore, proponents argue that intervention does not violate state sovereignty by referring to article 51 of the UN Charter, which states that “a member state has a right of individual or collective self-defense if it is attacked by another state” (United Nations 2015). However, the article does not consider the fact that the civilian population, or some vulnerable minority groups, may also be attacked by their own government, which may trigger those groups to resort to self-defense. Such a scenario has been at stake a number of times, especially in recent history, e.g. situation in Libya during Arab Spring. Thus, in a state-centric system of international affairs the Article 51 of the Charter assigns rights to states only, but it is also obvious that same rights and privileges shall also be reserved for the populations that are endangered by government policies or their failures and atrocity crimes either imminent or underway. In this respect Fletcher and Ohlin argue that as one of the UN principles is the peoples right to self-determination, consequently “all nations might have right to engage in collective self-defense” (Fletcher and Ohlin 2008, 129).

Despite the various arguments brought by the advocates of “sovereignty as responsibility” principle, overall, the UN Charter is state-centric. The model of Westphalian sovereignty was strongly emphasized in this document, which gave little room for human rights protection in situations of imminent or likely atrocity crimes. The human rights protection instruments such as Universal Declaration of Human Rights, The Genocide Convention, ICCPR, CAT, ICERD and many others were created after the UN Charter. Importantly, the principles of those conventions, declarations and resolutions either have binding power or gradually became part of customary international law. Thus, the international human rights protection instruments

also triggered the further evolution of the state sovereignty principle. One of the vivid examples of this evolution was reflected in the humanitarian interventions of the 1990s, which despite the criticism of many scholars proved that the principle of sovereignty was no longer sacrosanct (Weiss 2001, 421).

1.2 Humanitarian interventions in the 1990s: between “right” and “duty”

The doctrine of humanitarian intervention became increasingly popular in international affairs after the end of the Cold war, with only four exceptions claimed in the 1970s, and even then the interveners claiming self-defense under article 51 rather than humanitarian grounds (Vietnam to Cambodia, France to CAR, Tanzania to Uganda and India to East Pakistan/Bangladesh). Although Walzer (1977) argued in his philosophical tractate “Just and unjust wars” for the humanitarian intervention as a mean of halting massive human rights violations, it was only in the 1990s when this notion found broader support in international community (Walzer 2006, 87). Apparently, this was connected with the endorsement of democratic values after the much-acclaimed “end of history” (Fukuyama 1989) due to the collapse of the Soviet Union and demise of bipolar world order. In addition, the emergence of democracy in the newly independent countries catalyzed the struggle for human rights purposes.

As opposed to the previous decades, in 1990s the notion of human rights started to go beyond declarative resolutions of General Assembly. Due to the growing number of intrastate conflicts, which intensified after the end of the Cold War, armed intervention for the sake of human rights protection gained utmost importance in the UN Security Council agenda, too.

As a result of these conflicts genocides, ethnic cleansing and crimes against humanity occurred in different parts of the world, which resumed the discussions on “just wars”. Importantly, the “just war” tradition comes from the medieval times, which required the following three conditions to be present for waging “just wars”: sovereign ruler’s authority, just cause and the right intention (Johnson 2014, 23). Similarly, starting from the 1990s international community considered the UN as the authority, while the just cause was the threat to the international peace or breach of it.

It was in this decade when the co-founder of *Médecins Sans Frontières*, who later became Foreign Minister of France, Bernard Kouchner popularized the term “droit d'ingérence”; i.e. “right to intervene” (Evans 2006, 32). Particularly, the concept was at spotlight of international arena in the 1980s, after the Nigerian civil war, during which Kouchner tried to advocate the importance of humanitarian intervention for protecting peaceful civilians. However, this term received criticism of many scholars as Kouchner did not differentiate between the terms “right to intervene” and “duty to intervene” and utilized the two concepts interchangeably (Pattison 2010, Whetham and Strawser 2015). While Whetham and Strawser (2015) note that “right to intervene” implies allowance, while “duty to intervene” have a meaning of requirement (p. 82).

At the same time it is noteworthy to mention that Pattison (2010) also made a distinction between the “right to intervene” and the “duty to intervene” (p. 36). According to him, if a foreign state or an international organization owns “adequate degree of legitimacy” then those subjects of international law have a “right to intervene”, while “the most legitimate agent” possess the “duty to intervene” (Pattison 2010, 12). Importantly, in the case of 1990s humanitarian interventions in Somalia, Rwanda and Bosnia the UN Security Council was

perceived as the most legitimate body by the majority of states to carry out humanitarian interventions. Hence, it was the duty of the UN Security Council to “do something” and save human lives. Moreover, in Secretary General’s Millennium Report of 2000, Kofi Annan reaffirmed that it is the Security Council’s moral duty to conduct humanitarian intervention on behalf of international community as a whole (Annan 2000, 48).

On the other side, in case of Kosovo, due to Russia’s exercise of veto power and China’s abstention the UN Security Council proved to be unable to adopt appropriate resolution to address the situation. After months of deliberations in the Security Council, as well as failed attempts to find diplomatic solution in Rambouillet in February 1999, the NATO stepped up as an organization that allegedly had both responsibility for the region at large, and “adequate degree of legitimacy” to conduct humanitarian intervention on behalf of the suffering groups on the ground at the hands of their own government. Nonetheless, in retrospect these interventions did not yield to sustainable resolution.

Apparently, being thrilled by previously unseen unanimity in the UNSC after the collective action to punish Iraqi aggression against Kuwait in the First Gulf War, in 1991, there was an illusion that with “the end of history”, the leading states would be more willing to pool resources for timely action in the cases of atrocity crimes at the very least. Nevertheless, the United Nations Operation in Somalia (UNOSOM) of 1992, which had a mission to stop the ongoing civil war and provide humanitarian relief, failed dramatically. The majority of scholars connect this failed intervention in Somalia with the reluctance of great powers to act during the Rwandan Genocide (Clarke and Herbst 1996; Evans 2008; Heinze 2009).

In case of Rwanda, the Genocide occurred despite the presence of UNAMIR peacekeeping forces ever since 1993. One of the failures of the peacekeeping forces was their lack of mandate particularly in connection to use force to protect peaceful civilians (Orford 2011, 8). Importantly, the commander of UNAMIR peacekeeping forces Romeo Dallaire assessed the situation in Rwanda and anticipated the upcoming humanitarian catastrophe towards Tutsis. Thus, a few months before the Rwandan Genocide, Dallaire sent a fax to the UN Headquarters informing about the perilous situation in Rwanda and the high possibility of mass atrocities, which could take place against Tutsis. Nevertheless, Dallaire's request to take immediate action was rejected and just 3 months later the Genocide occurred in Rwanda. The New Yorker magazine named the fax of Romeo Dallaire as "genocide fax", which symbolized UN's failure to prevent mass atrocities in Rwanda (United States Holocaust Memorial Museum 2016). There is also a general agreement in the international community and among the most prominent IR scholars that Rwanda had been one of the most unfortunate failures in the UN history (G. Evans 2008; Glanville 2011; Bellamy 2010a; Pattison 2010; Deng 1996).

Africa was not the only continent where vicious intrastate conflicts occurred in the 1990s – causing hundreds of thousands being massacred. During the same period the Balkans witnessed violent conflicts during the breakup of Yugoslavia, resulting in a few atrocity crimes. The first one was Bosnian Genocide in Srebrenica 1995. The Genocide was committed against Bosnian Muslims by Bosnian Serbs under the command of General Ratko Mladic who is currently under trial at ICTY (ICTY 2016). Even though the UN Security Council passed several resolutions calling for immediate ceasefire and negotiations, it did not stop the bloodshed in Bosnia.

Importantly, the UN peacekeeping forces were also present in Bosnia before the mass killings started under the UN Protection force mission (UNPROFOR). In addition, the town of

Srebrenica was one of the UN “safe havens”, in Bosnia (*The New York Times* 1995). However, the army of Bosnian Serbs was able to manipulate with the UN peacekeepers by taking hostages some of them and hence the army was able to penetrate to the safe zone of Srebrenica and commit the massacre (Human Rights Watch 1995). Likewise in Bosnia, despite the fact that the international community intervened through the UN peacekeepers, the UN was reluctant to give them proper mandate and additional troops, which caused the failure of the UN’s “duty to intervene.”

The second humanitarian catastrophe in Balkans took place in Kosovo towards Kosovar Albanians. In this case the UN intensified its measures to stop the upcoming humanitarian catastrophe since fall 1998. Particularly, the UN Security Council resolution 1203(1998) authorized NATO’s air verification mission presence in Kosovo, without authorization of the use of force, which was exercised by bombing Serbia’s capital (UN Security Council 1998). Importantly, for justifying these actions three months after the intervention a retrospective resolution 1244(1999) was adopted authorizing the presence of NATO’s peacekeeping forces in Kosovo (UN Security Council 1999).

Despite the fact that the intervention stopped the further actions of Milosevic, it resulted in the thousands of Kosovar Albanian refugees and displaced people (Evans 2006, 29). Moreover, the developing states strongly condemned the Kosovo intervention considering it a straightforward continuation of neocolonial policies of the leading powers. One of the vivid opponents of the intervention was the G77 coalition. In 2000 the Summit Declaration document rejected “the so-called right of humanitarian intervention”, which according to them "violated the general principles of international law and the UN Charter" (The Group of 77 2000).

Taking into consideration all these arguments, even though this humanitarian intervention was able to stop further bloodshed in Kosovo, the legality and legitimacy of the intervention was rightly criticized by many international lawyers and IR scholars (Chinkin 2000; Brownlie 2000; Presbey 2007; Knight 2012).

The failure of stopping all kinds of mass atrocities and the consequences of military interventions in those states made many scholars to consider this doctrine as a form of neo-colonialism (Kuperman 2009; Chomsky 2011; McCormack 2011). Indeed, the reality showed that all the interventions which occurred at the end of 20th century did not produce expected results. Moreover, in some cases the situation worsened. In addition, some of the most prominent diplomats and scholars such as Samuel Huntington and Henry Kissinger criticized the US involvement in the intrastate conflicts (Western and Goldstein 2013). Thus, on the verge of 20th century international community started to look for alternatives of humanitarian intervention which would mark up the differences between sovereignty vs. intervention debate.

Part 2: The birth of Responsibility to Protect under the UN umbrella

2.1 From Kosovo Commission to the ICISS: Emergence of RtoP

A few months after NATO-led humanitarian intervention in Kosovo, Independent International Commission on Kosovo was established by the Swedish government which aimed at investigating the main developments before, during and after the intervention (Independent International Commission on Kosovo 2000a). For instance, the Commission concluded that mass scale violations of internationally recognized human rights had been committed on both sides, analyzed the legitimacy and legality of humanitarian intervention, examined the role of media

and civil society actors in the conflict and finally gave recommendations concerning the further improvements of humanitarian intervention doctrine. One of the most notable conclusions of the Kosovo Commission was the “illegal, but legitimate” (Independent International Commission on Kosovo 2000a). The work of the Commission is of utmost importance, as it was one of the earliest reports to suggest modification of humanitarian intervention doctrine, which would enable to respond more effectively to impending humanitarian catastrophes and that will “close the gap between legality and legitimacy” (Independent International Commission on Kosovo 2000a). Importantly, the Commission aspired that the new doctrine would be adopted by the UN General Assembly. In addition, it stressed the importance of the UN Charter amendment in the near future (United Nations 2000).

During the same period, the UN Secretary General Kofi Annan released his Millennium report, where he posed one of the most frequent quotes in the R2P debates: “If humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to Rwanda, to a Srebrenica- to gross and systematic violation of human rights that offend every precept of our common humanity?” (Annan 2000, 48).

Indeed, Kofi Annan’s question catalyzed the establishment of the International Commission on Intervention and State Sovereignty (ICISS) by the Canadian Government in 2000, which came up with the new approach for protecting populations from mass atrocities. The ICISS aimed first and foremost to reach consensus on the issues of intervention for human rights protection purposes and state sovereignty (Evans and Sahnoun 2001, 18). The Commission also tried to include the perspectives of the Third World countries in order to ensure the compliance to the newly established doctrine by the majority of states. For that purpose the Commission included representatives from developed as well as from developing countries. Particularly, the

chairmanship of the Commission was shared by the Australian Foreign Minister Gareth Evans and Mohamed Sahnoun, who was an Algerian diplomat and a Special Adviser to the UN Secretary General Kofi Anan at that time. The other ten commissioners were notable representatives from Russia, Europe, Africa and Latin America (Massingham 2009, 806).

After a yearlong extensive discussions and consultations the Commission released a report in 2001 introducing new approach to state sovereignty, which opposed to the principles of Westphalian sovereignty. According to ICISS report the state's sovereignty should be viewed as responsibility (ICISS 2001, 8). Moreover, states were obliged to take a responsibility to prevent humanitarian crises in their countries, otherwise if they fail to do it international community will take a responsibility to make a humanitarian intervention in order to halt the ongoing mass atrocities. Thus, the RtoP doctrine implied that governments of the sovereign states are constrained in their actions and that the heads of the sovereign state are not allowed to do whatever they want with their citizens.

This notion of sovereignty as responsibility was initially proposed by Francis Deng. Importantly, in one his prominent books Deng (1996) argued that sovereignty should manifest responsibility for the protection and provision of basic needs to the people (27). He also articulated that governments are bound with a duty to ensure security and well-being of their citizens, at the same time being accountable to international community (Deng 1996, 211). Hence, the new concept changed its focus from the word "right" to the word "duty" and "responsibility" and was named "Responsibility to Protect" doctrine (RtoP).

As opposed to humanitarian intervention, the ICISS report described RtoP as a broader concept, which went beyond the notion of the use of force. The Commission claimed that

exercise of military power should be the “last resort” when all the other measures were taken (ICISS 2001, 52). Importantly, before taking military action the governments should take preventive measures for protecting citizens of their respective countries. Furthermore, international community should assist the government in taking preventive measures (ICISS 2001, 60). The Commission report mentioned that international organizations as well states should take preventive measures against mass atrocities (ICISS 2001, 62). Only in case when the preventive measures are ineffective, international community should take the responsibility to carry out humanitarian intervention (ICISS 2001, 72). Importantly, as military activities might not be sufficient for establishing enduring peace, after the humanitarian intervention the international community should assist the government of the respective country to rebuild long-lasting peace in the country (ICISS 2001, 73). In a nutshell RtoP is a comprehensive approach to end mass atrocities around the world, which is based on the following range of obligations, which are “responsibility to prevent”, “responsibility to react” and “responsibility to rebuild” (ICISS 2001, 33).

Undoubtedly, the report of the Commission was influential as after a while the RtoP doctrine appeared on the agenda of the UN and other regional organizations. Furthermore, the Commission members were able to modify the language of the debate and popularize the notion of “responsibility to protect”, which was also aimed at changing the perceptions towards the emerging doctrine. In addition, the report tried to reach consensus between state sovereignty and intervention debate, particularly by introducing “sovereignty as responsibility” as a new approach.

2.2 The core UN documents on RtoP: From Annan's High-level panel to Ban-Ki Moon's report of 2009

In 2004 Kofi Anan took the first steps for integrating the RtoP doctrine in the UN political agenda. Specifically, the UN Secretary General established High-level Panel on threats, challenges and change, which aimed at identifying the threats to international peace and security (UN General Assembly 2004). The Panel was under the Chairmanship of former Prime Minister of Thailand and also included the Chair of ICISS Commission Gareth Evans (UN General Assembly 2004). The High-level Panel came up with the report, which endorsed the responsibility of international community to protect civilian populations in cases of genocides, ethnic cleansing, as well as “other large-scale killing or serious breaches of international humanitarian law, which Governments have proved powerless or unwilling to prevent” (UN General Assembly 2004, 57). In addition, the report recognized the UN Security Council as the main authority to exercise military intervention as the last resort during humanitarian catastrophes (UN General Assembly 2004, 57). It is noteworthy to mention that the document called the UN Security Council permanent members to “refrain from the use of veto in cases of Genocide and large-scale human rights abuses” (UN General Assembly 2004, 68).

Subsequently, right before the official adoption of the RtoP doctrine by the General Assembly, Secretary-General Kofi Anan published another report in March 2005. It was titled “In larger freedom: towards development, security and human rights for all” in which Kofi Anan expressed his commitment to implement the doctrine by taking "collective action against genocide, ethnic cleansing and crimes against humanity" (UN General Assembly 2005, 35).

Undoubtedly, the High-Level Panel and the subsequent report of the Secretary-General showed the commitment of the international community to make structural changes in the UN, which would reflect the challenges and needs of the XXI century. The incorporation of RtoP doctrine in the UN General Assembly and Security Council resolutions was one of the most prominent factors, which took place in new millennium.

One of the most momentous events in development of RtoP doctrine was 2005 World Summit, which resulted in the adoption of RtoP doctrine by the UN General Assembly. The agenda of the summit was mainly based on Kofi Anan's previous report "In larger freedom: towards development, security and human rights for all" in which he highlighted the importance of the implementation of RtoP (United Nations 2005).

The doctrine was incorporated in the paragraphs 138 and 139 of World Outcome document, which was entitled "Responsibility to protect populations from genocides, war crimes and crimes against humanity" (United Nations 2005, 30). Moreover, the content of the paragraphs slightly differed from the initial ICISS report, arguably, to enable overall consensus. Namely, as opposed to ICISS report, the World Summit Outcome document recognized only four types of crimes during the existence of which the states are responsible for protecting their citizens excluding also natural catastrophes. Importantly, the main proponents of this restriction were the developing countries of the world (Brockmeier, Kurtz, and Junk 2014, 438).

Even though there were some reservations from those paragraphs, none of the 191 member states voted against the document. At the same time, during the negotiation phase there were disagreements between different states about the principles of the doctrine. Particularly,

many non-Western states were hesitant towards adopting the newly established doctrine. The suspicious attitude of some states was due to several factors.

The World Summit of 2005 took place at a time, when the US intervention in Iraq failed and did not justify its ends. Thus, there was a precaution especially among the developing states that the adoption of RtoP might legalize undesirable interventions around the world and create chaotic situation (Welsh 2009, 3). Secondly, many developing states believed that RtoP was a continuation of humanitarian intervention concept with a slightly changed wording (Stuenkel and Tourinho 2014, 380). Thirdly, as the history showed 1990s humanitarian interventions failed to achieve tangible results it was argued that the adoption of RtoP would not change much. Some members of the Non-Aligned Movement block were the most prominent opponents of this doctrine, in particular India, Syria, Egypt and Iran (United Nations 2005b). Other opponents included some former Soviet Union countries such as Russia and Belarus.

Evidently, some of the states that initially opposed the adoption of the concept had in their mind previous experiences that could be similar to RtoP. Certainly, there was a lack of trust towards the doctrine among those states. Despite the fact that all the states condemn Genocides and acts of mass atrocities, when the question comes to the adoption and implementation of a new doctrine, which can prevent those kinds of humanitarian catastrophes the member states have different perceptions about the functioning of the doctrine.

It is also noteworthy to single out the positions of Russia and China as the UN Security Council permanent members. Although Russia endorsed the responsibility of states to protect civilian populations against mass atrocities, when the question came to “responsibility to react” principle, Russia opposed it by describing RtoP as a ‘reformulation’ of humanitarian intervention

(Kurowska 2014, 496). However, after the 2005 World Summit Russia's stance towards RtoP periodically changed depending on its interests. For instance, during Russian-Georgian five-day war in 2008, Russia abused the doctrine by granting itself legitimacy to intervene for the sake of protection of Russian citizens in South Ossetia. At the same time in case of Syrian civil war, due to its political and strategic interests in Syria, Russia repeatedly exercised its veto power in the UN Security Council to prevent the implementation of 'responsibility to react' in Syria, yet moved forward with unilateral operation, supposedly, in cooperation or by consent and invitation of the Syrian authorities.

Similarly to Russian Federation, China endorsed the first pillar of RtoP doctrine, namely, the primary responsibility of states to protect populations from four types of crimes (Liu and Zhang 2014, 400). At the same time, Beijing was also hesitant about the "use of force" principle, inherent to the doctrine. Thus, the Chinese government argued that "humanitarian assistance should be in accordance to territorial integrity and sovereignty of states with a minimal use of force" (Liu and Zhang 2014, 408).

On the other hand, those developing states that experienced Genocides, ethnic cleansing or other types of mass atrocities in their history were eager to adopt the RtoP having perception that the emerging norm would prevent such kinds of acts from happening (Stanley Foundation 2008, 2). Namely, the majority of African countries, including South Africa were the most vivid proponents of this concept. For that reason it was not surprising that African regional organizations immediately incorporated the doctrine into their charters. In addition, nations that experienced genocides in their history such as Israel and Armenia also supported the adoption of this emerging norm.

As regards the EU states, the representatives strongly supported the concept notwithstanding disagreements towards the implementation issues (Brockmeier, Kurtz, and Junk 2014, 430). Likewise the majority of African states, the EU endorsed RtoP unequivocally. Among the EU states the main proponents of this doctrine were France, Germany and the UK. At the same time, France and Britain argued for more military intervention than Germany and the other EU states. Apparently, the endorsement of RtoP by the EU states is connected with the principles of the Union itself. Particularly, protection of human rights is located in the central part of the EU's political agenda.

Importantly, from permanent members of the Security Council the US had 'ambivalent' stance towards RtoP doctrine (Junk 2014, 541). At the time of the World Summit the US was under George Bush tenure. Hence, Bush administration on the one side endorsed the idea of sovereignty as responsibility. Nonetheless, regarding international community's intervention to halt mass atrocities, the administration argued that it would depend on the specific case (Junk 2014, 541). For instance, while in the cases of Syria and Libya the US strongly supported the implementation of RtoP, in case of Iraq, where ongoing mass atrocities take place towards minorities, the US administration has been silent for a long period of time to name those actions as Genocide. Evidently, there are common features between the positions of Russia, China and the US towards RtoP. Namely, all three states do not have definite position towards this doctrine and the stances of both countries change depending on a specific case.

Certainly, from different positions of states towards the RtoP doctrine it was evident that all the states are driven from their own self-interests, rather than the interests of the whole humanity. At the same time, the incorporation of RtoP in World Summit Outcome document

and its adoption by all member states was a milestone in international affairs. The adoption of this document demonstrated the reflection of interests of different states. For instance, due to the efforts of the Global South the focus of RtoP doctrine was curtailed to four crimes, i.e genocide, war crimes, ethnic cleansing and crimes against humanity (United Nations 2005, 30). Furthermore, the US and Russia were able to incorporate in the paragraph 139 of the document that the Security Council takes the collective action on a case-by-case basis (United Nations 2005, 30). The overall soft language of the document demonstrated the consensus that was reached among different member-states. Although, the document did not have legally binding force, it indicated the political commitment of the UN member states to adhere the principles of the emerging norm. Moreover, it laid foundation for incorporating the RtoP doctrine in Security Council resolutions, which would gradually give this concept binding power.

Last but not least important document of RtoP was adopted by the current UN SG Ban Ki-moon when in 2009 he issued a report concerning the implementation of RtoP. The report introduced a three-pillar approach to RtoP based on the World Summit Outcome Document (UN General Assembly 2009). According to the first pillar the state is responsible to protect its people from four types of crimes which are genocide, ethnic cleansing, war crimes and crimes against humanity (UN General Assembly 2009). The second pillar mentions that international community should assist states in implementing this responsibility (UN General Assembly 2009). Importantly the last pillar of SG report also lies within international community. Namely, the international community should take appropriate diplomatic, humanitarian and other measures to protect populations from abovementioned crimes (UN General Assembly 2009). In addition, if a state is incapable to protect its population from these types of crimes, the

international community should take collective action to protect civilians, in accordance with the UN Charter (UN General Assembly 2009).

In the subsequent years the UN SG issued additional reports on RtoP, which concerned issues of early warning, preventive measures timely and decisive response as well as the role of regional arrangements (United Nations 2016). However, those reports did not create new things but rather repeated what have already been mentioned in the founding documents of RtoP.

Part 3: Implementing RtoP through the UNSC

3.1 UNSC resolution 1674(2006) and the debate around it

According to the article 24 of the UN Charter the UNSC plays primary role in the preservation of international peace and security (United Nations 1945). In addition, article 25 of the UN Charter states that “members of the United Nations agree to accept and carry out the decisions of the Security Council”; i.e. the resolutions of the UN Security Council are obligatory and are binding for all the 193 UN member-states (United Nations 1945). The mandate of the UNSC is also connected with the implementation of its resolutions. For that purpose the implementation of RtoP doctrine is first and foremost connected with the UN Security Council. The World Summit Outcome document also recognized the importance of this body and hence demonstrated the willingness of international community to take collective action through the Security Council (Mikulaschek 2010, 25).

Following the World Summit of 2005, the UN Security Council resumed discussions around RtoP doctrine, which led to the adoption of cornerstone UN Security Council resolution with a reference to RtoP. Even though the General Assembly adopted the doctrine unanimously,

debates around RtoP resumed in the Security Council which took several months until the consensus was reached among the Security Council permanent and non-permanent members. It is noteworthy to mention that previously the UN Security Council adopted two resolutions 1265(1999) and 1325(2000), which invoked the importance of protection of civilians in armed conflicts (UN Security Council 1999; UN Security Council 2000). Nonetheless, at that time as the idea of RtoP had not been formulated by ICISS, those resolutions merely called upon the conflicting parties “to respect international law and human rights” (UN Security Council 1999; UN Security Council 2000).

The essence of the debate around 1674 UN SC resolution concerned the inclusion of RtoP doctrine in Security Council resolutions. As in 2005, Russia and China were the main opponents to incorporate the doctrine in the UN SC resolutions. Namely, according to Russia’s position the concept was still “premature” for being included in Security Council documents (UN Security Council 2005). Thus, before reaching the Security Council Russia considered that the concept should be thoroughly discussed in the UN General Assembly.

China expressed softer position than Russia regarding the incorporation of RtoP in the UN Security Council resolution (UN Security Council 2005a). Chinese representative supported the further development of the doctrine. At the same time China acknowledged the importance of civilian population protection during armed conflicts. Even though China recognized Security Council’s authority to protect civilians and to take preventive measures in stopping the conflicts, it stated that the actions of the UNSC should not violate any country’s sovereignty and territorial integrity (UN Security Council 2005).

It is noteworthy to mention that from non-permanent members of the UN Security Council, Algeria had similar position to Russia and China. Particularly, Algeria called upon the members-states to continue the debate around RtoP in the General Assembly rather than in the Security Council as the concept was still ambiguous and lacked complete unanimity (UN Security Council 2005b). Indeed, these objections were impediments towards the incorporation of the doctrine in the resolution. Nonetheless, Algeria's two-year term as a non-permanent member of the UN Security Council came to its end at the end of December of 2005, which gave opportunity the advocates of the doctrine to overcome objections of Russian and Chinese diplomats (Lederer 2006).

Some of the other vivid advocates of the RtoP doctrine such as UK and France reiterated their position towards the importance of civilian population protection. Importantly, from the UNSC permanent members the US, which had ambiguous position towards the doctrine, expressed its commitment to incorporate RtoP in the Security Council resolution. In addition, France and the US brought example of Darfur and the importance of the Security Council to take decisive action in order to protect noncombatant peaceful population from humanitarian catastrophes (UN Security Council 2005).

Despite the debate around the incorporation of the RtoP doctrine in the first UN Security Council resolution, all the states agreed upon the importance of protecting peaceful civilians during armed conflicts. Eventually, the several months long discussions resulted in merely reaffirming paragraphs 138 and 139 of the UN World Summit Outcome document in the content of 1674(2006) resolution (United Nations 2006). Moreover, for the first time the UNSC resolution strongly condemned the abuse and trafficking of women and children, sexual

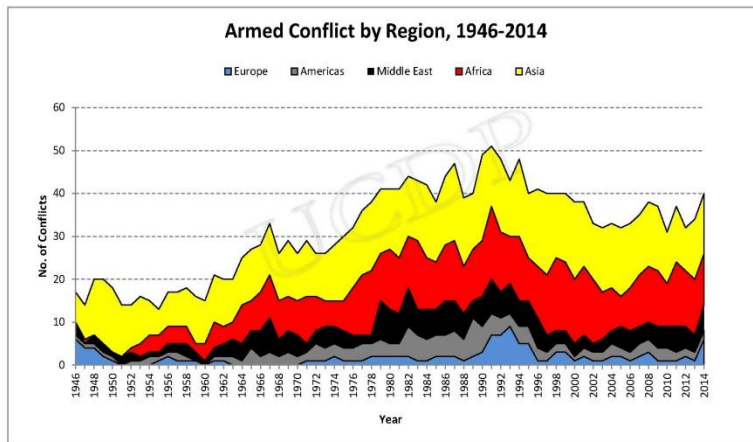
exploitation and recruitment of child soldiers in the armed conflicts (United Nations 2006). For that purpose the resolution urged the UN agencies and peacekeeping missions to exercise “zero-tolerance” in these kinds of situations (United Nations 2006). The resolution also stressed the importance of regional organizations in the protection of civilian populations in the armed conflicts (United Nations 2006).

Indeed, the Security Council resolution of 1674 was a major development for the RtoP doctrine. Although, there was only one reference to RtoP in the perambulatory clause of the resolution, it was a major advancement towards the implementation of the doctrine in the case of humanitarian catastrophes during intra-state conflicts. The resolution laid foundation for the adoption of other UN Security Council resolutions in country-specific cases.

3.2 International conflicts in the UNSC watch 2006-2015

In the beginning of XXI century intra-state conflicts of international character continued to prevail in all corners of the world. Despite the UN and larger international community efforts to halt humanitarian catastrophes, some of those conflicts had dreadful consequences resulting in

erga omnes crimes against civilians. Apparently, the UN Security Council resolution 1674 – first one with a reference to RtoP - was sought



to change the behavior of governments and to make them more responsible for their actions in protecting civilian populations from humanitarian catastrophes. According to UCPD graph², after the adoption of UN SC resolution 1674 in 2006 the major epicenters of international armed conflicts were Africa, Asia and the Middle East. However, the UNSC mostly qualified the situation in Africa and Middle East as a relevant to RtoP. For that reason in order to discuss the evolution of the doctrine this research capstone singles out four intra-state, out of which three of them occur/occurred in Africa and the one in the Middle East. Namely, the capstone will concentrate on Sudanese, Kenyan and Libyan conflicts in Africa and on Syrian conflict in the Middle East. These four conflicts were selected by taking into consideration the intension of the discussions in the UNSC and the wide public attention to these conflicts. The conflicts in this section will be discussed following the time sequence in order also to show the evolution of the doctrine.

Sudan

Importantly, Sudan was the first country where the Security Council referred to RtoP doctrine in 2006 for the protection of civilian population. At that time Sudan was a unified member-state of the UN, however the ongoing civil war ever since 1983 debilitated the whole country, which eventually resulted in South Sudan's independence in 2011. Nonetheless, the independence did not bring peace and the civil war continues up until now in western part of Sudan, as well as in South Sudan.

The situation in Sudan had been widely discussed in the UNSC prior the incorporation of RtoP in 1674(2006) resolution. The main struggle in this conflict was going between the

² The graph is from Uppsala University Department of Peace and Research website http://www.pcr.uu.se/research/ucdp/datasets/ucdp_prio_armed_conflict_dataset/

Sudanese government and rebels in the Darfur region represented by Sudan Liberation army who demanded more rights. Particularly, the discussions intensified when the Sudanese Government sponsored Arab militias under the command of the president Omar al-Bashir, who is currently accused by ICC committed mass atrocities in the Sudanese Western region called Darfur in 2003, which was officially recognized only by the US Government as acts of Genocide (Totten and Markusen 2013, 167).

Importantly, only a year later the UNSC in its resolution 1556(2004) recognized that atrocities were taking place in Darfur, as well as ‘welcomed’ Sudanese Government commitment to prosecute the criminals (UN Security Council 2004b). The UNSC meetings record reveal that the main reason for this delayed resolution was the internal debate specifically among the permanent members of the UNSC. For instance, Russia and China were against using military intervention in Sudan. Particularly, China had interests in Sudanese oil is, which is controlled by the Sudanese government and is exported to China.

In the subsequent resolutions 1590(2005), 1591(2005), 1593(2005) the UNSC imposed sanctions on the Sudanese Government, established UN mission in Sudan (UNMIS), endorsed the peace process between the conflicting sides and called upon the Sudanese Government and ICC to co-operate with each other (UN Security Council 2005). Even though the peace agreement was signed between the two conflicting sides in 2005, it did not prevent the conflict resumption and further intensification. In order to halt the ongoing mass atrocities the UN Security Council adopted resolution 1706(2006) by recalling resolution 1674(2006) and RtoP paragraphs 138 and 139 in the World Summit Outcome Document (UN Security Council 2006a). Importantly, two of the UNSC permanent members Russia and China as well as one non-

permanent-member Qatar abstained during the voting phase of this resolution. During the UNSC debates Qatar joined Russia and China and backed the Sudanese government. Additionally, (UN Security Council 2006). Qatar even went further by condemning the results of investigation of ICC according to which Omar al-Bashir was responsible for committing mass atrocities in Sudan (UN Security Council 2006).

Despite these disagreements, in the operative clause of the resolution 1706(2006) mentioned the first and third pillars of RtoP, by emphasizing the responsibility of Sudanese government to protect civilians as well as authorizing UNMIS peacekeeping force to act under Chapter VII of the UN Charter for enforcing the Peace agreement and protecting civilians (UN Security Council 2006a). Nonetheless, even the peacekeeping forces did not stop the ongoing conflict between the warring sides.

There is a general agreement among scholars and human rights organizations that RtoP failed to prove its effectiveness in the case of Sudanese conflict (Alex de Waal 2007; Bellamy 2010; Human Rights Watch 2004). However, it is noteworthy to mention that the conflict in Sudan the adoption of RtoP. The latter was implemented in Sudan when it was the time to already “react” as mass atrocities continued to take place in the country. One of the most important elements of RtoP “responsibility to prevent” was not implemented, which complicated the situation due the lack of consensus by the UNSC members over the third pillar of RtoP. Interestingly, the UCPD chart shows that after 2004 the number of casualties drastically decreased in Sudan reaching up to 1484 in 2005, while in comparison in 2004 this number was 7393 (UCDP 2016). Indeed, RtoP did not halt the armed conflict in Sudan and failed to ensure

protection of peaceful civilians. Nonetheless, the doctrine contributed to the considerable reduction of the number of fatalities.

The main problem halting ongoing mass atrocities in Sudan is rather connected with the enforcement mechanisms rather than the doctrine itself. For instance, notwithstanding the fact that Omar al-Bashir is accused by ICC for committing *erga omnes* crimes in Sudan, he is currently in freedom due to the weakness of enforcement mechanisms to bring him to accountability. Another issue is connected with the limited mandate of peacekeeping forces due to which mass atrocities continued to take place in Sudan even during the presence of UNMS. Hence, besides the political interests of the UNSC P5 members, the weak enforcement mechanisms hindered the complete implementation of RtoP in Sudan.

Kenya

While the implementation of RtoP failed to achieve the expected results in Sudan, the situation turned to be different in Kenya, which is considered to be one of the vivid examples of RtoP's success. It is noteworthy to mention that from the 1990s ever since the establishment of multi-party system in Kenya, the country periodically started to witness post-electoral violence (Halakhe 2013, 6). However, one of the most prominent examples of this phenomenon is Kenya's 2007 presidential elections resulted in mass-scale ethnic violence between the opposition headed by Raila Odinga's Orange Democratic Movement (ODM) and the re-elected president of Kenya Mwai Kibaki. Both politicians were from different ethnic groups, which was another main reason for the ethnic conflict to erupt. Even though the ethnic conflict lasted merely two months, as a result of it 1500 people were killed and 300,000 displaced (Bellamy 2010b, 154).

Fortunately, the newly elected UN Secretary-General Ban Ki-moon responded promptly to the situation in Kenya by characterizing it as relevant to RtoP (Bellamy 2010b, 153). Subsequently, the President of UNSC issued a statement in February 2008 calling the conflicting sides to bear in mind their “responsibility to engage fully in finding a sustainable solution and taking action to immediately end violence” (UN Security Council 2008). At this time the statement was also accompanied by action, namely through joint meditative efforts of the UN and AU, which included preventive diplomacy measures the two-months long Kenyan political crisis was stopped. Importantly, former UNSG Kofi Anan was also involved in the mediation process and mainly due to his efforts both parties signed a power-sharing agreement at the end of February, which officially ended the conflict. Interestingly, after several months ICC with UNSC resolution authorized to open investigation against those people, who were criminally responsible during Kenya’s post-electoral violence.

Importantly, UNSC gave credit to RtoP retrospectively for the successful resolution of Kenya’s crisis, while it did not pass a single resolution on the situation in Kenya. Interestingly, Kenya’s case was not even discussed in the UNSC at the beginning when the violence erupted. It merely issued a presidential statement, which reminded the conflicting sides about their responsibilities to find a solution for the conflict. Apparently, the lack of political interests in this conflict by the UNSC P5 contributed to the prompt resolution of it. Moreover, in case of Kenya there was a political will from both sides to put an end to the conflict. Furthermore, UN-AU led mediation was successful for bringing the conflicting side to consensus. Finally, the perpetrators were brought up to accountability in the ICC. Hence, in case of Kenya the enforcement mechanisms were stronger in comparison to Sudan, which led to the successful implementation

of RtoP. The UCPD chart also proves the success of RtoP by the showing drastically reduction in armed conflict casualties (UCDP 2016).

Libya

Apparently, one of the most controversial applications of RtoP is considered to be Libya. The latter was unique in a sense that Libya was the only country where RtoP was implemented through Security Council's authorization of the use of force. The root cause of RtoP's implementation was connected with 2011 mass-scale anti-governmental protests in the entire region of Middle East, which in some countries such as Libya and Syria had catastrophic consequences for the civilian population. Namely, Libya's former leader Muammar al-Qaddafi brutally suppressed the peaceful protests, which deteriorated the situation in the country and resulted in the eruption of full-scale civil war between the government and the rebels in the Libyan eastern region on Benghazi.

The UN and international community immediately responded to this situation in Libya. For instance, the UN Human Rights Council just a week after the protests condemned Libya's "gross and systematic human rights violations" and recommended the suspension of Libya from UN Human Rights Council (OHCHR 2011). At the same time, the UNSC started its discussions on the situation in Libya and starting from the first meeting RtoP doctrine was invoked. Importantly, the first resolutions on the situation in Libya 1970(2011) was passed in February 26, which recalled Libyan government's responsibility to protect its population (UN Security Council 2011a). The resolution also imposed arms embargo on Libya (UN Security Council 2011a). Even though this resolution was adopted by consensus in the subsequent UNSC meetings permanent as well as non-permanent members of the Security Council elaborated more

about their positions towards the situation in Libya. Namely, Russia, South Africa and Brazil were advocating for the peaceful solution of the conflict between opposition and Colonel Qaddafi, while the US, UK and France were arguing for more harsh measures against Qaddafi demanding his removal from the power (UN Security Council 2011a).

Nonetheless, this warning resolution did not prevent Colonel Qaddafi from committing war crimes and crimes against humanity. Apparently, taking into consideration previous applications of RtoP, e.g. Darfur, Qaddafi did not consider the possibility of doctrine's enforcement by the military action. In March 2011, the UNSC passed its historical resolution 1973(2011), which as such authorized the implementation of RtoP's Third Pillar. Particularly, the resolution established a no-fly zone, as well as authorized "regional organizations and arrangements to take all necessary measures to protect civilians" in Libya (UN Security Council 2011b). Apparently, the part concerning regional arrangements signaled NATO's intervention in Libya. Importantly, during the voting process of this resolution two permanent (Russia and China) three non-permanent members (Brazil, Germany, India) of the UNSC abstained from voting (United Nations 2011). Two days later NATO implemented the UNSC 1973 resolution by defeating Qaddafi's forces.

Undoubtedly, the UNSC mandated NATO's intervention in Libya was a breakthrough in the development of RtoP's doctrine. For the first time the doctrine went beyond its first and second pillars and the use of force in case of Libya was viewed as "last resort". As opposed to Kenya, where diplomatic and political means were successful for restoring peace in the country, in Libya mediations failed as Qaddafi was not willing to negotiate with protesters. Nonetheless, even though NATO's intervention was able to halt atrocity crimes in Libya, the country up until

now witnesses instability and chaos. Even though the UNSC in its subsequent resolutions periodically called for the “responsibility to rebuild”, it did not prevent Libya’s turning into the failed state due to the growing influence of terrorist groups in the country. Importantly, the UCPD chart demonstrates that on contrary to the expected outcomes of the intervention, after overthrowing Qaddafi’s regime the number of fatalities extremely increased. According to the chart in 2011 when Qaddafi oppressed the demonstration 158 people died, while in 2012 this number increased tenfold reaching up to 2082 (UCDP 2016). Indeed, Libya’s case demonstrated that political interests of the Western powers prevailed as instead of halting crimes against humanity in the country the intervention overthrew the regime, which ensured the sustainability of ongoing mass atrocities of civilian population.

Syria

The consequences of NATO’s intervention in Libya made the UN Security Council members to take caution before the implementation of RtoP’s Third Pillar. Likewise in Libya, the civil war in Syria commenced due to mass-scale anti-government protests, which at the beginning were named by the US President Barack Obama as “Arab spring”. Repeatedly, at the beginning Syrian President Bashar al-Assad suppressed the peaceful protests which blundered the situation and turned the whole country a battlefield for internal actors, as well as geopolitical powers. However, the situation was different in Syria as the president Bashar al-Assad throughout the whole period of the conflict has been willing to cooperate with opposition unlike Qaddafi. Moreover, with the rise of extremist actors in Syria such as ISIL, Jabhat al-Nusra, etc. the situation turned chaotic in the country, which raise the question in the UNSC who actually committed war crimes and crimes against humanity in Syria.

The UNSC meetings record reveal that there was a stronger resistance by some permanent and non-permanent members of the UNSC towards taking military action in Syria. Namely, the BRICS (Brazil, Russia, India, China and South Africa) were the most vivid opponents against the exercise of the use of force in Syria. At the same time, the US, UK and France repeatedly called for arming the rebels against Assad's regime. The main essence of the debate revolves around two positions the first one of which is connected with the removal of Bashar al-Assad from power (USA, France, UK), while the second one stresses the importance of negotiations for achieving conflict resolution in Syria (Russia, China). Hence, on contrary to Libya, RtoP demonstrated its inability to react due to political debates in the UNSC. It is noteworthy to mention that as of March 2016 the UNSC passed nine resolutions concerning the situation in Syria, out of which four referred to RtoP doctrine. Importantly, in September 2011 Independent International Inquiry Commission was created by UN Human Rights Council, which issued several reports that showed both the government of Syria and rebels committed war crimes and crimes against humanity in Syria (ICRtoP 2016). Nonetheless, it was only after yearlong debates the UNSC passed its first unanimous resolution 2042(2012) on the situation in the Middle East overall with a reference to RtoP and the observation mission in Syria (UN Security Council 2012). Prior the adoption of this resolution former Secretary-General Kofi Anan was appointed as a mediator, who also proposed six-point plan for conflict resolution in Syria.

However, the implementation of resolution 2042 as well as Kofi Anan's mediation efforts failed due to the conflict escalation in Syria. Moreover, Anan noted that due to the lack of unity among UNSC members his role became ineffective in the conflict resolution in Syria (BBC 2012). The situation worsened even more when in 2013 chemical weapons were used in Syria.

Indeed, the resolution 2118(2013) was passed a month later after the usage of the chemical weapons, which condemned the utilization of chemical weapons and endorsed their destruction through the guidance of OPCW (UN Security Council 2013). The subsequent resolutions of UNSC 2165(2014), 2254(2015) and 2258(2015) repeatedly invoked the first pillar of RtoP, which did not help to resolve the conflict.

Indeed, Syrian case showed that RtoP is highly driven by political interests of the UN member-states, rather than their motivation to halt the ongoing dreadful conflict. The failed mediation efforts, prolonged Security Council meetings and the positions of the UNSC permanent and non-permanent members all hinder the implementation of RtoP.

Conclusion

With the beginning of new millennium the world came up with a new formula for putting an end to mass atrocities and fulfilling “never again” promise enshrined in the Preamble of UN Charter³, which truly introduced evolution in thinking and bridged the gap between legality and legitimacy of age-old state practice of humanitarian interventions. Apparently, being thrilled by the unanimous adoption of RtoP doctrine by the General Assembly there was a perception that the international community reached too close to prevent and halt heinous crimes. Nonetheless, the implementation of RtoP by the UNSC proved the opposite as it faced number of challenges particularly connected with the political interests of the UNSC P5 states.

Indeed, there was a general agreement concerning the first and second pillars of RtoP. However, controversies among the P5 members became evident when the ongoing mass atrocities such as in cases of Sudan, Libya and Syria created a situation where sanctioning use of force by the UNSC was of utmost importance to halt the *erga omnes* crimes. The UNSC meetings record also revealed that the P5 member states were first and foremost concerned with their own interests, rather than the interests of the overall well-being of the humanity. Thus, the first hypothesis is accepted.

As regards the success of RtoP, it differed from one case to another. Importantly, the selected cases showed that besides the consensus among the UNSC members, the success of RtoP was tightly connected with other factors such as the political will of the warring sides, selection of the right type of a mediator, the role of regional arrangements, increased mandate of peacekeeping forces, as well as empowerment of ICC to bring perpetrators to justice. For

³ The preamble of the UN Charter states “to save succeeding generations from the scourge of war” (United Nations 1945).

instance, the key for Kenya's post-electoral crisis resolution was a combination of political will of conflicting sides, early involvement by the AU, selection of the right mediator and finally accountability of the perpetrators in the ICC. On contrary, in the other selected cases of Sudan, Libya and Syria not only the enforcement mechanisms were weak but also up until now there is no political will of warring sides to put an end to the conflict. As a result of these drawbacks in the enforcement mechanisms, the UNSC is currently failing to implement RtoP in times of *erga omnes* crimes. Notwithstanding the fact that RtoP succeeded to achieve expected results in Kenya, the ongoing mass atrocities in Libya and Syria as reported by the UN Human Rights Council, Human rights watch, International Crisis Group and other international organizations demonstrate the inability and failure of the UNSC to implement RtoP in times of *erga omnes* crimes. Hence, the second hypothesis is also accepted.

Despite the initial enthusiasm of the international community to finally say "never again" to the heinous crimes against humanity, RtoP became another tool in the hands of great powers for realizing their geopolitical interests. Undoubtedly, in theory the doctrine experienced evolution from the original ICISS report till the incorporation in the UNSC 1674(2006) resolution, while in practice the RtoP's zenith is considered Libya, after which it appeared in the deadlock due to the heated debates over implementation of its third pillar in Syria.

Importantly, it was repeatedly argued by many scholars and the UN member states that one of the possible solutions could have been the reform of the UNSC, the structure of which is outdated and does not meet the current world challenges. Nonetheless, ever since the 1970s the UN member states could not reach a common agreement on this issue as first and foremost the UNSC P5 members are unwilling to give up their powers. For that reason alternative measures

should be taken for overcoming this deadlock, such as empowering regional organizations, international courts as well as civil society. After all, *erga omnes* crimes were created by humans, hence it is the responsibility of all of us to prevent, stop and find a practical solution to these types of heinous crimes.

Bibliography

- Annan, Kofi. 2000. "We the Peoples: The Role of the United Nations in the 21st Century." http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf.
- "Background Information on the Responsibility to Protect — Outreach Programme on the Rwanda Genocide and the United Nations." 2016. Accessed March 18. <http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>.
- BBC. 2012. "Syria Crisis: Kofi Annan Quits as UN-Arab League Envoy." *BBC News*. February 8. <http://www.bbc.com/news/world-middle-east-19099676>.
- Bellamy, Alex J. 2005. "Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq." *Ethics & International Affairs* 19 (02): 31–54.
- Brockmeier, Sarah, Gerrit Kurtz, and Julian Junk. 2014. "Emerging Norm and Rhetorical Tool: Europe and a Responsibility to Protect." *Conflict, Security & Development* 14 (4): 429–60.
- Council on Foreign Relations. 2016. "The Internationalist » Regional Organizations and Humanitarian Intervention." *Council on Foreign Relations - The Internationalist*. Accessed April 3. <http://blogs.cfr.org/patrick/2013/07/22/regional-organizations-and-humanitarian-intervention/>.
- Council on Foreign Relations - The Internationalist. 2013. "The Internationalist » Regional Organizations and Humanitarian Intervention." July 22. <http://blogs.cfr.org/patrick/2013/07/22/regional-organizations-and-humanitarian-intervention/>.
- Cunliffe, Philip. 2010. "Introduction: Critical Perspectives on R2P." *Journal of Intervention and Statebuilding* 4 (1): 35–37.
- "Darfur and the Genocide Debate." 2009. *Foreign Affairs*. January 28. <https://www.foreignaffairs.com/articles/sudan/2005-01-01/darfur-and-genocide-debate>.
- Deng, Francis Mading. 1996. *Sovereignty as Responsibility: Conflict Management in Africa*. Brookings Institution Press.
- de Sousa, Marco. 2010. "Humanitarian Intervention and the Responsibility to Protect: Bridging the Moral/legal Divide." *UCL Jurisprudence Rev.* 16: 51.
- Dinstein, Yoram, and Fania Domb. 2002. *Israel Yearbook on Human Rights 2001*. Martinus Nijhoff Publishers.
- Evans, Gareth. 2006. "From Humanitarian Intervention to the Responsibility to Protect." *Wis. Int'l LJ* 24: 703.
- Evans, Gareth. 2008. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*. Washington DC: Brookings Institution Press.
- Evans, Malcolm. 2010. *International Law*. OUP Oxford.
- Fletcher, George P., and Jens David Ohlin. 2008. *Defending Humanity: When Force Is Justified and Why*. Oxford University Press.
- Fukuyama, Francis. 1989. "The End of History?" *The National Interest*, no. 16: 3–18.
- Glanville, Luke. 2011. "The Antecedents of 'sovereignty as Responsibility.'" *European Journal of International Relations* 17 (2): 233–55. doi:10.1177/1354066109346889.
- Halakhe, Abdullahi. 2013. "R2P in Practice : Ethnic Violence, Elections and Atrocity Prevention in Kenya." http://www.globalr2p.org/media/files/kenya_occasionalpaper_web.pdf.

- Hofmann, Stephanie C., and Oliver Jütersonke. 2012. "Regional Organizations and the Responsibility to Protect in the Context of the Arab Spring." *Swiss Political Science Review* 18 (1): 132–35. doi:10.1111/j.1662-6370.2012.02057.x.
- Human Rights Watch. 1995. "The Fall of Srebrenica and the Failure of UN Peacekeeping," October 15.
- Human Rights Watch. 2004. "U.N.: Darfur Resolution a Historic Failure." \iHuman Rights Watch. <https://www.hrw.org/news/2004/09/17/un-darfur-resolution-historic-failure>.
- ICISS. 2001. "The Responsibility to Protect." Ottawa, Canada. <http://responsibilitytoprotect.org/ICISS%20Report.pdf>.
- ICRtoP. 2016. "The Responsibility to Protect and Syria." <http://responsibilitytoprotect.org/FINAL%20Syria%20Q%20and%20A.pdf>.
- ICRtoP. 2016. "The Crisis in Kenya." Accessed April 2. <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-kenya>.
- ICTY. 2016. "Mladić (IT-09-92) | International Criminal Tribunal for the Former Yugoslavia." August 5. <http://www.icty.org/case/mladic/4>.
- Independent International Commission on Kosovo. 2000a. *The Kosovo Report: Conflict, International Response, Lessons Learned*. Oxford University Press. <http://www.alnap.org/resource/3012>.
- Independent International Commission of Kosovo. 2000b. \iThe Kosovo Report: Conflict, International Response, Lessons Learned. Oxford University Press, USA.
- International Coalition for the Responsibility to Protect. 2014. "Key Developments on the Responsibility to Protect at the United Nations from 2005-2014," 1–7.
- ICRtoP. 2015. "Responsibility to Protect." \iInternational Coalition for the Responsibility to Protect. November 21. <http://www.responsibilitytoprotect.org/>.
- Jentleson, Bruce, and Jenna Karp. 2015. "Guest Post: Closing the Rhetoric-Reality Gap on R2P." *Council on Foreign Relations*. September 28. <http://blogs.cfr.org/zenko/2015/09/28/guest-post-closing-the-rhetoric-reality-gap-on-r2p/>.
- Johnson, James Turner. 2014. *Sovereignty: Moral and Historical Perspectives*. Georgetown University Press.
- Joyner, Christopher C. 2006. "Responsibility to Protect: Humanitarian Concern and the Lawfulness of Armed Intervention, The." *Va. J. Int'l L.* 47: 693.
- Junk, Julian. 2014. "The Two-Level Politics of support—US Foreign Policy and the Responsibility to Protect." *Conflict, Security & Development* 14 (4): 535–64.
- Knight, W. Andy. 2012. \iThe Routledge Handbook of the Responsibility to Protect. Routledge. [//books.google.com/books?hl=en&lr=&id=rzkGPG_MuS4C&oi=fnd&pg=PP2&dq=The+challenges+facing+R2P+implementation+Murray&ots=QNZHMAbk1p&sig=wsrFhV1uNOCy3p1fXzsdORtYHd8](https://books.google.com/books?hl=en&lr=&id=rzkGPG_MuS4C&oi=fnd&pg=PP2&dq=The+challenges+facing+R2P+implementation+Murray&ots=QNZHMAbk1p&sig=wsrFhV1uNOCy3p1fXzsdORtYHd8).
- Koko, Sadiki, and Martha Bakwesegha-Osula. 2012. "Assessing the African Union's Response to the Libyan Crisis," no. 1: 7.
- Krasner, Stephen D. 2001. "Rethinking the Sovereign State Model." *Review of International Studies* 27 (05): 17–42. doi:10.1017/S0260210501008014.
- Kurowska, Xymena. 2014. "Multipolarity as Resistance to Liberal Norms: Russia's Position on Responsibility to Protect." *Conflict, Security & Development* 14 (4): 489–508.
- Lederer, Edith. 2006. "U.N. Affirms Duty to Defend Civilians." *The Washington Post*, April 29, sec. World. <http://www.washingtonpost.com/wp-dyn/content/article/2006/04/28/AR2006042801833.html>.

- Liu, Tiewa, and Haibin Zhang. 2014. "Debates in China about the Responsibility to Protect as a Developing International Norm: A General Assessment." *Conflict, Security & Development* 14 (4): 403–27.
- Luck, Edwards. 2008. "The United Nations and the Responsibility to Protect." *Stanley Foundation*, 1–12.
- Macfarquhar, Neil. 2011. "Arab League Suspends Syria Over Its Crackdown." *The New York Times*, November 12. <http://www.nytimes.com/2011/11/13/world/middleeast/arab-league-votes-to-suspend-syria-over-its-crackdown-on-protesters.html>.
- Mamdani, Mahmood. 2010. "Responsibility to Protect or Right to Punish?" *Journal of Intervention and Statebuilding* 4 (1): 53–67.
- Massingham, Eve. 2009. "Military Intervention for Humanitarian Purposes: Does the Responsibility to Protect Doctrine Advance the Legality of the Use of Force for Humanitarian Ends?" *International Review of the Red Cross* 91 (876): 803–31.
- Mednicoff, David M. 2006. "Humane Wars? International Law, Just War Theory and Contemporary Armed Humanitarian Intervention." *Law, Culture and the Humanities* 2 (3): 373–98.
- Mikulaschek, Christoph. 2010. "The United Nations Security Council and the Responsibility to Protect: Policy, Process, and Practice." *Favorita Papers* 1. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1618890.
- Murphy, Sean D. 1996. *Humanitarian Intervention: The United Nations in an Evolving World Order*. Vol. 21. University of Pennsylvania Press. https://books.google.com/books?hl=en&lr=&id=sZa_RIVjiSMC&oi=fnd&pg=PR9&dq=Murphey+Humanitarian+Intervention&ots=SewsTcca_I&sig=7_6aVfDmlk03SC_PO7VMSrVpRMI.
- NATO. 1999. "NATO's Role in Kosovo: Resolution 1203 (1998)." June 22. <http://www.nato.int/kosovo/docu/u981024a.htm>.
- Nikoghosyan, Hovhannes. 2015. "Government Failure, Atrocity Crimes and the Role of the International Criminal Court: Why Not Syria, but Libya." *The International Journal of Human Rights* 19 (8): 1240–56.
- O'Connell, Mary Ellen. 2010. "Responsibility to Peace: A Critique of R2P." *Journal of Intervention and Statebuilding* 4 (1): 39–52.
- "Office of The Special Adviser on The Prevention of Genocide." 2015a. Accessed December 5. <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml>.
- United Nations. 2015b. Accessed December 5. <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml>.
- OHCHR. 2011. "UN Human Rights Council Recommends Suspension of Libya." February 25. <http://www.ohchr.org/EN/NewsEvents/Pages/HRCSpecialSessionLibya.aspx>.
- Orford, Anne. 2011. *International Authority and the Responsibility to Protect*. Cambridge University Press.
- Pattison, James. 2010. *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene?* OUP Oxford. https://books.google.com/books?hl=en&lr=&id=j7nUmVdGBfAC&oi=fnd&pg=PT2&dq=Pattison+who+should+intervene&ots=HYq9WWvHK8&sig=I7r_EcnOhOAtGac_hz1a8HwMtmw.
- Presbey, Gail M. 2007. *Philosophical Perspectives on the War on Terrorism*. Rodopi.

- Rademaker, Saskia. 2012. "The Intervention in Libya: 'The Responsibility to Protect' as a New Norm?" *Applied Research Today* 2012 (2): 83–101.
- Schabas, William A. 2007. "Lex Specialis-Belt and Suspenders-the Parallel Operation of Human Rights Law and the Law of Armed Conflict, and the Conundrum of Jus Ad Bellum." *Isr. L. Rev.* 40: 592.
- "Somalia and the Future of Humanitarian Intervention." 2009. *Foreign Affairs*. January 28. <https://www.foreignaffairs.com/articles/somalia/1996-03-01/somalia-and-future-humanitarian-intervention>.
- Stanley Foundation. 2008. "Actualizing the Responsibility to Protect: 43rd Conference on the United Nations of the Next Decade." <http://www.stanleyfoundation.org/publications/report/UNND808.pdf>.
- Stein, Mark S. 2004. "Unauthorized Humanitarian Intervention." *Social Philosophy and Policy* 21 (01): 14–38.
- Stuenkel, Oliver, and Marcos Tourinho. 2014. "Regulating Intervention: Brazil and the Responsibility to Protect." *Conflict, Security & Development* 14 (4): 379–402.
- The Group of 77. 2000. "The South Summit of the Group of 77." <http://www.g77.org/>.
- The New York Times*. 1995. "Srebrenica: A U.N. 'Safe Haven' That Soon Was Not," October 29, sec. World. <http://www.nytimes.com/1995/10/29/world/srebrenica-a-un-safe-haven-that-soon-was-not.html>.
- Totten, Samuel, and Eric Markusen. 2013. *Genocide in Darfur: Investigating the Atrocities in the Sudan*. Routledge.
- UCDP. 2016. "UCDP - Uppsala Conflict Data Program." July 5. <http://ucdp.uu.se/#country/625>.
- UN General Assembly. 2004. "A More Secure World: Our Shared Responsibility Report of the High-Level Panel on Threats, Challenges and Change." http://www2.ohchr.org/english/bodies/hrcouncil/docs/gaA.59.565_En.pdf.
- United Nations. 2005. "In Larger Freedom: Towards Development, Security and Human Rights for All." http://www.un.org/en/ga/search/view_doc.asp?symbol=A/59/2005.
- United Nations. 2009. "Implementing the Responsibility to Protect: Report of the Secretary-General."
- UN General Assembly, and UN Security Council. 2011. "The Role of Regional and Sub-Regional Arrangements in Implementing the Responsibility to Protect Report of the Secretary-General." <http://www.un.org/en/ga/president/65/initiatives/Report%20of%20the%20SG%20to%20MS.pdf>.
- United Nations. 1945. "Charter of the United Nations." <http://www.un.org/en/sections/un-charter/un-charter-full-text/index.html>.
- United Nations. 2000. "PRESS BRIEFING ON KOSOVO COMMISSION | Meetings Coverage and Press Releases." October 23. <http://www.un.org/press/en/2000/20001023.kosovobrfg.doc.html>.
- United Nations. 2005a. "2005 World Summit: High Level Plenary Meeting." <http://www.un.org/ga/documents/overview2005summit.pdf>.
- United Nations. 2005b. "2005 World Summit Outcome Document." <http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf>.
- UN Security Council. 2011. "Security Council Approves 'No-Fly Zone' over Libya, Authorizing 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions." March 17. <http://www.un.org/press/en/2011/sc10200.doc.htm>.

- . 2016. “Background Information on the Responsibility to Protect — Outreach Programme on the Rwanda Genocide and the United Nations.” Accessed May 4. <http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>.
- United Nations Human Rights Office of the High Commissioner. 2015. “ISIL May Have Committed War Crimes, Crimes against Humanity and Genocide.” Geneva. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15720>.
- United States Holocaust Memorial Museum. 2016. “Genocide Fax: Part I.” *United States Holocaust Memorial Museum*. <https://www.ushmm.org/confront-genocide/cases/rwanda/turning-points/genocide-fax-part-i>.
- UN Security Council. 1999. “S/RES/1265 (1999).” <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/267/94/PDF/N9926794.pdf?OpenElement>.
- UN Security Council. 2004a. “United Nations Security Council Meetings in 2004.” <http://www.un.org/en/sc/meetings/records/2004.shtml>.
- UN Security Council. 2005a. “UN Security Council Documents.” <http://www.un.org/en/documents/index.html>.
- UN Security Council. 2005b. “UN Security Council 5319th Meeting.” S/PV.5319. New York. <http://responsibilitytoprotect.org/index.php/about-rtop/related-themes/2414--rtop-and-protection-of-civilians-debates->.
- UN Security Council. 2008. “Statement by the President of the Security Council.” <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kenya%20SPRST20084.pdf>.
- UN Security Council. 2011b. “S/RES/1973 (2011).” [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973%20\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973%20(2011)).
- UN Security Council. 2012. “Resolution 2042 (2012).” [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2042%20\(2012\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2042%20(2012)).
- UN Security Council. 2016. “United Nations Security Council Meeting in 2005.” Accessed March 25. <http://www.un.org/en/sc/meetings/records/2005.shtml>.
- Walzer, Michael. 2006. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. Basic Books.
- Weiss, Thomas G. 2001. “Researching Humanitarian Intervention: Some Lessons.” *Journal of Peace Research* 38 (4): 419–28.
- Welsh, Jenifer. 2009. “Implementing the ‘Responsibility to Protect.’” Oxford Institute for ethics, law and armed conflict. http://www.elac.ox.ac.uk/downloads/r2p_policybrief_180209.pdf.
- Western, Jon, and Joshua Goldstein. 2013. “Humanitarian Intervention Comes of Age.” *Foreign Affairs*. November 26. <https://www.foreignaffairs.com/articles/2011-11-01/humanitarian-intervention-comes-age>.
- Whetham, David, and Bradley J. Strawser. 2015. *Responsibilities to Protect: Perspectives in Theory and Practice*. Hoter Publishing.