

NAGİHAN VATANSEVER

A CRITICAL OVERVIEW OF THE RESPONSIBILITY TO PROTECT

Bilkent University 2024

A CRITICAL OVERVIEW OF THE RESPONSIBILITY TO  
PROTECT

A Master's Thesis

by  
NAGİHAN VATANSEVER

Department of  
International Relations  
İhsan Doğramacı Bilkent University  
Ankara  
May 2024





*To my grandmother*

A CRITICAL OVERVIEW OF THE RESPONSIBILITY TO PROTECT

The Graduate School of Economics and Social Sciences  
of  
İhsan Doğramacı Bilkent University

by

Nagihan VATANSEVER

In Partial Fulfillment of the Requirements for the Degree of  
MASTER OF ARTS in INTERNATIONAL RELATIONS

THE DEPARTMENT OF  
INTERNATIONAL RELATIONS  
İHSAN DOĞRAMACI BİLKENT UNIVERSITY  
ANKARA

May 2024

A CRITICAL OVERVIEW OF THE RESPONSIBILITY TO PROTECT  
By Nagihan Vatansever

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Pınar Bilgin  
Advisor

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Zerrin Torun  
Examining Committee Member

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Selver Buldanlıođlu Şahin  
Examining Committee Member

Approval of the Graduate School of Economics and Social Sciences

-----  
Refet S. Gürkaynak  
Director

## ABSTRACT

### A CRITICAL OVERVIEW OF THE RESPONSIBILITY TO PROTECT

Vatansever, Nagihan

M.A., Department of International Relations

Advisor: Prof. Dr. Pınar Bilgin

May 2024

This thesis focuses on the Responsibility to Protect (R2P) concept and its predecessor, humanitarian intervention. It analyzes humanitarian intervention and Responsibility to Protect in order to understand the R2P's reference to human insecurities. The thesis aims to understand the gap between how R2P was framed and how it is put into practice. Although R2P claims to be a solution to human insecurities and was framed to be an improvement in humanitarian interventions, it fails to respond human insecurities in cases of genocide, war crimes, ethnic cleansing and crimes against humanity. Therefore, in this thesis, it is questioned "whether R2P is an improvement upon humanitarian intervention." The cases examined in the thesis indicate how R2P's referent of security differs in every different event.

**Keywords:** crimes against humanity, ethnic cleansing, genocide, humanitarian intervention, responsibility to protect, war crimes

## ÖZET

### KORUMA SORUMLULUĞUNUN ELEŞTİREL İNCELEMESİ

Vatansever, Nagihan

Yüksek Lisans, Uluslararası İlişkiler Bölümü

Tez Danışmanı: Prof. Dr. Pınar Bilgin

Mayıs 2024

Bu tez Koruma Sorumluluğu kavramına ve onun kökenini oluşturan insani müdahaleye odaklanmaktadır. Koruma Sorumluluğunun insan güvensizliği meselesini güvenliğin merkezine alıp almadığını daha iyi anlayabilmek için, insani müdahaleleri ve Koruma Sorumluluğunu analiz etmektedir. Koruma Sorumluluğunu, çerçevesinin nasıl oluşturulduğunu ve Koruma Sorumluluğunun nasıl uygulandığı arasındaki farkın incelenmesi amaçlanmaktadır. Koruma Sorumluluğu insan güvensizliğine çözüm sağlama ve insani müdahaleler için bir ilerleme adımı olması amacını taşıırken soykırım, savaş suçları, etnik temizlik ve insanlığa karşı suçlara karşılık vermekte başarısız kalmaktadır. Bu nedenle, bu çalışmada Koruma Sorumluluğunun insani müdahaleler için bir gelişme olup olmadığı sorulmaktadır. Tezde incelenen vakalar, Koruma Sorumluluğunun güvenlik öznesinin her olayda farklı şekillerde ortaya çıktığına işaret etmektedir.

**Anahtar kelimeler:** etnik temizlik, insani müdahaleler, insanlığa karşı suçlar, koruma sorumluluğu, savaş suçları, soykırım

## ACKNOWLEDGEMENTS

Before anyone else, I would like to thank my thesis advisor, Prof. Pınar Bilgin, for her guidance and support along the way with her feedback, suggestions, and help for this thesis and any other matters in this program. Being one of her students was one of the most honoring experiences I have had during my academic journey. It would not be possible for me to complete this thesis without her guidance and support.

I would like to thank to the defense jury members, Professors Zerrin Torun and Selver Buldanlıođlu Şahin. I am glad that I was able to share my thesis with such a valuable jury. I thank them for their support and contributions on this thesis.

I am thankful to my cohort, the seven people who were there for me during the last three years here in Bilkent. Among them, my special thanks are to Ezgi Ergün, Sena Yenigün, and Beyza Kumanova. Their support, kindness, and friendship were the most valuable contributions to my journey in Bilkent and the writing of this thesis.

We shared a lot; we overcame so many hard times together, which brought us closer to each other. Not only their feedback and contributions to this thesis but also the emotional support system we built together was a great source of strength for me to complete this thesis and this program.

Beyond anyone else's support, my family members are the ones I felt most supported by. I thank my mother and father, Nebiye and Eyüp, and my dear brother, Emirhan, for being my biggest supporters. I also would like to thank my beloved extended family, who would be so long to name here individually.

Last but not least, I thank my dearest lifelong friends and my IR companions, Serap Şıvgın and Esmâ Dođan, for their endless support and invaluable feedback to me

during this program and in this thesis. I will always be thankful to them for supporting me while writing this thesis like they do with any other matters in life.



## TABLE OF CONTENTS

ABSTRACT.....	I
ÖZET.....	II
ACKNOWLEDGEMENTS .....	III
TABLE OF CONTENTS.....	V
CHAPTER I: INTRODUCTION.....	1
1.1. HUMANITARIAN INTERVENTION AND R2P.....	1
1.2. RESEARCH DESIGN .....	3
1.3. STRUCTURE OF THESIS .....	9
CHAPTER II: CONCEPTUAL FRAMEWORK .....	11
2.1. HISTORICAL BACKGROUND OF HUMANITARIAN INTERVENTION PRACTICES ....	11
2.2. HUMANITARIAN INTERVENTIONS IN SCHOLARLY LITERATURE .....	16
2.3. HISTORICAL BACKGROUND OF RESPONSIBILITY TO PROTECT (R2P) PRACTICES AND THE TRANSITION FROM HUMANITARIAN INTERVENTIONS TO R2P.....	18
2.4. RESPONSIBILITY TO PROTECT (R2P) IN SCHOLARLY LITERATURE .....	21
2.5. CONCLUSION .....	24
CHAPTER III: CASES OF HUMANITARIAN INTERVENTION: RWANDA AND KOSOVO.....	26
3.1. RWANDA .....	27
3.1.1. The Rwandan Conflict and Genocide.....	27
3.1.2. Local and Global Context.....	31
3.1.3. Responses in the Policy World.....	33
3.1.4. Scholarly Discussions .....	37
3.2. KOSOVO .....	40
3.2.1. Kosovo Conflict and NATO's Intervention in Kosovo.....	40
3.2.2. Local and Global Context.....	43
3.2.3. Responses in Policy World.....	45
3.2.4. Scholarly Discussions .....	52
3.3. CONCLUSION .....	56
CHAPTER IV: CASES OF RESPONSIBILITY TO PROTECT (R2P): LIBYA AND SYRIA.....	57
4.1. LIBYA.....	58
4.1.1. Libyan Civil War and NATO's Operation in Libya.....	58
4.1.2. Local and Global Context.....	62
4.1.3. Responses in the Policy World.....	65
4.1.4. Scholarly Discussions .....	69
4.2. SYRIA .....	74
4.2.1. The Syrian Civil War and Crimes Against Humanity .....	74
4.2.2. Local and Global Context.....	79
4.2.3. Responses in Policy World.....	82

4.2.4. Scholarly Discussions .....	89
4.3. CONCLUSION .....	94
CHAPTER V: ANALYSIS & CONCLUSION .....	97



# CHAPTER I

## INTRODUCTION

Responsibility to Protect (R2P) was adopted by states in international politics in 2005 during the World Summit of the United Nations General Assembly. R2P's emergence was a result of states' aim to establish a common ground for responses to human suffering in cases of mass atrocities such as genocide. During 20<sup>th</sup> century, states had responded these crimes by humanitarian interventions, which was found inefficient by states during 1990s. This notion led to the emergence of R2P. Its intention was to create a solution to human insecurity that stems from genocide, ethnic cleansing, war crimes, and crimes against humanity. With R2P, states aimed to replace old humanitarian intervention practices and have a better mechanism to address these insecurities comparing to its former form, humanitarian intervention. Although R2P's aim was to ensure human security, it was received very critically because of how it failed to fulfill its aim in several parts of the world such as Syria. The criticisms point out that R2P does not respond to insecurities which stem from mass atrocities, and it is not clear that whose security is prioritized with R2P. This thesis focuses on humanitarian intervention and R2P to understand whether R2P is an improvement upon humanitarian intervention in terms of addressing human insecurities in both action and inaction.

### **1.1.Humanitarian Intervention and R2P**

Humanitarian intervention is a way of preventing or ending a mass atrocity by intervening in another sovereign state. The term "humanitarian intervention" is defined as "the acts in the form of "coercive, non-military, and military" that aim to prevent violent acts within a country by intervening in that state's domestic politics"

(Wheeler & Morris, 1996). It has a long history in international politics and is dated back to the 18<sup>th</sup> century (Mamdani, 2010, p. 55). Intervening in other states' domestic affairs to protect minority rights is the starting point of humanitarian intervention practices (Mamdani, 2010; Swatek-Evenstein, 2020). What was considered a humanitarian intervention before the 20th century was what Swatek-Evenstein (2020, p. 42) calls "imperial interventionism." Intervening in other states, especially in empires that had many minorities living under their rule, to protect minority rights is considered "imperial interventionism." This thesis' scope is limited to humanitarian interventions of the 20<sup>th</sup> century, the new era of human rights understanding.

What differentiates 20<sup>th</sup> century humanitarian intervention practices from former ones is that starting from the mid-20th century, the understanding of human rights and human rights protection has changed. With the Second World War's end, the United Nations' establishment, and ratification of conventions such as the 1948 Genocide Convention, a new understanding of human rights emerged.

After the killing of about 6 million people, mostly Jews by Nazi Germany during the Second World War, states defined "genocide" and "war crimes" by conventions with the understanding of "never again" (Bellamy & Dunne, 2016, p. 3). The aim in international politics was to prevent mass atrocities and states started by defining what these are. Genocide and war crimes were defined in detail by states with several conventions, such as the 1948 Genocide Convention and the 1949 Geneva Convention (Dunne & Staunton, 2016). As a result of that, human rights understanding and willingness to protect human rights increased in international politics.

Depending on that, the contradiction between human rights protection and sovereignty became more apparent. In order to intervene another state to protect its civilians from mass atrocities, states violated state sovereignty which is considered as one of the most fundamental principles of international relations. The relationship between state sovereignty and human rights protection, which means violating another state's sovereignty became complicated as the humanitarian intervention practices increased.

This contradictory relationship between state sovereignty and human rights protection, and the failures of 1990s humanitarian interventions led to the formulation of Responsibility to Protect (R2P) in 2005. With R2P's emergence, the intention was to create a new and more detailed framework for humanitarian interventions in international law. Before R2P's emergence, its predecessor humanitarian intervention was not regulated by any specific international treaties, and it was not determined how and by whom it was legitimate to conduct a humanitarian intervention to protect suffering civilians. Prior to R2P's acceptance by the UN General Assembly, it was not even defined which conditions legitimize such an intervention, and what makes an intervention a "humanitarian" one. R2P was designed and accepted to specify the conditions which legitimizes an intervention that is motivated by humanitarian intentions.

## **1.2. Research Design**

States' aim with R2P was to establish a common framework for humanitarian interventions. Establishing a common framework means that which crimes and which conditions legitimize a humanitarian response were defined by R2P. How to respond to such crimes and how to get authorization for these operations were also

defined. Although this is the case, R2P led to new challenges and problems regarding humanitarian responses to mass atrocities.

The puzzle which is the starting point of this thesis comes from the lack of clarity of R2P's referent of security. This raises the question of whose security is prioritized in R2P. The referent of security is claimed to be human security in R2P's formulation, but this might not be the case in practice.

With R2P, establishing a legal framework for humanitarian interventions was aimed to prioritize human security. Humanitarian interventions prior to 2005 were criticized by states and non-state actors (see Chapter 3) as the security of intervening states was prioritized. With R2P, states aimed to switch the referent of security to human security. The puzzle of this thesis stems from the lack of clarity of R2P's referent of security. Although R2P was formulated to refer to human insecurities stemming from mass atrocities, the way R2P was implemented in both action and inaction is the point that raises the puzzle in this thesis.

This thesis aims to understand whether there is a shift from humanitarian intervention practices of the 20<sup>th</sup> century to R2P. The thesis argues that although the aim while creating the new R2P framework in 2005 was to switch the referent of humanitarian interventions and make the referent of security humans, R2P fails to be an improvement upon human security. In that sense, R2P was intended to replace humanitarian interventions, and this thesis aims to understand whether R2P is a replacement and improvement or not.

The organization which is assigned to authorize UN member states to take action is the UN Security Council. When we focus on the decision-making process in the UN Security Council regarding R2P interventions, the problem regarding R2P's referent

of security occurs. Veto by even one of the permanent members of the UN Security Council causes states to fail to adopt an intervention decision. How states define an event determines their decision on how to respond to it. In some cases, member states of the UN Security Council, which is the decision maker for R2P interventions, may not define an event as a crime against humanity/genocide/ethnic cleansing/war crime.

Although there are many cases as such, the scope of this thesis is limited to cases in which states acted with humanitarian purposes or debated whether they should act or not. This thesis will only focus on cases that are possible to examine in terms of humanitarian intervention and R2P. The focus of the thesis is to understand whether R2P is an improvement upon humanitarian interventions in the sense that its referent of security is human security by focusing on the cases that is possible to examine by using information available in historical and scholarly resources. It is important to understand whose security is prioritized for the purpose of this thesis since the thesis aims to present that the gap between “how R2P is framed and how it is practiced” emerge differently in each cases in both action and inaction

The thesis focuses on four cases to find an in-depth answer to the research question. Although R2P’s aim is presented to refer human insecurities, the argument of this thesis is there is a gap between how states framed R2P and how they practice it, and this gap occurs in both action and inaction cases which occur in different contexts and conditions. The concept is designed to refer to human security and to protect suffering civilians from mass atrocities when their states fail to do so, or when their states are responsible for mass atrocities. On the other hand, the cases which are focused on in this thesis aim to present that R2P’s referent of security is not human

security, the referent of security change in each cases in a different way, and it varies in accordance with what states are prioritizing as their referent of security.

R2P has emerged in 2005, and R2P's predecessor is "humanitarian intervention" which was practiced on several occasions during 20<sup>th</sup> century. Most scholarly studies and policy reports argue that the failures in humanitarian intervention practices during 20<sup>th</sup> century, especially during the 1990s, led to the emergence of R2P. R2P is designed to be a step further for humanitarian interventions. Therefore, in this thesis humanitarian intervention and R2P are considered as two separate concepts.

Humanitarian intervention is the predecessor for R2P and R2P was designed to create a better and defined mechanism for old interventionist practices which were justified in the basis of humanitarian motives. As a result, to make a better understanding of R2P, two of 1990s humanitarian interventions and both policy responses and scholarly discussions around humanitarian intervention is focused on this thesis. Following that to examine R2P in a more detailed way, two events that were discussed within the R2P framework will be focused on.

Policy responses are crucial to understand the gap between what states say and do. Although they say that protecting human rights and civilians are important and a responsibility for them, they act differently in different cases. As explained earlier, how they respond depends on how they define an event. Since R2P intervention takes place as a result of states' decision, understanding policy responses is crucial to make a better understanding of how, why, and when states decide to intervene or not to intervene.

Scholarly discussions are separately examined in this thesis for each cases. How scholars discuss the humanitarian interventions and R2P responses will contribute to

understand whose security do states prioritized in various cases. For both humanitarian intervention and R2P, action or inaction decisions differ in various cases, and scholarly discussions focuses on different aspects of these decisions.

In this thesis comparative historical case study method will be used. The cases that will be used in the research are chosen to provide a comparative analysis. Hancke (2009) argues that in comparative case studies, cases should be selected to lead the researcher to a “conclusive answer”. To follow this approach, four various classifications were shaped in order to compare multiple dimensions of the issue, which are aimed to lead to a “conclusive answer.” The conclusive answer aimed to be reached in this thesis is to understand whether R2P does any better than humanitarian interventions in the sense that referring human insecurities caused by mass atrocities. To compare and understand the humanitarian intervention and R2P’s frameworks and to make a better understanding of what has changed with R2P’s emergence, these four cases will be analyzed as historical comparative case studies.

The research will be conducted as library-based research, and only secondary sources will be used. In addition to scholarly sources, policy responses and the debates in the UN Security Council will be examined by focusing on UN Resolutions and official reports that contain the transcripts of the UN meetings. In addition to that, to understand policy responses of nongovernmental organizations, the reports and statements of these organizations will be used.

There are four cases selected in the thesis. First two cases, Kosovo and Rwanda, are “humanitarian intervention cases” which took place before R2P has emerged in 2005. With these two cases the aim is to present an example of 20<sup>th</sup> century humanitarian intervention practices. Also, examining these two cases will give the

opportunity to see the 1990s debates that led to the emergence of R2P. Other two cases Libya and Syria are “R2P cases” which will present a detailed framework for R2P in practice.

Cases are selected as one action and one inaction cases for both humanitarian intervention and R2P. Rwanda as a humanitarian intervention case in which there were inaction, Kosovo as a humanitarian intervention case in which there was action; Libya as an R2P action case, and lastly Syria as an R2P inaction case. Rwanda and Kosovo were selected since they are considered as the most crucial cases which shaped 1990s debate on humanitarian interventions that led to the emergence of R2P (Bellamy & Wheeler, 2020). Among other cases of humanitarian intervention, Rwanda and Kosovo are the ones that raised most debates. Libya is selected as it is the first and the only case in which the UN Security Council has authorized the UN member states to take all necessary actions to protect suffering civilians from mass atrocities (Resolution 1973, 2011). To make a better understanding of R2P in practice, Syria is selected since it is comparable with the Libya case since the events in these two countries started at the same time and within similar contexts.

Understanding the referent of security is crucial for the purposes of this thesis. The security understanding, which is state’s security was broadened by Critical Security Studies (CSS) starting from 1980s. Broadening security beyond military issues, therefore beyond state’s security was an outcome of CSS’ security conceptualization (Booth, 2005, p. 14). This thesis will focus on how R2P is theorized and practiced to understand the referent of security. As the security understanding has been broadened, various issues became potential threats to security. What is this thesis focuses on is how and when mass atrocities are framed in terms of security.

### **1.3. Structure of Thesis**

Following chapter, Chapter Two will elaborate on the humanitarian intervention and R2P concepts. In order to understand whose security does R2P serve, understanding humanitarian intervention practices, the debates that led to emergence of R2P and R2P concept's framework is crucial. Therefore, this chapter will present a detailed framework of humanitarian intervention and R2P concepts by focusing on both historical background and scholarly literature. Aim of this chapter will be understanding what has changed from humanitarian intervention to R2P and what states aimed with the new R2P framework by this transition.

Chapter Three will focus on humanitarian intervention cases. Both cases will be examined by focusing on four different aspects. First, the historical background of the event will be elaborated. This will contribute to understand the circumstances which lead to humanitarian intervention decisions or the intervention discussion. Second, the local and global context is focused on. It is important to understand in which context states decide to act. Following section will focus on responses in the policy world regarding the event. There are two types of responses that this thesis focuses on. First one is states' response to the mass atrocity. Since the intervention decision comes from states' interpretation of an issue, how states' response to a mass atrocity shapes the action/inaction decision. Secondly, states' response to the way of how the mass atrocity is responded by UN Security Council (action or inaction) will be focused. Lastly, scholarly discussions around the case will be elaborated. Both cases led to debates among IR scholars which led to the emergence of R2P. These debates and scholars' take on humanitarian intervention practices are important to understand what has changed in the transition from humanitarian intervention to R2P. First understanding humanitarian intervention is important to understand R2P's

referent of security since R2P was designed to switch the referent of security of humanitarian intervention and being an improvement. To be able to interpret R2P, first we need to understand its predecessor, humanitarian intervention, in detail. Therefore, humanitarian intervention practices of 20<sup>th</sup> century will be examined by focusing on both action and inaction.

Chapter Four will follow the same structure with Chapter Three. All four aspects will be focused for both Libya and Syria in Chapter Four. This chapter will make a better understanding of R2P's referent of security.

Chapter Five will present an analysis of what has been given in the thesis. Following a brief summary of thesis, the results derived from case studies will be presented in this chapter. This section will provide an analysis of how R2P's theorization of responding human insecurities fail to do what it was set out to achieve.

## **CHAPTER II**

### **Conceptual Framework**

Use of force for human protection has been used by states in world politics for a long time. Using force for human protection purposes in the name of humanitarian intervention has been practiced in international politics throughout the 20<sup>th</sup> century. Humanitarian interventions were conducted by states with the motivation of preventing human massacres and protecting civilians from mass atrocities. Among these practices, there have been several notable cases that shaped today's understanding of use of force for human protection. Through the end of the 20<sup>th</sup> century, scholars and policymakers initiated a debate over humanitarian intervention practices, which led to the emergence of the Responsibility to Protect (R2P). This chapter aims to focus on the historical background of humanitarian interventions and explain the understanding of the humanitarian intervention and the scholarly debates around this concept during the 20<sup>th</sup> century. After that, the transition from humanitarian interventions to Responsibility to Protect (R2P) is evaluated by focusing on the historical background of the transition process and the conditions that led to the change. Lastly, the definition, the legal framework of the R2P, and the scholarly debates on R2P are presented in this chapter.

#### **2.1. Historical Background of Humanitarian Intervention Practices**

This part aims to historicize humanitarian intervention by presenting its emergence and place in international politics. Humanitarian intervention practices have been debated among scholars and policymakers since they have seen these practices as interfering with the sovereignty principle. The most important concept that is worth emphasizing to understand the history of humanitarian interventions is

“sovereignty.” Glanville (2016, p. 153) argues that there is no one definition of sovereignty; instead, “it has been constructed within various social and historical settings.” Since the concept’s emergence in the Westphalian Treaty in 1648, the sovereign has always been considered the “supreme authority” within a state; therefore, there were no sovereigns, no supreme authorities in the international realm.

With the sovereignty understanding’s emergence in international relations, the principle of non-intervention had its place with the sovereignty principle as well (Thakur, 2018, p. 463). Since state authorities and nations were accepted to be entitled to govern themselves, non-intervention was seen as a reflection of this understanding (Glanville, 2016, p. 154).

Sovereign rights and the non-intervention principle became a part of international law with the UN Charter in 1945. Article 2(7) prohibited the United Nations and member states from any intervention in the sovereign rights of member states (Thakur, 2018, p. 464).

Although sovereignty is one of the most fundamental principles in international relations that should not be intervened, it brings responsibilities with itself for the states. It is considered to be conditional for states, and the condition is that there are sovereign responsibilities that states are obligated to perform (Glanville, 2016, p. 155). Respecting and protecting human rights is accepted as the most fundamental obligation that should be followed by states to protect themselves from humanitarian interventions by other states.

The emphasis on human rights and humanitarianism began after the end of the Second World War by the United Nations and its member states and became a more

integrated part of international politics over time (Thakur, 2018, p. 392). After the Second World War, there has been a significant change in sovereignty understanding due to the increasing importance of human rights. This period was a turning point that made protecting human rights a condition to be a legitimate state. This condition was regulated by the UN Charter and the Universal Declaration of Human Rights (Reus-Smit, 2001, p. 531). Legal documents such as the 1948 “Convention on the Prevention and Punishment of the Crime of Genocide” prohibited states from violating fundamental human rights. How this affected state sovereignty was that it restricted sovereign states’ right to exercise their sovereign powers over their citizens. The reason why genocide was recognized as a crime was to prevent what happened during the Second World War happening again (Dunne & Staunton, 2016, p. 40).

Reus-Smit (2001, p. 520) argues that the contradiction between sovereignty and human rights stem from the conditions that are required to be a legitimate state, which in its nature requires a state to be the only political entity which has sovereign rights over its own territory. What changed after the Second World War is that developments in human rights challenged one of the most fundamental features of sovereignty which is state’s right to exercise power on their citizens as they want (Hoffmann, as cited in Reus-Smit, 2001, p. 522).

The increasing importance of human rights led to the emergence of humanitarian interventionist practices after the Second World War. Although the humanitarian intervention concept was used long before this date, its usage was based on what Swatek-Evenstein (2020, p. 42) calls “imperial humanitarianism,” which is considered a way of legitimating interventions to other states, especially to empires, on a humanitarian basis by arguing that these interventions aimed to protect minority

rights within those countries. The humanitarian interventions examined in this study emerged in the 20<sup>th</sup> century, after the Second World War with the increasing importance of human rights and the willingness to protect human rights.

Humanitarian intervention in the sense that it is used today in international politics was first used after Second World War (Swatek-Evenstein, 2020). Defining genocide after the war and the changing understanding of human rights brought a new aspect of humanitarian intervention.

The end of the Second World War became a turning point in humanitarian intervention practices by leading the preparation of a new basis for humanitarian interventions in international law. Although the issue was debated and aimed to be framed legally in the League of Nations, the member states of the League of Nations failed to do so, and the platform in which the states were able to form the new concept became the United Nations (Swatek-Evenstein, 2020, p. 208).

The United Nations changed in terms of humanitarian intervention practice to establish a common ground by defining the conditions that justified a humanitarian intervention. Rather than legitimating so-called “humanitarian” interventions based on religious or ethnic reasons (Swatek-Evenstein, 2020, p. 180), states began to rely on the basis such as genocide and crimes against humanity. 20<sup>th</sup> century’s humanitarian intervention practices were the beginning point of interventions conducted as a response to crimes against humanity.

In international politics, human rights and human life became more apparent with the incidents that took place during World War II. The 1948 Convention on the Prevention and Punishment of the Crimes of Genocide (Genocide Convention) and the 1949 Geneva Convention ratified by the UN member states defined “genocide”

and “war crimes,” which led to the foundation of the basis for new “humanitarian” intervention understanding (*Genocide; War Crimes*). This can be considered as a transition from “imperial humanitarianism” (Swatek-Evenstein, 2020, p. 42) to humanitarian interventions in the sense that it is discussed in this study which is the humanitarian interventions of 20<sup>th</sup> century that were justified with the human rights violations.

With UN authorization there have been several operations in various cases such as Rwanda. These operations were “peacekeeping” operations mostly and they failed to protect suffering civilians since those forces were not allowed to use “force” even though there were UN authorization. Barnett (1996, p. 130) argues that what Rwanda case showed was that it was required to define these operations’ “scope and limit” in order to get support from the member states. In addition to that some of the operations in which the use of force was involved such as Kosovo were lack of UN authorization which complicated the issue in international politics.

Until the end of the Cold War, humanitarian interventions’ scope and the circumstances which justify such interventions were not regulated in international law by any international organizations, even by the United Nations. There were no defined conditions which legitimizes a humanitarian intervention. “Humanitarian interventions” do not have a defined framework, a mechanism, or defined circumstances that justify it. The contradiction between the non-intervention principle and protecting human rights led to debates and the international system's lack of a defined framework. To what extent it is legitimate to conduct an intervention in a sovereign country in order to protect human lives from mass atrocities became a debated issue (Wheeler, 1993, 2000, 2001, 2002; Wheeler & Morris, 1996).

## **2.2. Humanitarian Interventions in Scholarly Literature**

The most fundamental issue with humanitarian interventions has been its relationship with state sovereignty. The concept of “humanitarian intervention” and its limits due to state sovereignty has never been properly defined by states in international politics, creating debates about its sovereignty violations.

Debates took place among IR and international law scholars to define its limits and when it is just to conduct a “humanitarian” intervention. The end of the Cold War was remarked as the starting point of the “humanitarian intervention” debate in the literature and international politics that continued until 2005 in which the new R2P concept was shaped.

The conditions which justify a humanitarian intervention were debated in IR scholarship. While comparing approaches that are against and in favor of humanitarian interventions, Wheeler and Morris (1996, p. 140) argue that the ones who support to conduct humanitarian interventions rely their approach on the moral obligations of states towards suffering civilians. Wheeler (1993, p. 133) also argues that in UN Charter’s Article 2(7), it is stated that since concerns related to human rights is a legitimate source of international concern, it is not restricted to intervene in terms of humanitarian causes by non-intervention principle. According to Wheeler and Morris (1996, pp. 140–141) there are scholars who argue that it is legitimate to address human rights violations since they might threaten international security.

One of the debates on humanitarian intervention was between pluralists and solidarists of the English School scholars. While pluralists argued that state sovereignty should be protected by following the non-intervention principle, solidarists argued that the prior value is to protect human lives, therefore a new

intervention norm should have been created (Bellamy, 2003, pp. 323–324; Dunne, 2005, pp. 73–74). English School’s “international society” arguments take place over the humanitarian interventions during the 1990s. Dunne (2005) argues that there was a “new agenda” in international relations which was explained as the new dimensions of the relationship between human rights and sovereignty. What Dunne (2005) questioned was “whether international society’s aim was to maintain international order even though in the cases when it was unjust or to enhance the conditions of justice everywhere” by protecting human lives.

Within this framework Williams (2005, p. 138) analyses English School’s approach to humanitarian intervention from a Critical Security Studies’ point of view and argues that the dialogue between two schools of thought “develops a new wide-ranging research agenda”. States are considered as the instruments to achieve “human” security.

Focusing on CSS’ point of view on humanitarian interventions, it should be emphasized that the “humanitarianism” and the “human” dimension in humanitarian interventions are in question in CSS scholars’ point of view. In his book chapter “Military Intervention: Duty and Prudence” Booth (1994) defines these interventions as “military interventions” rather than “humanitarian interventions” by arguing that humanitarian interventions are essentially military interventions. He questions and criticizes the “humanitarian” dimension of these interventions. His approach reflects that “human rights” are not considered while these kind of interventions are conducted (Booth, 2001a).

Another point Booth (1995, p. 121) argues is that external interventions to a conflict do not provide a solution, rather they complicate the matter. The conflicts cannot be

solved by external “military injections”. Following this argument, once again it is argued that so-called humanitarian war is a version of just war doctrine to simply justify states’ agenda (Booth, 1995, p. 121). Booth (2001b, p. 314) argues that the operations called “humanitarian wars” are a contemporary form of old just war practices. Just war doctrine only legitimizes wars by giving them a new name, still even just wars are wars that cause casualties and harm (p. 323). While explaining that Booth (2001b, p. 323) gives the example of NATO’s Kosovo war and argues that NATO conducted a propaganda that legitimized the war in Kosovo. Although it was called a humanitarian war which Booth considers as a form of contemporary just war, what NATO did in Kosovo was to engage a war that caused killings and human suffering.

### **2.3. Historical Background of Responsibility to Protect (R2P) Practices and the Transition from Humanitarian Interventions to R2P**

End of the Cold War was a turning point for humanitarian interventions. During the Cold War, a defined framework for humanitarian interventions was not drawn since it was thought that any definition and limitation could have been conflictual with the policies of one of two superpowers (Thakur, 2018, p. 392). After the Cold War ended and the Soviet Union dissolved, debates on humanitarian interventions were raised.

End of the Cold War was not the only event that caused debates to start. Several failures of humanitarian interventions to protect civilians in various parts of the world, such as Kosovo, caused scholars and policy makers to criticize and engage in debates on this issue during the 1990s. This part aims to draw a historical timeline that led the transition from humanitarian interventions to R2P from the points of view of both scholars and practitioners.

As it has discussed above, the lack of a defined authority which is the legally designated decision maker to decide in which cases states are allowed to conduct humanitarian interventions led states to question the existing humanitarian intervention practice. Debates took place during the 1990s which are discussed above led to the reforms in humanitarian interventions.

During the 1990s the efficiency and legitimacy of humanitarian interventions have been discussed among policy makers and scholars. Both failure of humanitarian interventions to protect suffering civilians and the lack of a legitimate source of authorization raised these debates.

What changed from humanitarian interventions to R2P is a debated issue. Kuperman (2011) argues that it is just the name what has changed. Chomsky (2011, p. 11) defines R2P as very similar to old humanitarian intervention practice which have a long history. It is also argued that, in addition to being a “new name for an old and existing practice”, R2P fails to become the new international norm that replaced old humanitarian intervention practice as it is claimed by the states that created the new norm of R2P (Kuperman, 2011). According to Acharya (2002, p. 380) what UN changed is the “vocabulary” to present the humanitarian interventions with a different shape which is “more acceptable by international society.”

On the other hand, several other scholars argue there is a significant shift from one another (Bellamy & Slim, 2014). Bellamy and Slim (2014) argue that the change was that humanitarian intervention lacked a legal basis which provides a legitimate authority to states to conduct such interventions. However, the new R2P concept provided this legitimate authority source by defining the UN Security Council as the body which is responsible for providing this authority when it is agreed on.

Several practitioners got involved the debates on humanitarian intervention. One of the most prominent practitioners was UN Secretary General Kofi Annan. Later on he explained his vision as to ensure that human rights are protected by UN and it was UN's "legitimate role to protect" human rights against mass atrocities (Annan, 2011, p. 381). Not only Annan but also his successor Ban Ki-Moon was one of the prominent practitioners and after he took the office in 2006, the new Secretary General became the "new norm entrepreneur" as the one who continued what his predecessor Annan has started to provide a new legal framework to the humanitarian intervention and create the new R2P norm (Bellamy, 2010, p. 146).

In 2001, under the leadership of Canadian government, International Commission on Interventions and State Sovereignty (ICISS) was established (Bellamy, 2018, p. 240). Canada's Foreign Minister Lloyd Axworthy played a crucial role in the establishment of ICISS and later he became one of the most important advocates of R2P (Cohen & Deng, 2016, p. 87). ICISS' Commission was led by one of the former Foreign Ministers of Australia Gareth Evans and one of the Algerian former ambassadors, Mohamed Sahnoun prepared a comprehensive report in 2001 which defined crimes and conditions which create a legitimate foundation to conduct humanitarian interventions and they created the new concept "Responsibility to Protect" in this report for the first time (ICISS, 2001b).

Following the ICISS Report, the World Summit which took place in UN Headquarters in New York in 2005 finalized the transition process by defining R2P. At the World Summit, all member states agreed on the new principle (Bellamy, 2010, p. 143).

To ensure that the new principle is being applied properly and it is adopted by member states, not only international governmental organizations but also international non-governmental organizations were given a role. One of the non-governmental organizations established was Global Centre for the Responsibility to Protect. The Centre was established by several prominent R2P practitioners such as Kofi Annan and Lloyd Axworthy. It was established as a result of the collaboration between several NGOs and its aim was conducting research on this issue (Bellamy, 2010, p. 144).

#### **2.4. Responsibility to Protect (R2P) in Scholarly Literature**

The process that led to the emergence of the new principle of Responsibility to Protect took place during the first five years of the 21<sup>st</sup> century. While entering this new era, the states which criticized the failure of humanitarian interventions of the 20<sup>th</sup> century took action to adopt the new principle.

As it has stated, the first step in international politics was the establishment of ICISS. After meeting in Ottawa for the first time in January 2001, throughout 2001 the Commission came together 11 times in various parts of the world for roundtables that shaped the final version of report. The Report was published in 2001 which defined four crimes that legitimize the use of force and humanitarian intervention. Those four crimes are war crimes, ethnic cleansing, genocide, and crimes against humanity (ICISS, 2001a).

The report first explains former failures that states failed to respond such as Rwanda and argues that there is a need for a new concept that defines interventions' scope. It is stated that the Commission recognizes that humanitarianism and humanitarian intervention names are used to legitimize any kinds of military interventions, and it is

the Commission's aim to create a defined framework of what a humanitarian intervention is (ICISS, 2001a, p. 9).

The ICISS Report's Supplementary Volume also published right after the original report. This supplementary volume explains sovereignty at first. It is stated that there is a contradictory relationship between state sovereignty and human rights protection (ICISS, 2001b, p. 7) After defining sovereignty and its limitations, it defines "intervention" and "the concept of humanitarian intervention". Intervention is considered to be defined in various ways in the report. It is stated that "interventions are defined as the any pressure to a state by other states by some whereas it is defined as any form of non-consensual interference to a state's internal policies by means of military or economic sanctions and diplomatic efforts" (ICISS, 2001b, p. 8).

Humanitarian intervention is considered to exist since the late 19<sup>th</sup> century, the practices which Swatek-Evenstein (2020, p. 42) defines as "imperial humanitarianism" are accepted as "humanitarian intervention" in the report. The report states that humanitarian interventions of 19<sup>th</sup> and 20<sup>th</sup> century were motivated by "strategic, economic, or political interests" even though they were justified with humanitarian motives (ICISS, 2001b, p. 7). The aim of the Commission is to establish a defined framework to define what a humanitarian intervention is to prevent humanitarian justifications to be used wrongfully (ICISS, 2001a, p. 9).

Four years later, in the World Summit of 2005 states agreed on the new principle of "Responsibility to Protect". As it was stated the term was first used in ICISS Report. What differed between ICISS' R2P proposals and what was accepted in the World Summit was that while ICISS' proposals put emphasize on "international assistance to states". The World Summit version of the concept rejected the idea of "conducting interventions without UN authorization" (Bellamy, 2010, pp. 143–144).

2005 World Summit Outcome Document of UN General Assembly reaffirmed four crimes which legitimize humanitarian interventions and requires UN member states to take “responsibility to protect civilians” in a country in which one of the four crimes take place (United Nations, 2005). The new R2P concept adopted at the World Summit has three pillars. First, “states mainly responsible for protecting their citizens from ethnic cleansing, genocide, crimes against humanity, and war crimes”, secondly, “international community is responsible for assisting states to follow R2P principle”, and third, “if states fail to fulfill their responsibility to protect, international community takes action with the UN authorization” (Bellamy, 2010, pp. 143–144, 2018, p. 243).

The role UN has in R2P is more comprehensive compared to humanitarian interventions. Bellamy and Slim (2014) argue that what is new in R2P compared to humanitarian intervention is the new “UN trusteeship” which ensures UN’s involvement and authorization in cases of these kinds of interventions. In addition to that Bellamy (2010, p. 143) also indicates that R2P puts responsibility primarily on states to protect their citizens from mass atrocities as the difference between the “humanitarian intervention” and “R2P”.

Although the transition process in which the new R2P norm emerged gave R2P a defined legal framework and the conditions which legitimates R2P operations were also defined, Bellamy (2013a) examines the scope in which states use force within the framework R2P. He aims to understand whether the scope of R2P stays limited to the four crimes defined by ICISS and the World Summit, or is it extended in other cases related to human suffering and human rights abuses. The findings of this study indicate that there are several cases in which states propose to use R2P to respond to issues other than these four conditions (Bellamy, 2013a, p. 38).

On R2P's scope, Starnes (2009, p. 77) frames R2P as a "speech act" and explains that issues beyond these four crimes might be defined as an issue that requires humanitarian response. This might create a "false expectation and a false fear" that requires a response within the framework of R2P whereas it is not a case of "R2P." Another issue that Starnes focuses on is one of R2P's three main elements: responsibility to prevent. Starnes argues (2008, p. 5) that as one of the main components of R2P principle, states are obligated to focus on "prevention" before the conflict that causes genocide/crimes against humanity/ethnic cleansing/war crimes break out.

On the other hand, Mamdani (2010) focuses on R2P as a global regime while examining it. He argues that R2P creates two parties in international politics: "sovereign states whose citizens have political rights and trusteeship territories whose populations are in need of external protection". One of the critiques of R2P is that although R2P is claimed to be for everyone, and it is meant to become a "global norm" Williams (2009) argues that it did not become applicable and "embedded" all over the world at the same level.

## **2.5. Conclusion**

Practice of humanitarian intervention was an important part of the international relations during the 20<sup>th</sup> century. Especially with the increasing importance of human rights understanding in international politics it became a challenge to the longstanding sovereignty and non-intervention principles. Humanitarian intervention's relationship with sovereignty, its scope and the conditions that legitimize to practice humanitarian interventions were debated between IR and international law scholars.

The historical events of the 1990s and the unsuccessful humanitarian intervention attempts which aimed to protect civilians led policy makers to question the efficiency and legitimacy of humanitarian intervention practices. With the transition process that continued until 2005, states created the new Responsibility to Protect (R2P) norm. With the new norm, old humanitarian intervention practices were given a new framework in which there is a legal agreement between states that define the UN as the authorized entity to conduct such interventions. Although states initiated this transition with the intent of solving the problems related to old humanitarian interventions, the new norm raised new issues.

This chapter focused on the theoretical framework and presented both political aspects and the scholarly debates on the issue. The next chapter will examine humanitarian interventions and its referent of security by focusing on Kosovo and Rwanda cases.

## CHAPTER III

### CASES OF HUMANITARIAN INTERVENTION: RWANDA AND KOSOVO

Humanitarian interventions took place or were debated in several cases during the 20th-century disputes. Towards the end of the century, the debates around the issue started regarding its legitimacy, the authorization of interventions, and its relationship with state sovereignty. Those debates in the policy world and the two cases presented in this chapter specifically led to the emergence of the Responsibility to Protect (R2P). This chapter looks at 20th-century humanitarian interventions by highlighting these two cases of humanitarian intervention debate. The first case is Rwanda, one of the cases where there was no humanitarian intervention by the UN Security Council, although states and nongovernmental organizations discussed it. The Rwanda case indicates why and how states decide not to intervene in mass atrocities. The second case in this chapter is Kosovo, one of the cases where there was an intervention. The importance of the Kosovo case is that although there was an intervention by NATO, it was not authorized by the UN Security Council. This case became one of the most important precedents of the 1990s' humanitarian intervention debates. Each case study contains four subsections. The historical background of the conflict that led to the mass atrocities, the local and global context which led to the decisions of action and inaction, responses in the policy world, and the scholarly debates will be discussed for both cases.

### **3.1. Rwanda**

#### **3.1.2. The Rwandan Conflict and Genocide**

The events that led to the genocide, the root causes of the conflict in Rwanda, and the aftermath of the genocide will be elaborated in this section. In 1994, a genocide took place in Rwanda that caused the death of thousands of Tutsis and members of the Hutu opposition. According to Mamdani (2001, p. 5), how many people were killed is indefinite, but it is estimated that at least 800.000 people were killed in the genocide (Bellamy, 2015, p. 127).

There have been two ethnic groups in Rwanda, Hutus, and Tutsis. In time Tutsis became a symbol of power and the ruling class. In the late 19<sup>th</sup> century Rwanda was colonized, and this caused already existing differences between the identities of Tutsi and Hutu more deepened by colonial powers (Germany in 1899 and Belgium after World War I (Barnett, 2002, p. 50)).

With the start of the decolonization period in 1953, the first elections took place in Rwanda while it was still under the colonial rule of Belgium. Following that, other elections were held in 1956, 1959, 1960, and 1961 (Mamdani, 1996, p. 14).

Among these elections, the one that caused a significant change was the 1959 election. 1959 was a turning point in Rwanda, as it was the date when the Social Revolution happened. The revolution caused a political change, and it started the transition of power from Tutsi elites to Hutus (Mamdani, 2001, p. 104). Along with the power transition, the polarization between the two groups increased, and it deepened the distinction between the identities of “Hutu” and “Tutsi” (Mamdani, 2001, p. 104). During the 1959 events, 20.000 people were killed in Rwanda (Wheeler, 2000, p. 210). Nearly 120.000 Tutsis became refugees by seeking asylum

in neighboring countries such as Uganda and Burundi (Barnett, 2002, p. 52), which became an important matter in mobilizing Tutsi's Rwandan Patriotic Front (RPF).

In 1972, the Tutsi army in Burundi containing Tutsis that left the country after the 1959 Revolution killed approximately 200.000 Hutus (Mamdani, 2001, p. 230). In addition to that, the Tutsis, who were refugees in Uganda, formed the Rwandan Patriotic Front (RPF) in 1988 (Barnett, 2002, p. 55). In 1990, the RPF started to invade Rwandan borders (Mamdani, 2001, p. 231). RPF's invasion led to the war between RPF and the Hutu-led Rwandan government. RPF's aim was to put an end to the "dictator ruling of Hutu President Habyarimana," and it was expected that it would be welcomed by Tutsis and Hutus who wanted to end the dictatorship in the country (Barnett, 2002, p. 55). However, this was not the case, and it led to a war between the two parties.

When the tension between the Habyarimana government and RPF was increasing, the Habyarimana government was pressured to democratize and make constitutional changes by the U.S., France, Belgium, and several African states. With the pressures of France, Belgium (the countries that supported the Habyarimana government against RPF invasion), the U.S., and the Organization of African Unity (OAU), the Habyarimana government and RPF agreed on peace on 4 August 1993 with Arusha Accords (Wheeler, 2000, p. 211). To monitor the peace process, the peacekeeping mission of the UN, United Nations Assistance Mission for Rwanda (UNAMIR) was sent to the country at the end of 1993.

With the increasing tension in the country, in the break of genocide, UNAMIR's Commander Roméo Dallaire requested a mandate change from peacekeeping to peace enforcement (Wheeler, 2000, p. 216). Peace enforcement operations authorize

the operation unit to use force to enforce the peace agreement, whereas peacekeeping operations monitor the peace process with the consent of the host (Pugh, 2013, p. 410). Dallaire's request from the UN Department of Peacekeeping Operations (DPKO) was to authorize UNAMIR to use force in order to prevent possible killings. These concerns were shared with the US, France, and Belgium by DPKO, but neither the U.S. nor France brought the issue to the Security Council to debate (Wheeler, 2000, pp. 337–338). Therefore, UNAMIR's mandate remained the same, and UNAMIR was not able to decrease the rising tension between the two groups.

Meanwhile, Hutu President Habyarimana's plane crashed on 6 April 1994, and it was considered an assassination by Hutus in Rwanda (Thakur, 2016, p. 99). This was the last event that led to the genocide. On 7 April 1994, the genocide started. One day after the outbreak of violence, the head of UNAMIR Commander Romeo Dallaire reported UN that this violence was based on ethnic identity (Wheeler, 2000, p. 220).

After a short time from the beginning of the genocide, DPKO informed Dallaire that the Security Council was unwilling to consider a humanitarian intervention mission to protect civilians (Barnett, 2002, p. 100). Meanwhile, on April 13, France initiated a rescue mission to save the embassy employees in Rwanda. With this mission, France's and several other countries' embassy employees, such as the U.S., were rescued. Even though foreign diplomats were rescued from the genocide, no Tutsis who were employed in these diplomatic missions were rescued (Barnett, 2002, p. 100; Wheeler, 2000, p. 219).

At the end of April 1994, the Security Council demanded the Secretary-General to look for other options rather than an intervention by the permanent members of the UN Security Council. The Security Council especially asked African states to

intervene in the situation in Rwanda. With Secretary General's call, several African states, such as Zambia, Senegal, Nigeria, and Ethiopia, agreed to send troops to Rwanda, but they requested necessary equipment from the U.S. (Wheeler, 2000, p. 229). The United States agreed to supply this equipment, but the bureaucratic process in the U.S. delayed African states from receiving the equipment, which caused the deaths of thousands more civilians in Rwanda (Barnett, 2002, pp. 144–145). In the end, although the necessary equipment was received and the operation took place in late May 1994, this operation by several African states was also a failed attempt to stop killings in Rwanda.

Finally, France offered to conduct an operation with humanitarian intentions in Rwanda on June 22, 1994. With this offer, the UN Security Council agreed on Resolution 929 on the same day, which authorized France to conduct "Operation Turquoise" (Wheeler, 2000, pp. 232–233). The Security Council had preconditions regarding France's operation, such as a time frame to determine the date for French troops to be withdrawn from Rwanda. Although it was selected as the end of August 1994, French troops withdrew from Rwanda at the end of July 1994, which caused more problems in the country by deepening the refugee crisis (Wheeler, 2000, p. 237). This operation was late and considered a failure since it failed to save suffering civilians from genocide (Weiss, 2016, p. 59). According to Wheeler (2000, p. 237), Operation Turquoise's success in ending the genocide was only partial, and in some aspects, such as the refugee crisis, it worsened human suffering.

A few weeks after Operation Turquoise started, the genocide ended with RPF's success in taking control of most of the Rwandan territory. In mid-July, RPF took control over most of the capital Kigali and declared a ceasefire. RPF's first action

was establishing a new government in Rwanda which included all parties of the Arusha Accords except several anti-Tutsi parties (Barnett, 2002, p. 151).

### **3.1.2. Local and Global Context**

The Rwandan genocide, the response to the genocide from other countries, and the lack of humanitarian action by the UN Security Council in Rwanda happened within the context of local and global politics. To present the inaction decision better and understand the policy response and scholarly debates around this issue; first, local and global context will be provided in this part.

In that sense, one of the most important local issues about the Rwandan genocide was migration because of the war and violence in Rwanda. Hundreds of thousands of Rwandans (especially Tutsis) became refugees in neighboring countries such as Uganda and Burundi (Barnett, 2002). Not only the refugees but also the fact that Tutsis and Hutus were in those neighboring countries involved these other African states in the rising political tension in Rwanda.

Another important local issue that impacted the response to the Rwandan genocide was the Somalian crisis and humanitarian intervention in 1993. During the first years of the 1990s, political tension increased in Somalia, leading to an armed conflict (Lotze, 2016, pp. 840–841). The United Nations responded to the situation with a humanitarian intervention. The first response was to send a peacekeeping mission to the country in March 1993. When it was not enough to respond to the crisis, by applying Article VII of the UN Charter, the Security Council authorized UN member states to take humanitarian action in Somalia by establishing the United Task Force (UNITAF). When UNITAF started operations in Somalia, 24 Pakistani peacekeepers and 18 United States soldiers were killed during the operations (Lotze, 2016, pp.

842–843). The deaths of American soldiers impacted how the U.S. acted during the Rwandan genocide one year later, according to Wheeler (2000). Later in Rwanda, the U.S. and other Security Council members aimed “not to cross the Mogadishu line,” which became a way to express the change of a peacekeeping mission’s authorization to take humanitarian action using weapons (Wheeler, 2000, p. 216).

When the global context of this time is considered, the most prominent issue was the end of the Cold War. The 1990s was a transition period for humanitarian intervention practices and these practices became more common at the end of the Cold War, according to several scholars (Bellamy & Wheeler, 2020; Dunne & Staunton, 2016; Weiss, 2016; Wheeler, 2000). The changing dynamics within the Security Council and the policy changes in international politics were affected by the end of the Cold War. Rwanda was a inaction case; however, after the Rwandan genocide, the lack of action in Rwanda and the death of hundreds of thousands of civilians was one of the starting points that led states to change the humanitarian interventions to create a new norm.

In 1990, the U.S. went into the Gulf War in Iraq. Bellamy and Wheeler (2020, p. 531) argue that the deaths of American soldiers in Iraq during the Gulf War in 1990-1991 created a similar impact in Somalia and caused a change in public opinion. Although there were suffering civilians in Rwanda, witnessing the deaths of their soldiers changed public opinion in the U.S., which led the U.S. government to decide not to intervene in Rwanda.

With the increasing practice of humanitarian interventions, there were other interventions and intervention debates in several countries, such as Bosnia. One of the most critical cases in the historical context of the Rwandan genocide was the

Bosnian case. Some killings were based on ethnic differences in the Balkans, starting with the beginning of the 1990s in Yugoslavia. When the genocide in Rwanda began in 1994, the UN Security Council already had an agenda for another ethnic cleansing issue in Bosnia (Wheeler, 2000, p. 242). This was one of the factors that impacted the UN Security Council member states, especially the U.S., to decide not to intervene in Rwanda.

### **3.1.3. Responses in the Policy World**

This section aims to understand states' and nongovernmental organizations' responses. This will be explained by focusing on both their responses to the genocide and their response to the UN's lack of action.

When the genocide started, the Security Council debated whether to change UNAMIR's authorization since UNAMIR was a peacekeeping mission, and the peace was broken with the outbreak of genocide. Therefore, the Council had to decide on the future of UNAMIR.

UN Security Council's initial response in Rwanda was to withdraw its UNAMIR force and not interfere with the genocide. When the genocide started, the Security Council did not change UNAMIR's authorization, and states withdrew their troops from the mission. In that sense, according to Wheeler (2000), United Nations became a "bystander" during the genocide.

The Council's response to genocide was crucial since the Chapter VII of the UN Charter requires UN authorization for humanitarian actions in cases of mass atrocities such as genocide and ethnic cleansing. Within the 100 days period of the genocide, the UN Security Council continuously debated the issue, yet there was no humanitarian intervention in Rwanda to stop the killings. There have been only

several attempts, such as the operation by several African states and Operation Turquoise by France. However, neither of these operations was successful and could not end the genocide.

Non-permanent members of the Security Council in 1994 were Argentina, Brazil, Djibouti, New Zealand, Nigeria, Czech Republic, Rwanda, Oman, Pakistan, and Spain (Research Guides, UN). The countries that supported a humanitarian intervention option as a response to the genocide within the Security Council were Nigeria, New Zealand, and the Czech Republic. In contrast, the U.S. and the UK supported UNAMIR's withdrawal from Rwanda and the inaction option. Other permanent members of the Security Council, France, China, and Russia, remained silence in this debate (Barnett, 2002, pp. 100–101).

While supporting the intervention option against genocide, New Zealand also reacted UN Security Council's lack of action in Rwanda. New Zealand argued that for a long time the Secretariat kept non-permanent members of the Security Council uninformed while the permanent members were well aware of the details of genocide (Wheeler, 2000, p. 217). Wheeler (2000, p. 220) argues that non-permanent members were not informed about the details of Dallaire's requests from DPKO. Because of this lack of information, non-permanent members such as New Zealand and Czech Republic criticized the UN Secretary General and the permanent members U.S. and France, which were informed by DPKO (Wheeler, 2000).

Permanent members of the Security Council eliminated the intervention option for several reasons. First of all, in order to intervene in Rwanda, there must have been a crime against humanity. However, very few countries were aware of an ongoing crime against humanity in Rwanda. Within the 100 days that the genocide continued,

neither the Secretary General nor the five permanent members named the events as “genocide”. The second reason why the U.S. and the UK insisted on not intervening in Rwanda was U.S.’ lack of willingness to conduct such an operation. U.S.’ official position in Rwandan genocide was to avoid to call what happens in Rwanda a genocide. What happened in Rwanda was mentioned as “the acts of genocide” rather calling what is happening a genocide (Barnett, 2002, p. 138). The most outstanding reason of that was the recent Somalia failure. Loss of 18 U.S. troops in Somalia changed U.S. policy on intervention. The Clinton administration issued the Presidential Decision Directive (PDD) 25 on May 3, 1994 which emphasized that the US administration will not attend future UN peacekeeping operations unless there is a direct contribution to U.S. national interests (Wheeler, 2000, p. 224). In the Security Council meeting on April 28-29, because of Security Council’s lack of action in Rwanda, the Czech Republic suggested that it should be called “genocide” what was happening in Rwanda. While Argentina and Spain supported Czech Republic’s suggestion, China, the UK, and the U.S. strongly opposed it (Wheeler, 2000, p. 226). One month later, the violence in Rwanda was called “genocide” for the first time in Secretary General’s note to the Security Council on May 31, 1994.

Although there were various approaches in the Security Council about how to respond to the genocide in Rwanda, when France offered Operation Turquoise, it was accepted with 10 votes and 5 states were absent during the voting. These states were Brazil, New Zealand, China, Nigeria, and Pakistan. According to Wheeler (2000, p. 232) the reason of these states’ absence was that most of the members of the Security Council were skeptical about France’s humanitarian motives in this operation. However, no state wanted to criticize France’s operation publicly since the

UN failed to intervene in Rwanda to stop human suffering (Wheeler, 2000, p. 232).

That led to the approval of Resolution 929 on June 22, 1994.

In addition to states and IOs, NGOs were also involved in the process before and during the genocide. One of the most outstanding NGOs involved in the process was Médecins Sans Frontières who made calls for a humanitarian response in Rwanda (Wheeler, 1997, p. 22). Their response to UNAMIR's withdrawal was to stand against this decision because the organization stated it would cause more suffering and more killings for Rwandans. Médecins Sans Frontières made calls to French and Belgium authorities to prevent Rwandan Hutu regime's violent actions. The organization supported a UN intervention and made calls about this to the UN (Genocide of Rwandan Tutsis 1994, 2013). According to Wheeler (2000, p. 236) Médecins Sans Frontières was one of the most important reasons why France among all member states offered to initiate an operation in Rwanda. The organization put pressure on the government to take humanitarian action.

Another NGO that called for a humanitarian response was Human Rights Watch. Similar to Dallaire's report before the outbreak of genocide, Human Rights Watch published a report that they emphasized that at least 100.000 people could die in an ethnic conflict in Rwanda. Their response to this oncoming genocide was to call the UN to an immediate humanitarian response (Wheeler, 2000, p. 220).

Lastly, another NGO that warned the United Nations about the genocide was Oxfam. Before the Secretary General wrote the report that called Rwanda a "genocide" on May 31, Oxfam stated that what happened in Rwanda was a genocide, the killings were based on ethnicity on April 28 (Wheeler, 2000, p. 225). In a report published in 1994, Oxfam not only warned the UN about Rwandan genocide, but also

recommended a stronger response to mass atrocities in the future by the UN (Vassall-Adams, 1994).

Oxfam also criticized France's late action. Since France started Operation Turquoise not at the beginning of the genocide and even voted for not to change UNAMIR's mandate, Oxfam criticized France for Operation Turquoise by questioning its humanitarian motives in this operation (Wheeler, 2000, p. 233).

#### **3.1.4. Scholarly Discussions**

Rwanda is considered one of the most fundamental cases that changed the understanding of humanitarian interventions during the 1990s. It is regarded as one of the turning points that led to the emergence of R2P. This section will include scholarly discussions on the issue. The most crucial question scholars seek to answer about the Rwandan case is why there was no action in Rwanda.

Before focusing on the inaction decision in Rwanda, it should be emphasized that several studies in the literature discuss the root causes of the genocide.

Understanding the root causes of the Rwandan genocide is important to prevent future similar cases.

Kamola (2007) argues that the genocide in Rwanda was a result of the complex relationship between colonial practices, commodity markets, forced democratization, and foreign aid donors. As genocide's root causes were affected by global political developments, genocide affected global politics as well (Kamola, 2007, p. 571).

Similar to Kamola's argument, Pieterse (1998, p. 240) also argues that the political, economic, and ideological causes of the Rwandan genocide are not considered enough compared to ethnic-based explanations of the genocide. Ethnic-based

explanations do not consider the Hutu opposition and Hutus within the RPF (Pieterse, 1998, p. 240).

When the reasons for the inaction decision in the Rwandan case are considered, Bellamy and Wheeler (2020, p. 534) argue that the reason why the UN Security Council members opposed intervening in Rwanda was not related to risking violating Rwanda's sovereignty. Instead, they argue that it was because of the "lack of political will" because there were limitations and risks that should have been considered.

Dunne and Wheeler (2004, p. 14) argue that the reason for the inaction in Rwanda was the fact that intervening in Rwanda was not serving Security Council's permanent members' interests. One of the most important proofs of that is the PDD 25 issued by the Clinton administration, in which Clinton stated that the U.S. will not attend any interventions if it does not serve U.S. national interests (Wheeler, 2000, p. 224).

Another point that Bellamy and Wheeler (2020, p. 531) make is the lack of support from the public. Especially in the U.S. public support decreased to intervene to other countries even though there were humanitarian motives. Bellamy and Wheeler (2020, p. 531) argue that the most crucial turning point that changed the public opinion in the US was Somalia. The death of U.S. soldiers changed public opinion against humanitarian interventions (Bellamy & Wheeler, 2020, p. 531).

Thakur (2006, p. 293) argues that the Security Council failed to reflect international politics as a whole and reflected their policies, and that caused a failure to respond to the human suffering in Rwanda. He also argues that not only Security Council but also African states were late to respond to the situation in Rwanda (Thakur, 2016, p.

100). Thakur's argument is in line with Wheeler's argument that not only Western states but also African states were late to take action in Rwanda (Wheeler, 2000).

Another crucial point emphasized in why states failed to intervene in Rwanda is the UNAMIR's mandate status. Wheeler (2000, p. 214) argues that changing UNAMIR's mandate to intervene in the genocide could have been an efficient solution. Still the UN Security Council did not even consider this change, and eventually, UNAMIR withdrew from the country during the genocide. UNAMIR's withdrawal was an important issue since it lessened the possibility of an intervention in Rwanda.

In addition to the political motives of UN Security Council members that led them to advocate inaction, Barnett (2002) also emphasizes the bureaucratic process within the UN, which made the process slower and less efficient. He argues that although Secretary General Boutros-Ghali was working effectively, his failure to inform Security Council's members (especially the non-permanent members) about Dallaire's request for arms from DPKO, and the situation in Rwanda caused this deadlock within the UN Security Council (Barnett, 2002, p. 18).

Regarding the future of humanitarian intervention practices, Rwanda was one of the most crucial cases. R2P's emergence was affected by the Rwanda case (Bellamy & Wheeler, 2020). According to Stannnes (2008, p. 23), R2P is expected to point to the root causes of mass atrocities to prevent future events such as the Rwanda case.

Blatter and Williams (2011, p. 311) argue that the Rwanda case was significant to show that permanent members of the UN Security Council have the power to prevent a humanitarian intervention even though it is thought there are necessary conditions for it. They argue that permanent members of the UN Security Council did not only

veto the intervention option, but also, they used their power to withdraw the troops of UNAMIR, which were already present in Rwanda.

### **3.2. Kosovo**

NATO's Kosovo intervention is one of the most prominent cases of humanitarian intervention since it was a case in which NATO acted without the UN authorization with humanitarian claims.

#### **3.2.1. Kosovo Conflict and NATO's Intervention in Kosovo**

To understand the Kosovo conflict and the process that led to NATO's intervention, this section will focus on the historical background of the events.

After World War I, under Josip Broz Tito's rule, Socialist Federal Republic of Yugoslavia was established. Within the country, there were people from several nations (Serbs, Macedonians, Montenegrins, Slovans, Croats, and Bosnians), and under Tito's government, these people from various nations unified under a common national identity: Yugoslavs (Wheeler, 2000, p. 244).

With the 1974 Constitution, the ethnic Albanians living in the Kosovo territory of the Serbian part of the Federal Republic were given autonomous rights in education, healthcare, and the economy (Bellamy, 2002, p. 4). These extensive rights were received as a threat by Serbs.

Following Tito's death in 1981, Serbian ethnic nationalism began to rise. The rising of Serb nationalism triggered other nations, and it caused the rising of Croatian and Sloven nationalism as well (Wheeler, 2000, p. 244). Slobodan Milosevic became the new President of Yugoslavia. The autonomous region of Kosovo became the first target of Serbs, who were in control of the army, police force, and economy (Wheeler,

2000, p. 244). The Milosevic government reduced several rights of Kosovar Albanians, which were granted with the 1974 Constitution. Starting the beginning of the 1990s, the rights of Kosovar Albanians were reduced. According to Bellamy (2002, pp. 10–11) this created an “apartheid” regime between Serbs and Albanians within the country. This apartheid became visible in healthcare and education systems of Albanians. Milosevic government’s policies that were taking away Kosovar Albanians’ rights were considered a violation of human rights and human rights abuse.

Increasing human rights abuses caused Albanians to form their government under the leadership of Ibrahim Rugova with Democratic League of Kosovo (LDK) Rugova’s policies were based on two aims. His first aim was to have a non-violent process against Milosevic, the second aim was to raise awareness about human rights abuses in international politics (Bellamy, 2002, p. 12). At that point, although there were debates whether there should be an intervention in Kosovo or not, the UN Security Council member states did not intervene in Kosovo. When Rugova’s aim to receive international support by raising awareness about human rights abuses failed, Kosovo Liberation Army’s (UÇK) influence increased (Bellamy, 2002, p. 12). UÇK was more pro-violence compared to Rugova.

In a short time, UÇK got control of a large part of Kosovan territory. The Serb government’s response to this was to initiate ethnic cleansing and mass murder (Bellamy, 2002, p. 12). Although this received more reaction in international politics and states began to debate the best option to respond to this humanitarian crisis, the humanitarian intervention option was only defended by the U.S. and the UK at first (Wheeler, 2000, p. 260).

After the negotiation in UN Security Council failed to authorize the member states to take action by initiating a humanitarian intervention, NATO intervened in Kosovo without the UN's authorization in March 1999. NATO began to a bombing campaign in Yugoslavia to put an end to human massacre in Kosovo (Wheeler, 2004, p. 189).

On 24 March 1999, NATO started Operation Allied Force. The intervention was conducted as an air bombing campaign. Six months later, the U.S. Secretary of Defense William Cohen named the Kosovo air bombings “the air campaign that caused least collateral damage in the history” (Wheeler, 2004, p. 197). Although he claimed that the NATO air strikes caused the deaths of both Kosovar Albanian and Serb civilians while it aimed to prevent human suffering. According to Human Rights Watch's report, during the bombings there were 90 incidents which caused civilian deaths including children (2000).

Not only Albanians and Serbs but also people from other nationalities were killed during the bombings. For instance, on 7 May 1999, China's Belgrade Embassy was bombed, and three Chinese diplomats were killed during the operation (Bellamy, 2002, p. 186).

Operation Allied Force led by NATO continued as phases until June 1999. On 3 June 1999 Milosevic accepted to ceasefire. Following that, NATO stopped air bombing. On June 10, 1999, UN Security Council passed Resolution 1244 which called for an “international security presence” in Kosovo under UN authorization (Bellamy, 2002, p. 200; Resolution 1244, Adopted by the Security Council at Its 4011th Meeting, 1999). Although the Resolution did not specify which states or international organizations were expected to intervene in Kosovo, Kosovo Force (KFOR) led by NATO entered to the country on June 12, 1999 (Bellamy, 2002, p. 200).

### **3.2.2. Local and Global Context**

The conflict in Kosovo was affected by events in the Balkan region and the global context. To make a better understanding of the historical context of the time, this section will focus on the local and global context that led to NATO's intervention to Kosovo.

The conflicts and policy changes in the Balkan region had an impact on the Kosovo conflict and the following NATO intervention. First, the establishment of new states, such as Slovenia and Croatia and, the dissolution of Socialist Federal Republic of Yugoslavia is worth mentioning to make a better understanding of the Kosovo conflict. At the beginning of the 1990s, ethnic nationalism gained popularity within Yugoslavia as a response to the rising of Serbian nationalism. Slovians and Croatians declared independence in 1991, and Serbs who were in control of the Socialist Federal Republic of Yugoslavia reacted that since within Croatian territory were more than 600.000 Serbs living (Wheeler, 2000, p. 245). When the human rights abuse by the Yugoslav government increased, the members of the Security Council debated whether to intervene in Yugoslavia. Still, their final decision was to impose arms embargo on the country with the Resolution 713 dated September 25, 1991 (Wheeler, 2000, p. 247).

Following Croatian and Slovenian declarations of independence, Bosnia declared independence in 1992 as well. Like other declarations, this declaration of independence was also reacted with violence by the Milosevic government. The war between the new Bosnian government and the Milosevic government began in April 1992. During the war, the Milosevic government continued human rights violations toward Bosnian Muslims, and this started the intervention debates in UN Security Council. In mid-1992, the UN Security Council adopted Resolution 770 in August 13,

1992 and the UN member states were authorized to use force to provide humanitarian relief within the jurisdiction of Article VII of the UN Charter for the first time in UN history (Wheeler, 2000, p. 251). With UN jurisdiction, safe zones were established in Bosnia. However, these safe zones failed to protect civilians, and July 1995, more than 8000 Bosnian Muslims were killed by Milosevic government (Bellamy, 2002, p. 52). The importance of Bosnian case was that these Bosnian Muslims which were killed by Milosevic government were under the protection of UN Security Council. With Resolution 819 dated April 1993 and Resolution 824 dated May 1993, most areas in Bosnian territory such as Srebrenica were declared safe areas by the UN Security Council (Wheeler, 2000, pp. 253–254). Even though there were UN peacekeepers in these safe zones to protect Bosnians from the violence of Milosevic government, 8000 Bosnians were killed in July 1995. This failure in Bosnia was one of the most prominent justifications used by NATO to intervene in Kosovo four years later.

At the end of 1995, the Dayton Agreement, which ended the war between the Serbian government and Bosnians, was signed. The Dayton Agreement did not refer the ongoing human rights violations towards Kosovar Albanians by the Milosevic government, even though it defined Milosevic as the “guarantor of the regional stability” (Bellamy, 2002, p. 13). Although the agreement did not refer the Kosovo conflict, it was a turning point for not only Bosnia but also for Kosovo. According to Bellamy (2002, p. 13), the Serbs became more oppressive against Kosovar Albanians after Dayton Agreement. He also argues that state violence against Albanians increased significantly after the Dayton Agreement (Bellamy, 2002, p. 11).

Another crucial impact that Dayton Agreement had on the Kosovo conflict was that although Rugova’s aim was to “internationalize” the Kosovo conflict, the Dayton

Agreement's lack of reference to the Kosovo conflict disappointed Rugova's aim (Wheeler, 2000, p. 258). This was one of the important milestones that caused Rugova's non-violent policies to lose popularity and led the way to UÇK to gain more popularity. Wheeler (2000, p. 258) considers the lack of mentioning the Kosovo conflict in the Dayton Agreement as a "betrayal" to Kosovo and Rugova since it was a failure in Rugova's aim to make the Kosovo issue recognized in international politics.

When the historical context in international politics is considered, one of the most important developments that affected the Kosovo conflict and NATO's intervention was the end of the Cold War. The end of the Cold War was crucial for humanitarian interventions, and Thakur (2016, p. 104) argues that the Kosovo case set a "precedent" for the future humanitarian interventions. As the US became the sole hegemon in international politics, NATO acted without the UN's authorization. According to Thakur (2016, p. 103), the reason for that was the increasing emphasis on "human rights" as the "liberal values" were more emphasized with its defeat of socialism. Kosovo was a case in which the U.S. and UK emphasized the importance of human rights and acted without the UN's approval.

### **3.2.3. Responses in Policy World**

This section will elaborate on the stances of states and nongovernmental organizations. By doing so, this section aims to present their responses to both the ethnic cleansing and NATO's unauthorized intervention.

During the armed conflicts in Yugoslavia, the U.S.', and the UK's response to the ethnic cleansing was to support the intervention in the region. What complicated the matter was the Soviet Union/Russia and China's opposition. The main reason of these

two countries' opposition was the similar separationist movements that they were dealing with in their territory. Towards the end of the Cold War, in both Soviet Union and China, there were separationist movements that they were trying to suppress.

Baranovsky (2000, p. 102) defines two motives that led Russia to oppose the intervention as a response to ethnic cleansing in Kosovo. The first one is Russia's economic concerns. He assumes that if there were an intervention in Kosovo approved by the UN Security Council, it would mean that Russia should have been involved in the operation. However, the newly founded country was in no condition to be a part of such an initiative. The second one is Russia's "ethno-religious" solidarity with Serbs which caused Russia to oppose an intervention against the Serbian Milosevic government (Baranovsky, 2000, p. 102).

During the debate of humanitarian intervention in Kosovo that took almost a decade, Russia's initial policy was to oppose the intervention. Until 1998, the Kosovo conflict was considered an internal problem of Yugoslavia (specifically Serbia) by most states, such as China and Russia (Wheeler, 2000, p. 259). Even after that, although Russia accepted that there was an ongoing human rights abuse in Kosovo, Russia's response was not supporting intervention. What Russia believed was that the ongoing issue of human rights abuses should have been pointed out by the Security Council with diplomatic measures because there were no conditions that justified the humanitarian intervention option (Blatter & Williams, 2011, p. 238). On March 1998, when the UN Security Council voted and accepted Resolution 1160, which enforced both Serbs and Kosovar Albanians (specifically UCK) to ceasefire, Russia did not veto, and the Resolution was accepted. Even though Russia did not veto, they voiced their concerns and stated that Russia sees the Kosovo conflict as an internal issue of Yugoslavia (Wheeler, 2000, pp. 258–259). Towards the end of 1998, when the peace

initiatives failed to prevent the ongoing ethnic cleansing, Russia changed its stance and stated that Russia would tolerate an intervention (Bellamy, 2002, p. 14).

Russia's response to the ethnic cleansing was to oppose an intervention. When NATO initiated an intervention operation without UN approval, Russia's response to that was to criticize it. With NATO's unauthorized intervention in Kosovo, Russia left Partnership for Peace initiative between NATO and Russia had been in place since 1990 (Bellamy, 2002, p. 174). Although Russia's response to the ethnic cleansing in Kosovo was non-interventionist, there were diplomatic cooperation efforts between NATO and Russia to find a solution for Kosovo. When NATO intervened in Kosovo without UN approval, Russia ended this cooperation by reacting to the U.S. and other NATO allies (Bellamy, 2002, p. 174).

Another state that was opposed to intervening in Kosovo was China. During the debates on intervention during the early 1990s, China's main argument against the intervention as a way of response to ethnic cleansing was that it would be a concerning example of violating sovereignty. The main reason for this argument was the separationist movements within China which could have been related to Kosovo. Since China's policies regarding human rights were criticized by U.S., China's feared that the Kosovo case could have become a precedent for China (Yunling, 2000, p. 117).

China's response to NATO's unauthorized intervention was similar to Russia's response. As Russia did, China also criticized this act (Bellamy, 2002, p. 166).

China's response was to call NATO to end the military operation in Kosovo. One of the most important issues that raised China's concern was the bombing of the Chinese Embassy during the air bombing. China did not accept that this was an accident, and

both the bombing and NATO's unauthorized operation were described as "inhuman" by China (Yunling, 2000, p. 118).

While the discussions of intervention continued during the early 1990s, NATO allies such as the UK, France (both as Security Council's permanent members), and Germany supported a humanitarian intervention option. Their way of legitimizing NATO's airstrike was to claim that humanitarian action was necessary to prevent another case of Bosnia (Franco et al., 2016, p. 392).

The UK's initial response to ethnic cleansing was conducting diplomatic efforts. Especially John Major, who was the Prime Minister between 1990-1997, was a supporter of diplomatic efforts to respond to the ethnic cleansing in Kosovo. In 1998, when Major was replaced by Tony Blair, the new Prime Minister of the UK became one of the most prominent supporters of intervention. Although there were diplomatic efforts by the new government as well, the United Kingdom in Blair's government mostly supported the humanitarian intervention option to prevent ethnic cleansing (Bellamy & Wheeler, 2020). The most prominent justification of the UK to seek a solution in Yugoslavia and to support the intervention option was the conflict's threat against the "strategic interests of Europe" (Duke et al., 2000, p. 137).

Similar to UK's policies, France and Germany also initiated diplomatic and military efforts as a response to the human massacre in Kosovo. According to Bellamy (2002, p. 3), European states such as UK and France had several motivations to find a solution to the Kosovo conflict, even if this solution was an intervention. The first reason he highlights is to avoid another case of Bosnia. Since the Security Council was not able to stop the ethnic cleansing in Srebrenica, according to Bellamy (2009, p. 3), they wanted to avoid a similar outcome in Kosovo. Another reason was that a

war in Kosovo, which is very close to European states geographically, might have resulted in migration of many people to the West. In addition to that, their fear was that the conflict might have a negative impact on countries such as Greece, which is an EU member (Bellamy, 2009, p. 3). For those reasons, UK and France's policy was to end the conflict, and they supported the intervention option since the diplomatic efforts were insufficient to end it.

The most prominent supporter of intervention was the United States. While mentioning a "NATO intervention" to Kosovo, it should be emphasized that the intervention was mostly U.S.-led, and the U.S. was supported by NATO member states during intervention. The U.S. administration changed from George H. W. Bush to Bill Clinton in 1993. One of the issues that Clinton used in his election campaign was to promise that the U.S. was going to use force in Kosovo and criticized the Bush administration for his policies towards Kosovo (Bellamy, 2002, p. 34).

U.S. President Bill Clinton and Secretary of State Madeleine Albright supported the intervention option during discussions about Kosovo. The main motive they stated was to prevent ethnic cleansing and another case of Bosnia (Wheeler, 2000, p. 258). However, the reason why Kosovo was important for the United States was protecting Europe. As the reasons emphasized by Bellamy (2009, p. 3) discussed above, Europe's security that was jeopardized by the Kosovo conflict was crucial for the U.S.. This was stated by President Clinton in one of his speeches, and he stated that European countries were important partners for the U.S. in terms of both trade and being a supporter to "share the world's burden together" (3/23/99 President Clinton at AFSCME Convention, 1999).

Although it has been debated whether to intervene in Kosovo for almost a decade, the intervention decision was not made by UN Security Council. NATO's unauthorized intervention was reacted to in various ways by the non-permanent members of the Security Council. When NATO began its operation, non-permanent members were Argentina, Bahrain, Brazil, Canada, Gabon, Gambia, Malaysia, Namibia, Netherlands, and Slovenia (Research Guides, UN). While Gabon, Bahrain, Argentina, and Malaysia did not criticize NATO's action, Slovenia supported it by arguing that the veto of Russia and China that prevented a UN approved intervention justified NATO's intervention (Wheeler, 2000, p. 278). Similar to Slovenia, Gambia also argued that there were conditions that justified such an intervention (Wheeler, 2000, p. 278). As NATO members, Canada and Netherlands argued that their action had necessary conditions that justified NATO's intervention within the UN Charter. They defended that NATO's aim in this intervention was to stop human suffering in Kosovo (Wheeler, 2000, pp. 278–279). Only non-permanent members which criticized NATO and U.S., UK, and France for their unauthorized action were Brazil and Namibia (Bellamy & Dunne, 2016, p. 13). Namibia took a stance with Russia and China and voted to a draft resolution which stated that NATO's action was a violation of UN Charter (Wheeler, 2000, p. 279).

One of the most important aspects of the Kosovo conflict was the pressure from Muslims from all around the world. Several countries responded ethnic cleansing in Kosovo by pressuring UN Security Council for a humanitarian intervention. The suffering Muslims first in Bosnia and then in Kosovo created a pressure on the Security Council to take action about the Kosovo conflict (Wheeler, 2000, p. 251). With that motivation, most of these countries welcomed NATO's intervention. For instance, Malaysia was one of the countries that supported NATO's intervention in

Kosovo because of religious ties (Wheeler, 2000, p. 280). Several other Muslim countries such as United Arab Emirates and Saudi Arabia provided financial support for Kosovar Albanian refugees (Karawan, 2000, p. 217).

Although all NATO allies supported the operation and agreed the necessity of such an operation to stop human rights violation, with the second phase of the operation divergence between NATO allies occurred. When NATO forces hit Chinese Embassy in Belgrade during this phase, Italy was the first NATO member which changed its stance. Italy's Foreign Minister Lamberto Dini expressed Italy's concerns and disapproved the bombings (Bellamy, 2002, p. 173).

Not only states and state organizations, but also nongovernmental organizations were involved in the Kosovo conflict and the discussions of intervention. First, in several reports from 1990 to 1999, Human Rights Watch stated that there were ongoing human right abuses in Kosovo and the Serbian government became a "police government" which used violence on civilians (Human Rights Abuses in Kosovo 1990-1992, 1992; Helsinki Watch Releases Eight Cases for War Crimes Tribunal on Former Yugoslavia, 1993). In their 1993 report, the organization called states to act in Kosovo by practicing the rule of international law. In that report, the organization named the possible war criminals and listed war crimes in Kosovo by calling the UN to act by international law for Kosovo ( Helsinki Watch Releases Eight Cases for War Crimes Tribunal on Former Yugoslavia, 1993). Human Rights Watch also releases several reports which indicate that there are crimes against humanity such as sexual violence, rape, capturing and detaining and ethnic cleansing toward Kosovar Albanians by Serbian government ( 1998; 2000).

Similar to Human Rights Watch's findings, Amnesty International as well pointed out human rights violations and ethnic cleansing in Kosovo with the reports published (Federal Republic of Yugoslavia: A Human Rights Crisis in Kosovo Province, No:2, 1998; Federal Republic of Yugoslavia: A Human Rights Crisis in Kosovo Province, No:3, 1998). NATO's intervention in 1999 was reacted by Amnesty International, and the organization accused NATO of war crimes. According to Amnesty International, the killing civilians during airstrikes by NATO was unlawful (Wheeler, 2004, p. 208).

#### **3.2.4. Scholarly Discussions**

This section examines the scholarly discussion on the Kosovo case. NATO's act which was not authorized by the UN became an important case in scholarly discussions on humanitarian intervention. These discussions were not limited the time right after NATO's intervention. The debates also focus on Kosovo cases significance on R2P's emergence.

To begin with, Booth (1999) points out several issues about NATO's intervention in Kosovo. First, he argues that NATO's intervention is a result of West's "too narrow and too military" take of common security (Booth, 1999, p. 89). Although NATO claimed the intervention was to achieve common security in international politics, its scope was limited to the unilateral interest of NATO (Booth, 1999, p. 90). Another issue he emphasizes is about the consequences of the intervention. Although NATO's initial aim was to stop human rights abuses and prevent a potential Holocaust, the consequence was that a limited number of suffering Kosovar Albanian civilians were saved. The intervention also harmed innocent Serb civilians during the bombings. In addition to that, while the intervention failed to prevent the human suffering for Kosovar Albanians, it served intervening states' interests (Booth, 1999, pp. 92–93).

Booth (2001b) also discusses the notion of “just war” by examining the Kosovo case. The cases of human rights abuse and mass killings in which states choose not to intervene such as the Rwanda case are considered as a result of states’ national interests. Booth (2001b, p. 322) argues that it should be noted that the cases in which states choose to intervene such as the Kosovo case are also a result of states’ interests and national policies rather than being an act to protect human life and stop human suffering. He calls these various decisions to intervene or not to intervene as “selective morality” (Booth, 2001b, p. 323).

By making a similar argument with Booth, Ayoob (2004, p. 103) discusses that there is a selectivity in such humanitarian actions. His point states that have veto power in the UN Security Council act selectively while deciding to way of action in cases of mass atrocities in accordance with their national interests (Ayoob, 2004, p. 103). He also highlights that NATO’s unauthorized action was criticized by this intervention’s opponents in terms of its violation of UN Charter’s Article 53(1) which clearly states that no enforcement actions are allowed to be taken by any regional organization without the Security Council’s approval (Ayoob, 2004, p. 108).

Ayoob (2004, p. 108) quotes and makes a similar argument with Thakur. According to Thakur (2001, p. 38) NATO violated Article 53 of UN Charter as a regional organization which acted without UN authorization. Because of that Thakur (2001, p. 38) questions why other regional organizations such as Arab League cannot act in a similar way in a case such as Palestine that can be considered similar to Kosovo in terms of human rights violations.

Similar to Booth, and Ayoob’s arguments, Bellamy (2015, p. 138) states that like several other cases such as Bosnia, Iraq, and Somalia the Kosovo case as well was

selective and partial. By that he means decisions were made in line with the interveners' interests rather than being based on humanitarian needs in the country.

Bellamy also discusses whether Kosovo case was a genocide or not. He states that although some politicians criticized intervening states for naming what happened in Kosovo as a "genocide", considering the 1948 Genocide Convention, the conflict in Kosovo and Serbian government's actions against Kosovar Albanians was "genocide" considering UN's genocide definition that was made in 1948 Genocide Convention (Bellamy, 2001, p. 105). Therefore, the issue should have been handled as genocide.

Bellamy and Wheeler (2020, p. 543) argue that while the UN Security Council debated a possible humanitarian intervention in Kosovo, there was a deadlock in the Council and the reason of it was existence of two parties which made two separate arguments. On one side, there were the U.S., the UK, and France who strongly supported intervention as a response to ethnic cleansing. On the other side there were China and Russia who opposed the intervention option strongly. They argue that one of China and Russia's reasons to oppose the humanitarian intervention in Kosovo was that these two countries believed that the situation in Kosovo (human suffering and ethnic cleansing) was not serious enough to take humanitarian action and to violate Yugoslavia's sovereignty (Bellamy & Wheeler, 2020, p. 543).

By focusing another aspect of the Kosovo case, Whitman (2001) explains the migration dimension of it. He argues that the approaches of states towards the Kosovar refugees and their policies was mostly based on the fear of refugee flow towards west of the Europe rather than being focused on the human rights dimension of migration (Whitman, 2001, p. 164). Preventing refugees from flowing to West was crucial for states such as France and UK. Therefore Whitman (2001, p. 172) argues

that these states chose to conduct diplomatic efforts for refugees rather than leaving that to UNHCR.

When the Kosovo case's significance on the future of humanitarian interventions is considered, Wheeler (2000, p. 242) explains the significance of it as the first case in which a number of states justified their action in basis of humanitarian relief even though there were no UN Security Council approval and authorization to take humanitarian action.

The idea that the Kosovo case was one of the most prominent cases that caused states to question the humanitarian interventions is also emphasized by Ayooob (2001, p. 225). He argues that cases such as Kosovo in which states that have a veto power in the UN Security Council act without authorization under UN Charter caused skepticism about the humanitarian interventions. This skepticism occurred even though there may have been humanitarian motivations behind this operation (Ayooob, 2001, pp. 225–226).

Bellamy (2009, p. 164) emphasizes its impact on the emergence of the R2P. He argues that NATO's unauthorized intervention led states to define international response to mass atrocities. Another contribution of the debates around the Kosovo case was to define state's responsibility which became one of three pillars of R2P later. According to Bellamy (2009, p. 164), the debates on Kosovo case were a step that helped states to define the limits of state sovereignty and the sovereignty as responsibility principle which states agreed on at the 2005 World Summit, which took place in UN Headquarters in New York by UN General Assembly.

Chandler (2015, p. 17) argues that Kosovo case's significance was to change the understanding of humanitarian intervention in terms of the international law. The

international law of the Cold War was shifted with the Kosovo intervention. After the Kosovo intervention, the U.S. legitimized the war against Afghanistan by comparing the Taliban with the Milosevic government and emphasizing the necessity of humanitarian action (Chandler, 2015, p. 17).

In that sense, Kosovo case's significance for the future of humanitarian interventions is emphasized by Swatek-Evenstein as well. He argues that one of the main reasons why ICISS was established was to point out the critiques against NATO because of its unauthorized actions in Kosovo, and to respond its "perceived legitimacy, but apparent illegality (Swatek-Evenstein, 2020, p. 221).

### **3.3. Conclusion**

The 1990s was a turning point for humanitarian intervention practices in international politics. This change and the debates that led states to formulate the new R2P concept were results of the humanitarian interventions took place during this decade. This chapter presented these cases by focusing on the historical background of events, the local and global historical contexts, responses in policy world, and scholarly discussions.

Rwanda and Kosovo cases were particularly crucial to understand the 1990s' debates of humanitarian intervention since they present two different cases. According to Wheeler (2000, p. 241) in Rwanda case there were the necessary conditions that justified a humanitarian intervention and if the UN Security Council decided to intervene to Rwanda, they would have had a mandate by UN Charter's Article VII. But, states decided not to intervene, and the UN Security Council became the "bystander" to the genocide by the decisions of all permanent member states (Wheeler, 2000). On the other hand, in Kosovo case the humanitarian crisis was not

responded by UN Security Council because of the lack of consensus between the permanent members. According to Bellamy and Dunne (2016, p. 6) while the challenge in Rwanda case was the lack of “political will to act”, the challenge in Kosovo case was the “lack of authority”. These two cases became the most fundamental motivations that led ICISS and UN General Assembly to create the R2P concept, to avoid the cases that made UN Security Council a bystander of the mass atrocities like Rwanda, and to avoid the cases that caused divisions within the UN Security Council that led to the unauthorized actions like Kosovo (Bellamy & Wheeler, 2020, pp. 542–543).

Both policy world and scholarly discussions on Rwanda and Kosovo cases were focused on in this chapter. In Rwanda case, response in policy world towards the genocide in Rwanda is silence and not calling what happens in Rwanda a genocide. On the other hand, scholarly studies on Rwanda point out the lack of political will to act of states (Bellamy & Wheeler, 2020). States lack of will to act is a result of the political limitations that is caused by policy choices. Since action in Rwanda did not serve to states’, specifically permanent members of the UN Security Council’s interests, there was no action in Rwanda. Focusing on both responses in policy world and scholarly studies gave a better understanding of the events in Rwanda since responses in policy world is only a reflection of states’ official stances whereas scholarly studies focus on broader aspects of the issue which highlights the main reason of the inaction.

In Kosovo, among permanent members of the UN Security Council, Russia and China did not consider what happens in Kosovo as a crime while U.S, UK, and France did. Although they did so, they also emphasized Kosovo’s importance because of its geographical closeness to European NATO allies. On the other hand, scholarly

discussions point out the selectiveness in deciding in which cases to act (Ayoob, 2004; Bellamy, 2015; Booth, 2001b).

The following chapter will examine two cases of R2P: Syria and Libya. Whereas there was no intervention in Syria although it was debated in UN Security Council, there was an intervention in Libya with the UN Security Council authorization. The next chapter aims to make a better understanding of changes from humanitarian interventions to R2P and provide a detailed framework for the new R2P concept.



## **CHAPTER IV**

### **CASES OF RESPONSIBILITY TO PROTECT (R2P): LIBYA AND SYRIA**

At the World Summit on September 14-16, 2005, with the attendance of 170 UN member states at UN Headquarters in New York, the Responsibility to Protect (R2P) principle was agreed on. The 2005 World Summit Outcome document addressed the four crimes that needed to be paid attention to by states: war crimes, ethnic cleansing, crimes against humanity, and genocide (Resolution Adopted by the General Assembly on 16 September 2005, 2005). The new R2P principle was based on both member states' responsibility individually and the UN's responsibility collectively. There are three pillars of R2P. Pillar I requires states to prevent such crimes within their sovereign territory and end if such crimes occur. Pillar II makes all UN member states responsible for assisting other members to fulfill their Pillar I responsibilities. Pillar III gives responsibility to UN member states to protect civilians when states fail to protect their citizens if such cases occur. Failure to protect civilians and the death of millions of people in the cases examined in the previous chapter, Rwanda and Kosovo, significantly impacted the emergence of R2P.

UN aimed to prevent future similar incidents and have a better functioning system to respond to mass atrocities. A few years after the R2P's emergence, the UN faced similar challenges in several parts of the world. This chapter aims to examine two of these cases: Libya (2010-2011) and Syria (from 2010 to present). Libya and Syria are unique cases like Rwanda and Kosovo in humanitarian intervention and R2P literature. The action case Libya's importance is that Libya was the first case in which the UN Security Council authorized member states to intervene without the consent from the state that was intervened to end mass atrocities. The inaction case

of Syria is crucial since it presents a case in which the UN Security Council failed to act even though it was aimed to prevent a lack of action with the R2P principle. By examining these two cases, this chapter aims to present a better understanding of R2P by focusing on both when the UNSC intervened and did not intervene.

#### **4.1. Libya**

In 2011, after 6 years of its emergence in UN General Assembly, the first and only UN authorized R2P response took place in Libya. The conditions legitimized the R2P response, consensus between all permanent members of the UN Security Council, and support from regional international organizations led to one of the most specific cases of R2P to happen. This section aims to examine the human rights abuses in Libya, the local and global context that led to an R2P response, responses to the mass atrocities in Libya in policy world, and scholarly discussions around the case.

##### **4.1.1. Libyan Civil War and NATO's Operation in Libya**

In 1969, Muammer Gaddafi took power in Libya with a coup and ended the monarchy in the country. Although monarchy was ended, in a short time the Gaddafi regime became autocratic and the power was held by the leader himself and by the political elite around him (Prashad, 2012).

Increasing dissatisfaction among people in the Arab world became more apparent towards the end of 2010. Economic recession, high unemployment rates, and political corruption made people react to their governments. On December 17, 2010, a young vendor in Tunisia set himself on fire to protest the government, which was the spark that started the Arab Uprisings, according to Hamid Dabashi (2012, p. 4).

The protests did not remain limited to Tunisia, and in a short time, the protests began in several Arab states such as Egypt and Libya.

Even though the rest of the Arab world was suffering from high prices and economic decline, Gaddafi's "centrally planned economy" prevented Libya to suffer from same issues (Prashad, 2012, p. 93). What caused dissatisfaction in Libya was Gaddafi's undemocratic policies and suppression (Pradella & Taghdisi Rad, 2017, p. 2416; Prashad, 2012, p. 93).

Although economic dissatisfaction was relatively low compared to other Arab states, Libyan people were dissatisfied, too because of the suppression in their country and that led to protests to begin in Libya on February 15, 2011. Protestors were also affected by the protests in Egypt and Algeria that started with similar reasons (Pradella & Taghdisi Rad, 2017, p. 2416). On February 16, 2011, protests began in several cities of Libya. The government's response was violent, during the protests hundreds of civilians were killed by the security forces (Dabashi, 2012, p. 17).

When protests were repressed violently by the government, many members of the governmental security forces left their positions and established National Transitional Council (NTC) which became an armed opposition group (Bellamy & McLoughlin, 2018, p. 95). As the violence continued, in early February 2011, NTC declared themselves as the legitimate representative of the Libyan people (Bellamy & Williams, 2012, p. 277). NTC demanded humanitarian assistance from United Nations, except a military intervention. The Gulf Cooperation Council (GCC) and League of Arab States (LAS) supported NTC, and recognized NTC as the legitimate representative of Libya (Bellamy & McLoughlin, 2018, pp. 96–97).

The UN, reminded Gaddafi government its Pillar I responsibilities under the R2P which keep governments responsible for protecting their citizens in cases of mass atrocities (Bellamy & McLoughlin, 2018, p. 96). On February 25, 2011, the UN Human Rights Council formed to investigate the human rights abuses in Libya with a commission of inquiry (Bellamy & Williams, 2012, p. 276). Next day, on February 26, 2011, first UN Security Council Resolution on Libya, Resolution 1970 was adopted. The resolution expressed the Security Council's concerns regarding the human rights abuses in Libya. It also reminded the government its Pillar I responsibilities, demanded government to end the violence towards civilians, and put an arms embargo on Libya (Resolution 1970, 2011). Call to stop violence toward civilians was not effective in stopping Gaddafi. When Resolution 1970's warnings did not stop Gaddafi government, on March 12, the LAS called for "no-fly zone" over Libya (Adams, 2016, p. 770).

In early March 2011, one of Gaddafi's governmental officials announced that the governmental forces will continue to "cleanse Libya house by house" and described the protestors as "rats" (Adams, 2016, p. 770). According to Global Centre of Responsibility to Protect approximately 700 people were killed by Gaddafi forces (2022).

By the end of March 2011, the International Criminal Court (ICC) concluded the investigation opened in February 2011, and reported that Muammar Gaddafi was guilty of both war crimes and crimes against humanity (2011), which are two of the four crimes accepted as the mass atrocities that legitimize an R2P response by UN Security Council.

Following Resolution 1970, the UN Security Council approved Resolution 1973 on March 17, 2011. Resolution 1973 was a turning point for R2P since it was the first time that the UN Security Council authorized an R2P response to fulfill the responsibility to protect. Resolution 1973 enforced a no-fly zone over Libyan territory to assist the humanitarian actions by member states, and authorized UN members to “take all necessary actions” in Libya to protect civilians from mass atrocities. This UN decision was made by referring the Article VII of the UN Charter which allows states to intervene other sovereign states only when it is authorized by the United Nations in cases of mass atrocities (Resolution 1973, 2011).

On March 19, the operation began with airstrike by U.S. and several of NATO allies (Dabashi, 2012, p. 17). NATO-led coalition of the U.S., UK, France and Canada was contributed to by several Arab states such as Jordan, the United Arab Emirates, Qatar, and Morocco (Adams, 2016, p. 771). NATO-led airstrikes continued until May 2011 which aimed Libya’s infrastructure that considered belong to Gaddafi forces. When it was understood that the airstrikes were not sufficient, NATO expanded the range of attacks (Zifcak, 2016, p. 15).

The capital city Tripoli was under control of the Gaddafi forces. With the help of NATO’s strike and bombing campaign, rebel forces led by NTC entered Tripoli on August 27, 2011 (Adams, 2016, p. 770). Although rebel forces were in a more advantageous position starting from August 2011, Gaddafi government continued killing civilians in various cities of Libya, including Tripoli. NATO’s existence in Libya and the operation under Resolution 1973 continued.

On September 16, 2011, the UN Security Council adopted Resolution 2009 in which they decided to establish the UN Support Mission in Libya (UNSMIL) (Resolution

2009, 2011). Gaddafi was captured and killed by protestors on October 20, 2011. After his death, the UN Security Council adopted Resolution 2016 on October 27, 2011. The Resolution ended the authorization given to member states to take all necessary actions to protect civilians in Libya (Resolution 2016, 2011). UN authorized military actions in Libya were decided to end by October 31, 2011. On October 28, 2011, the North Atlantic Council announced that NATO forces will end the ongoing operation in Libya in line with the decision of Resolution 2016.

After the operation, the first election in Libya was held in July 2012 in General National Council (Pradella & Taghdisi Rad, 2017, p. 2418). With the civil war in Libya, and the airstrikes by NATO, the infrastructure in Libya was heavily damaged. UNSMIL aimed to support the political transition and the rebuilding the devastated infrastructure in Libya (Adams, 2016, p. 778).

NATO-led operation in Libya was not the end of human suffering. According to Human Rights Watch's report, NATO's airstrikes caused the death of more than 70 civilians (. In addition to that, elections in 2012 did not bring an end to the political conflict in Libya. The struggle between various political groups continued. Although UNSMIL continues its mission in Libya presently, armed conflict in country continued. Gaddafi's death and the defeat of Gaddafi government by rebel groups with the help of the NATO-led operation was not the end of the conflict and violence in Libya (Wehrey, 2019).

#### **4.1.2. Local and Global Context**

This section focuses on local and global context that shaped the Libyan Civil War and the R2P response. Beginning of the mass atrocities and the R2P response to atrocities happened in a brief time frame. Although the UN Security Council

approved Resolutions 1970 and 1973 in short notice, the way the operation was conducted in Libya was discussed between UN Security Council members after the operation started. Both events in Libya and the Security Council response in terms of R2P were shaped by local and global context.

Libyan Civil War began as a part of the Arab Uprising protests started in many states in the Arab world. The uprising starting Tunisia spread to Libya in a short time, surfaced the problems in Libya which caused people to protest the Gaddafi regime.

Recent R2P debates in Darfur (South Sudan) and Somalia are also worth mentioning to understand the uniqueness of the Libyan case. Although the R2P was implemented in Libya, R2P's utility was questioned in Sudan and Somalia before the operation in Libya. In Sudan, starting from 2003, a conflict between the government and the rebel groups began, and the government's response was to use violence which caused mass killings and therefore crimes against humanity (Traub, 2010). During the conflict, the UN Security Council discussed the issue. After 2005, with the emergence of R2P at the World Summit, the Council stated that they have a responsibility to protect civilians in Sudan, but no R2P responses took place.

In Somalia, the conflict continuing since the early 2000s led to a civil war in country in 2006 between Union of Islamic Courts and Forces of the Alliance for Peace and Fight Against International Terrorism (Bellamy, 2013, pp. 346–347). The Security Council's response to the war was divided. The U.S. and China advocated an R2P operation while the other permanent members were more skeptic about it. Bellamy (2013b, p. 351) argues that Somalia was a case which indicates R2P's ineffectiveness. These two recent experiences in Darfur and Somalia caused states to

question R2P and its efficiency before the protests in Libya started (Dietrich, 2013, p. 324).

When we focus on the global context, Sri Lanka case is worth mentioning. There has been a conflict between Sri Lanka government and the separationist group Liberation Tigers of Tamil Eelam (LTTE) since early 1980s. In 2009 the government gained control of LTTE's capital (Nackers, 2016, p. 877). The government's attacks targeting LTTE and LTTE's response to government's fire caused many civilians to be trapped between them and thousands of civilians died in this cross fire (Teitt, 2012, p. 200). When the UN General Assembly debated a possible R2P response, Sri Lankan government was against it, and there was no R2P response in Sri Lanka (Teitt, 2012, p. 206). According to Nackers (2016, p. 876) although there were no action in Sri Lanka, this case enhanced UN's "capacity to implement R2P" for the following cases.

Another event within the context of Libya case in terms of R2P was Côte d'Ivoire. Briefly before the conflict in Libya started, in late 2010, violence and civil war began in Côte d'Ivoire after the elections. The UN Security Council debated how to respond the civil war in the country, and no R2P response took place (Hunt, 2016). Côte d'Ivoire was one of the cases in which R2P's ability to end mass atrocities was questioned in the future.

All of the cases mentioned above were inaction cases. All these events made states skeptical towards R2P (Bellamy, 2013b; Dietrich, 2013; Thakur, 2013). Even though states were skeptical about R2P, they decided to conduct an R2P intervention in Libya. This was caused by the weakness of already existing ties of Libya with the R2P decision-makers (UNSC's permanent members) and regional organizations.

There were no allies of Libya in regional or international politics. This unique combination made Libya a unique case in a time in which states were highly skeptical towards R2P.

#### **4.1.3. Responses in the Policy World**

UN Security Council's Resolution 1973 defined Gaddafi government's actions as "crimes against humanity" (Resolution 1973, 2011). States decision to call the situation in Libya as such was followed by the authorization of an R2P response in Libya by the same Resolution. Although NATO's operation in Libya was authorized by the UN Security Council, the way the operation was conducted was debated in UN Security Council, and it was criticized by several states, especially by Russia and China. This section focuses on the state and non-state actors' response to both atrocities in Libya and the UN-authorized NATO operation.

Although the operation was led by NATO, members of NATO were divided in terms of their response to the crimes against humanity initially. UK and France's initial response was to offer a military response in Libya to stop human massacre. On the other hand Obama administration in the U.S. was against a military operation since one of Obama's political campaign's objectives was to withdraw U.S. forces from the Middle East (Bellamy & McLoughlin, 2018, p. 97). Because of this policy, the U.S. disagreed with their NATO allies and opposed to an operation initially. What changed Obama's approach to the issue was his staff, the US domestic politics changed the U.S.' response to Libya crisis (Bellamy & McLoughlin, 2018, p. 97). At the end, NATO members agreed on intervening in Libya to stop Gaddafi's actions. When the UN Security Council authorized an R2P response in Libya, NATO took the initiative and led the operation in Libya.

In contrast to their stance in Syria, Russia and China were not opposed to an R2P response in Libya. Their initial response to the human rights abuses was to call for an internal solution in Libya rather than a Security Council R2P operation (Dietrich, 2013, p. 332). According to Dietrich (2013, p. 332) as the situation in Libya worsened, both Russia and China became not opposed to an R2P operation, and one of the main reasons for that was Libya did not have a close relationship with neither of them in contrast to Syria.

When the Security Council voted for Resolution 1973, the Resolution was accepted with five states absent. Russia, China, India, Brazil (four of BRICS members, only state voted for the Resolution 1973 among BRICS members was South Africa), and Germany was absent during the voting (Gallagher & Wheeler, 2021, p. 184). Neither Russia nor China did veto the Resolution and they were not against the R2P response. According to Bellamy and McLoughlin (2018, p. 103) they did not have a close relationship with Libya. Right after the voting, the Russian Ambassador Vitaly Churkin defined Russia as an “advocate of protection of civilians” (Adams, 2016, p. 770). Chinese Ambassador Li Baodong’s comment on the adoption of Resolution 1973 was that the Resolution was “a necessary action to protect civilians in Libya” even though China too was absent during the voting (Adams, 2016, p. 770).

Three regional organizations, League of Arab States (LAS), African Union (AU), and Gulf Cooperation Council (GCC) were actively involved in the process from the beginning. They responded the Gaddafi regime’s violent act in Libya immediately. Their initial response was to condemn Gaddafi government for these actions. LAS was the first one to suspend Libya’s membership to the organization. Bellamy and McLoughlin (2019, p. 352) argue that one of the important factors that changed

Russia and China's policy to not to veto the Resolution 1973 was the support for an R2P operation from regional organizations such as LAS, GCC and AU.

On February 26, 2011, the UN Security Council approved Resolution 1970 which demanded the government to end violence against civilians, and applied sanctions and travel restrictions on Libyan government representatives (Resolution 1970, 2011). When the NTC demanded international support to end the violence in the country in early March, GCC supported. Meanwhile LAS announced that they will not recognize Gaddafi government's legitimacy any further, and the legitimate representative of Libyan government will be considered as NTC (Bellamy & McLoughlin, 2018, p. 97). Although NTC demanded support from United Nations, they were against a military operation. Similarly, AU was also against a military operation in Libya although condemning the Gaddafi government.

These factors led the UN Security Council to respond the Libyan crisis with an R2P operation in a short time. Although every state in the UN Security Council (both permanent and non-permanent members) and all member states of regional organizations which Libya was a member of condemned Gaddafi government for its crimes against humanity, there were various responses to the NATO-led operation. The first states which criticized NATO were South Africa and Brazil. As the operation continued, South African President Jacob Zuma criticized the airstrikes by NATO and called for a ceasefire (Dunne & Gelber, 2014, p. 345). Following South Africa, Brazil and LAS criticized NATO for exceeding the authorization provided by the Resolution 1973 and for failing to protect civilians in Libya (Dunne & Gelber, 2014, p. 345). Other BRICS members followed South Africa and Brazil, on April 14, 2011, they released the Sanya Declaration which called for a "peaceful resolution in Libya" (BRICS Summit Sanya Declaration, 2011).

While the first criticism towards NATO was that the authorization given by UN Security Council under Resolution 1973 was exceeded, in August 2011, the focus of criticisms became the regime change issue. One of the turning points for this criticism was that after the rebel forces entered Tripoli and the Gaddafi government's forces began to lose power and control over most parts of Libya, the operation and NATO's presence continued (Adams, 2016, p. 772). This led several states to criticize NATO by arguing that NATO's aim in Libya was to ensure regime change. India and South Africa argued that NATO's objective in this operation was to ensure that the Gaddafi government was overthrown and to change the regime. India's criticism was that NATO provided arm supply to rebel groups in Libya to ensure a regime change (Adams, 2016, p. 772). South Africa criticized NATO for the same reason by arguing that NATO's history with Gaddafi caused NATO member countries to believe that it would be a better move to remove Gaddafi from power in Libya while the operation should have aimed to protect civilians (Adams, 2016, p. 773).

Another response to NATO-led operation was from several nonstate actors. Several organizations such as Médecins Sans Frontières, Amnesty International, and Human Rights Watch criticized NATO's bombing in Libya. Médecins Sans Frontières' report stated that the responsibility to protect civilians did not apply equally to all civilians during NATO's operation. The report indicated the fact that the civilians who had to leave Libya and became refugees were not protected (From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya, 2011, p. 7). The report also criticized that most of these people who left Libya after the operation began were escaping from NATO's bombings (From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya, 2011, p. 5).

Amnesty International released a report on March 2012 stating that many civilians were killed during NATO's air strikes. The report indicates several incidents in which NATO bombed a location that is considered to belong Gaddafi forces by NATO. Although these locations were claimed to belong to Gaddafi forces, according to report there were no such evidence, rather these were the locations where civilians and several members of UN, Amnesty International, and other NGOs were located (Libya: The Forgotten Victims of NATO Airstrike, 2012, p. 7).

Similar to Amnesty International's report, Human Rights Watch also reported that although NATO aimed military targets belong to Gaddafi forces, their investigation released the fact that these locations were not military targets, rather they were places where civilians lived (Unacknowledged Deaths: Civilian Casualties in NATO's Air Campaign in Libya, 2012, pp. 1–4). The report also recommended NATO to conduct a more transparent process, and to inform the public about the civilian casualties during air strikes against military targets (Unacknowledged Deaths: Civilian Casualties in NATO's Air Campaign in Libya, 2012, p. 16).

What happened in Libya was defined as crime against humanity by the UN Security Council right after the events started (Resolution 1970, 2011). Crimes against humanity in Libya was responded by a UN authorized operation led by NATO.

Although UN Security Council agreed on an R2P response (both permanent and non-permanent members), the way the operation was conducted by NATO raised criticisms towards NATO members and the R2P concept.

#### **4.1.4. Scholarly Discussions**

This section focuses on the scholarly discussions on the Libya case. Libya is the first and only case in which the UN Security Council authorized member states to take

“all necessary measures” with a resolution, without the consent of the state that was intervened. This aspect of the R2P response in Libya led scholars to focus on various aspects of R2P by referring Libya. Although NATO-led operation in Libya was authorized by the UN Security Council in R2P framework (by referring one of the four crimes defined as a justification of an R2P operation) it led many discussions among scholars.

The most focused aspect of the operation in Libya was the case’s significance in terms of R2P norm. According to Williams (2011, p. 249) Libya is an explicit case for the R2P norm since it is the first instance which Security Council authorized a military operation for the humanitarian purposes, against the consent of a state. Williams (2011, p. 249) argues that this was the beginning of a new political era for the UN.

Bellamy (2011, p. 265) considers Libya as an exception to R2P norm for several reasons. He argues that the crisis in Libya and the R2P response occurred in a very brief time frame which made Libya an exceptional R2P case. In addition to that the regional organizations such as LAS and GCC played a crucial role which affected UN Security Council’s decision and R2P response (Bellamy, 2011, pp. 266–267).

In an article they wrote together in 2011, Bellamy and Williams (2011, p. 847) argue that Libya is the starting point of a “new politics of protection” since the Security Council dealt with the crisis as a human protection issue. In addition to that the Security Council was willing to authorize an R2P response in Libya, and they interpret that as a part of the new politics of protection (Bellamy & Williams, 2011, p. 847).

Thakur (2012) argues that Libya case showed that R2P is still fragile, even though it was authorized by the UN Security Council as it was designed in 2005 World Summit. The reason for that is no military action or no good intention guarantee solution for human suffering and protecting civilians. Libya illustrated that although R2P framework was established with these intentions, Thakur (2012) argues that the intentions do not guarantee a successful outcome.

When considering Libya's significance for R2P, Dietrich (2013, p. 345) argues that since it was the first authorized R2P response in action, Libya is a milestone.

Newman (2013, p. 248) argues the contrary by stating that although several scholars argue that as the first UN authorized R2P operation Libya is a step forward, Libya is a back step for R2P. The reason for that is Libya surfaced many problems regarding R2P's conceptualization. The implication of R2P in Libya caused these problems to be debated again, and this made Libya a back step for R2P discussions (Newman, 2013, p. 248). By focusing R2P's Pillar III, Dunne and Gelber (2015, p. 289) argue that Libya case's significance for R2P norm is that Libya is both the peak point and the starting of the decline of R2P's legitimacy.

Another topic that is discussed by scholars regarding Libya is what role R2P played in Libya. Although it is mostly accepted that Libya is a significant case of R2P, there is also debate on R2P's role on the Libya case and Resolutions 1970 and 1973.

According to Morris (2013, p. 1272) the resolutions and the debate in the Security Council merely referred to the Pillar I responsibilities of the Libyan government whereas there were almost no reference to the Pillar III responsibilities of the UN members. Therefore, R2P's impact on the action in Libya is less than it is assumed.

Hehir (2013) argues that what led to the R2P operation in Libya was the policies of the members of Security Council and it was not based on the willingness to protect the suffering civilians. By this argument he highlights that R2P's moral principles were not the reason for the operation, therefore the R2P norm was irrelevant. Similarly, Murray (2013) argues that what led to the action in Libya was not the responsibility to protect, rather it was "rationality to protect" which means states acted to their benefit rationally while deciding to intervene. Meaning intervening states prioritized their own political benefit over protecting civilians while deciding to intervene.

By referring to Hehir and Murray's studies, Glanville (2015, p. 192) disagrees with their argument that R2P was irrelevant to the action decision in Libya. He argues that R2P's impact is obvious in the action decision in Libya. Security Council member states chose to intervene even though it was costly (Glanville, 2015, p. 192).

Glanville's argument is in line with Dunne and Gelber's (2014) argument since Dunne and Gelber also challenge Hehir's approach to R2P's impact on Resolutions 1970 and 1973. They argue that even though it is not clear whether the motive behind these resolutions was strategic or a genuine willingness to protect civilians, since these resolutions stated UN Security Council's responsibility to protect civilians, R2P is relevant in the Libya decision (Dunne & Gelber, 2014, p. 348).

Another debate topic around the Libya case is whether it had an impact on inaction in Syria. Although it is usually claimed that NATO's operation and willingness for a regime change led several states such as Russia and China to oppose a similar operation in Syria, there is a debate on this issue between scholars. According to Dietrich (2013, p. 345) Libya had implications on Syria and any other future cases since it raised states to question unresolved problems regarding R2P's implication.

Acharya (2015, p. 72) argues that the way R2P was implemented in Libya had an impact on the future of R2P by making it more difficult to apply future cases such as Syria. He argues that this led to challenges against R2P norm and emergence of new concepts such as RWP (Acharya, 2015, p. 72). According to Welsh (2019, p. 69) Libyan case has an impact on the inaction in Syria since it changed several politicians' point of view in R2P's efficiency and they questioned whether R2P would be a proper tool to respond the crisis in Syria.

On the other hand, there are several scholars who disagree with this point of view and argue that R2P's failure to respond the crisis in Libya was not the reason why R2P was not used in Syria. Bellamy (2014) examines the relationship between Libya and Syria and argues that there are no negative impact of Libya over Syria which prevented an R2P response. He explains Russia and China's objections to a potential R2P response in Syria do not refer the Libyan failure (Bellamy, 2014, p. 42). Therefore, the Security Council's failure to respond Syria with an R2P response is not a result of the R2P's failure in Libya, but a result of Russia and China's policies towards Syria.

Gallagher and Wheeler (2021) focus on "trust" in international politics in their article, and they examine the argumentation that NATO's actions in Libya damaged the trust between the permanent members of the Security Council and led the R2P to fail in Syria. They argue that this view is problematic since it fails to indicate several aspects of the issue. This view is problematic because it merely focuses on the votes for Resolution 1973 and ignores the absence of several states such as Russia and China. They argue there were no trust to begin with in Libyan case, and Russia and China did not approve the resolution, but they did not vetoed it either (Gallagher & Wheeler, 2021, p. 184).

Lastly, another issue that is discussed about Libya was its impact on R2P's future. As one of the most unique and prominent cases of the R2P, the Libyan case led scholars to question its impact on R2P's future and whether the failure to protect civilians in Libya means R2P's end. Most scholars agree that although Libya caused states to question whether R2P is a viable solution for mass atrocities, the Libyan case is not the end of R2P (Weiss, 2011; Weiss & Kuele, 2011; Wheeler & Dunne, 2012, p. 88; Dietrich, 2013, p. 348; Welsh, 2019, p. 63). Although agreeing Libya is not the end of R2P, Dunne and Gelber (2015, p. 289) also argue that Libya is the "sharp decline" for R2P, and affected R2P's use in the future in a negative way.

## **4.2. Syria**

This section aims to examine the Syrian Civil War and the R2P debates on Syria by focusing on the historical background of the conflict, local and global context, policy responses by both state and non-state actors, and scholarly discussions. Since 2011, a civil war in Syria has been ongoing. The human rights abuse and mass atrocities in Syria became one of the most focused cases in R2P in the UN Security Council. Although acting with humanitarian purposes within the R2P framework has been discussed for the past decade and is still being debated, there has been no humanitarian interventions in Syria.

### **4.2.1. The Syrian Civil War and Crimes Against Humanity**

On July 17, 2000, Bashar al-Assad became the president of Syria after his father's death, the president Hafiz al-Assad. Although Syria was not a monarchy, Bashar al-Assad's presidency for the Baath Party was accepted by the party unanimously, and by the voting in the parliament, he became the president of Syria (Lesch, 2013, p. 4). Hafiz al-Assad ruled the authoritarian government for 30 years with the control of

intelligence (mukhabarat) and the military (Lesch, 2013, p. 5). Although Bashar al-Assad promised reforms in Syria, especially regarding economic wealth, the reforms were insufficient and did not improve citizens' lives. Instead, according to Lesch (2013, pp. 7–8) the wealth was distributed unequally, and the elites received more from this wealth, which caused them to become richer while the other half of the population was getting poorer. Assad's policies caused increasing dissatisfaction in Syria. The economic problems in the country and the repression were the main issues that caused dissatisfaction. In addition to a very large intelligence organization in Syria (mukhabarat) monitored people and media closely, controlled them, and censored them (Lesch, 2013, pp. 65–66).

Syrian people were dissatisfied by the repression of the state and the inequality in the distribution of economic wealth. Corruption was high in Syria, and the people governing the country were not accountable for their illegal actions.

The protests in Tunisia and Egypt set a precedent for people in Syria (Lesch, 2013, p. 67). On February 5, 2011, Syrians started protests under the name “Day of Rage” in the capital of Syria, Damascus (Dabashi, 2012, p. 17). Police forces reacted to the protests by using violence. Police brutality led to more protests, and protests by students were responded to by the government with the capture and torture of several students in the city of Daraa (Bellamy, 2022, p. 8).

The more police brutality increased, the more people reacted, and protests increased in several cities in Syria. As the violence and torture by government forces continued, they also killed several protestor civilians. In several cities, spontaneous protests took place, which were suppressed by the police and army with force and led to the death of more civilians (Bellamy, 2022, p. 9). It was reported that, on April 12,

2011, several soldiers were killed by the governmental authorities since they refused to shoot at civilians (Dabashi, 2012, p. 17). During May 2011, government forces tried to repress protests in several provinces of Syria. The government's response to the protests caused the death of hundreds of civilians. By mid-June following the protests and the harsh reaction by the government, several people began to migrate to neighboring countries (Dabashi, 2012, p. 17).

On November 23, 2011, the UN General Assembly's Human Rights Council prepared the first report of the Independent International Commission of Inquiry on the Syrian Arab Republic. According to this report, the ongoing situation since February 2011 indicated human rights abuses. The report stated that there was "excessive use of force and extrajudicial executions, enforced disappearances, torture, sexual violence, displacement, violation of economic and social rights" against civilians by the Assad government (Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 2011). The second report, dated February 22, 2012, stated these crimes by the Assad government once more and added "attacks targeting residential areas and civilians," among other atrocities (Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 2012). By indicating these reports, some members of the UN Security Council (especially UK and France) drafted resolutions to condemn the Assad government and to authorize an R2P response in Syria. These attempts were vetoed by Russia and China (Gifkins, 2012, p. 381).

With increasing violence in Syria and the failure of the UN Security Council to agree on an R2P response, on February 2012, the UN Security Council and League of Arab States (LAS) appointed former Secretary-General Kofi Annan to conduct peace negotiations to stop the increasing violence in Syria (Bellamy, 2022, pp. 58–59).

Following Kofi Annan's appointment as a peace negotiator, the Security Council established the UN Supervision Mission in Syria (UNSMIS) to monitor the peace process. UNSMIS was in the country solely with the mission of monitoring, and the deployed personnel were unarmed (Bellamy, 2022, p. 68).

By the end of July 2012, when rebel groups established the Free Syrian Army (FSA), violence by the pro-Assad forces had increased. In most of the cities of Syria, civilian deaths and human rights abuses raised. Approximately 16,000 civilians were killed, and more than 500,000 people migrated to neighboring countries. In July 2012, the International Committee of the Red Cross called the situation in Syria a "civil war" (Momani & Hakak, 2016, p. 899). Annan's diplomatic efforts to end Syria's violence and civil war failed. In August 2012, with the peace process' collapse, Annan resigned from his position in Syria. Following his resignation, the Security Council ended UNSMIS' mission in Syria (Bellamy, 2022, p. 90).

After Annan's peace negotiations collapsed, the Secretary-General appointed Lakhdar Brahimi, a former Minister of Foreign Affairs of Algeria. Brahimi focused on the peace negotiations to assist a non-violent political transition in Syria. Brahimi initiated diplomatic negotiations with not only Assad and other domestic groups but also with the permanent members of the UN Security Council to find a common ground that every actor would agree on. Although this was the case, Brahimi's peace process failed like Annan's by late April 2013 (Bellamy, 2022, p. 120).

Following Brahimi's peace process' failure, the U.S. administration claimed that the Assad government used chemical weapons on civilians and rebel groups in Syria (Lesch, 2013, p. 253). In August 2013, the UN and the Organization for Prohibition of Chemical Weapons initiated a joint mission to investigate the chemical weapon

allegations in Syria and to eliminate any chemical weapons (OPCW-UN Joint Mission). The joint mission detected that the Assad government used chemical weapons on civilians in Syria and started the process of eliminating all illegal chemical weapons. The Security Council authorized it with Resolution 2118 dated September 27, 2013 (Resolution 2118, 2013). The process of eliminating chemical weapons from Syria continued until mid-2014.

On June 3, 2014, Assad went into elections in the parts of the country where was controlled by Assad forces. The elections were far from being democratic; the only candidate was Assad himself, and he was reelected in the provinces of Syria that government forces already had the control (Momani & Hakak, 2016, p. 901).

After 2014, the conflict in Syria continued. Until this day, there has been no action in Syria within the framework of R2P, nor has the conflict ended. During the past decade, the UN Security Council discussed the situation in Syria several times, and the member states debated whether there should be action in Syria under R2P. UN Security Council's first resolution on Syria was dated 14 April 2012, and it authorized the deployment of 30 military observants in Syria (Resolution 2042, 2012). From late 2011 until 2023, the Security Council met several times to vote for an R2P response in Syria. Although the Council voted on a R2P response several times and there were more than 30 Resolutions during the past 11 years, the Security Council could not agree and acted within the framework of R2P in Syria. Most of the Resolutions were about other issues related to mass atrocities, human rights violations, and the use of chemical weapons in Syria. According to UN Human Rights Office of the High Commissioner, by 2022, more than 305.000 civilians were killed by the attacks of Assad government (2023)

#### **4.2.2. Local and Global Context**

This section focuses on the local and global events that impacted states' lack of action in Syria. Local and global developments led to a 10-year-long lack of action in Syria. The most important historical event that had an impact on the crisis in Syria was the Arab Uprising. The events that started in Tunisia and then spread to other states such as Egypt, Libya, Yemen, Algeria, and Jordan became the center of attention in international politics. According to Bellamy (2022, p. 11), Syria caught limited attention.

Saudi-led operation in Bahrain was a crucial turning point in this part of the world that impacted the lack of action in Syria. Saudi Arabia considered the Shiite majority's protests toward the Sunni monarch in Bahrain as a way of intervening in the internal affairs of Bahrain. Saudi Arabia initiated a military operation in Bahrain on March 14, 2011 (Aras & Falk, 2015). According to Bellamy (2022, p. 11), Saudi-led operation in Bahrain was an important reason why states could not pay enough attention to discussing an R2P response option at the beginning of the conflict in Syria; because most other states were preoccupied with the situation in other countries in the region, such as Bahrain.

Starting from the early 2010s, many terrorist groups increased their activities in the region. The organization that identified itself as the Islamic State of Iraq and Syria (ISIS) declared itself as a caliphate and a state. By 2014, ISIS had taken control over several cities in Iraq and Syria, which deepened the crisis in the Syrian Civil War. According to Ryan (2015), both Assad and ISIS were fighting against each other to become the representatives of Syrian sovereign territory, but they were both using violence against civilians. According to Momani and Hakak (2016, p. 902) starting from 2014 states focused their policies on fighting against ISIS terrorism. Especially

neighboring states aimed to end ISIS' existence in this region since it threatened their borders. From the beginning of 2014, this issue took away the attention from Assad's crimes against humanity.

Libya, the other case examined in this chapter, was another important regional crisis that caused Syria to become a secondary concern for states. The civil war in Libya and the human rights abuses began simultaneously with Syria. When the human rights abuse and the crisis in Syria started, both the Security Council and other states in the region were preoccupied with Libya. While the conflict in Libya was considered as a concern of international politics by the UN Security Council with Resolution 1970 and Resolution 1973, at the beginning the conflict in Syria was considered as a domestic issue of Syria. These different approaches resulted in different responses. NATO's R2P operation, which the UN Security Council approved, coincided with the beginning of the events in Syria. The operation in Libya diverged the attention from Syria (Bellamy, 2022).

When the crisis in Syria started, the Security Council was also preoccupied with Darfur (Sudan) regarding R2P and a possible R2P response. There was evidence of ethnic cleansing, war crimes, and crimes against humanity in Darfur since 2003, which led the Security Council discuss a possible R2P operation with the emergence of the new R2P concept in 2005 (Gifkins, 2016a, p. 717). According to Gifkins (2016b), Darfur was the first case in which the members of the Security Council discussed the R2P option, and it was a "test case" for R2P. When the conflict in Syria started, the Security Council was already discussing the R2P response option in Darfur; therefore, it was one of the cases that took away the attention from Syria. There was no action in Darfur within the framework of R2P, but the ongoing discussion in the Security Council deviated the attention from Syria.

Somalia was another case that impacted the Syrian case as it led states to question and criticize R2P. In Somalia, there has been a conflict between the Union of Islamic Courts and Forces of the Alliance for Peace and Fight Against International Terrorism since 2006. The Security Council debated an R2P response. However, states' approaches were divided, and there was no R2P response in Somalia. The conflict and inaction in Somalia were considered as the inefficiency of R2P (Bellamy, 2013, p. 351). Similar to some of the other cases discussed in this section, Somalia also led states to question R2P's ability to end mass atrocities by using R2P and impacted the inaction in Syria (Dietrich, 2013, p. 324).

Not only regional events but also global events had an impact on the inaction decision in Syria since they caused questioning R2P's utilization in terms of ending mass atrocities. The R2P debate in Sri Lanka affected R2P's role in international politics and led to criticisms of R2P for future cases such as Syria. The conflict continuing since the early 1980s in Sri Lanka between the government and the separationist group Liberation Tigers of Tamil Eelam (LTTE) led to the death of thousands of civilians in 2009 (Nackers, 2016, p. 877). An R2P response was discussed at the UN, but the Sri Lankan government criticized it, and there was no R2P response in Sri Lanka. Although there was a war crime in Sri Lanka that caused civilian casualties, inaction made Sri Lanka one of the cases that negatively impacted R2P's future (Dietrich, 2013, p. 324).

Another case that the Security Council discussed when the crisis in Syria started was Côte d'Ivoire. In late 2010, the elections in Côte d'Ivoire led to violence and civil war. The UN Security Council debated an R2P response in Côte d'Ivoire. According to Hunt (2016, p. 693), the Security Council debate on Côte d'Ivoire and the Council's inaction decision had a negative impact on Syria. He argues that as a

negative consequence of the Security Council's Côte d'Ivoire debate and decision, there was no "timely and decisive response" in Syria because it caused states to question R2P's utility in peace operations and protecting civilians (Hunt, 2016, p. 693).

States skepticism towards R2P in all these cases that R2P was debated increased with the debates and concerns action in Libya raised (Bellamy, 2022). Once again, states skepticism towards R2P increased by the results of the operation in Libya. Combined with this concerns regarding R2P's role in responding mass atrocities, already existing ties of Syria with Russia and China which will be examined in detail in the following section, resulted in a inaction result for Syria.

#### **4.2.3. Responses in Policy World**

This section examines the responses of both state and non-state actors to both crimes against humanity and the UN's inaction in Syria. To make a better understanding of the inaction in Syria, understanding the responses of states and non-state actors to Assad regime's violent actions and the inaction in Syria is crucial.

When the crisis in Syria began, it caught limited attention in international and regional politics. Most UN Security Council members were preoccupied with the crisis in other states, especially Libya. Most states in the region were concerned with the situation in Libya and their domestic politics since the protests affected most of the countries in the region, even though it did not turn into a civil war like Syria and Libya.

Permanent members of the Security Council initially thought that the situation in Syria was different than in Libya (Lesch, 2013), and their response to crimes against humanity was limited. When the protests started, the U.S. Ambassador to Damascus

reported that Assad differed from Gaddafi (Bellamy, 2022, p. 13). Although they were less concerned with the conflict in Syria than Libya, they acknowledged a concerning situation. Still, Assad was relied on to end the conflict in Syria (Bellamy, 2022, p. 13).

During the first few months of the Syrian protests, the Security Council's response to government's violent actions was very limited since they considered that there was no issue the government could not handle. However, in April 2011, after a few months protests started, the UK and France offered to release a "Press Statement on Syria" by the Security Council which was a failed attempt since Russia and China opposed it by arguing that it would mean violating Syria's sovereign internal affairs (Gifkins, 2012, p. 381). UK and France's second attempt with several non-permanent members of the Security Council (Germany and Portugal) came in May 2011 to draft a resolution on Syria and call the Syrian government to exercise its responsibility to protect the citizens and civilians in Syria. But once more, it was disapproved by Russia, China, Brazil, South Africa, India, and Lebanon (Gifkins, 2012, p. 382). The U.S., Gabon, Nigeria, and Bosnia supported this attempt of France and the UK in the Security Council (Bellamy, 2022, p. 20).

When the initial attempts to respond to the crisis in Syria failed in the Security Council, France, Germany, Italy, and Spain announced that European Union would apply travel restrictions and arms embargo to Syria. Since the first months of the Syrian crisis, the UK, France, and the U.S. had drafted many resolutions reminding the Assad government of its responsibilities under the R2P principle and threatening the government with several measures, such as sanctions. When the UN Security Council failed to respond to the humanitarian crisis in Syria, they made their response a part of EU policy. (Bellamy, 2022, p. 24). Although this was the UK and

France's stance, since their offers for a UNSC resolution for Syria were vetoed by Russia and China several times, they approached both of these countries to find a way to draft a resolution on Syria (Bellamy, 2022, p. 29).

The U.S. followed the restriction decision of European Union (Bellamy, 2022, p. 24). Although the U.S. applied restrictions on the Syrian administration, the U.S.' initial policy toward Syria was to avoid engaging in military operations or R2P responses. One of the issues in President Barack Obama's campaign when he was elected in 2008 was to withdraw U.S. forces from Iraq and Afghanistan and not interfere with the conflicts in other countries. Obama administration considered Syria within this policy (Bellamy, 2022, p. 12).

Policies of U.S. regarding Syria in terms of an R2P response changes with UN's reports that indicate the existence and use of chemical weapons in Syria in 2013. The U.S. threatened Assad with air strikes because of the use of chemical weapons (Weiss, 2014a, p. 36). According to several scholars, the chemical weapon was the "red line" for the Obama administration, changing the position of U.S. administration in R2P debates (Bellamy, 2022; Jentleson, 2016, p. 473; Lesch, 2013, p. 253).

Russia and China are two countries whose response to the violence in Syria was mostly debated and reacted to by other countries. Both as permanent members of the UN Security Council who hold veto power, they vetoed or were absent from all resolution drafts that condemned the Assad government or threatened any sanctions. Russia and China's response to the Syrian crisis was decisive for the Security Council's deadlock.

When the conflict began in Syria, all Security Council members except Russia, China, India, South Africa, and Brazil supported the Secretary General's request to

investigate Syria and criticize the government in late April 2011. Russia's policy on that request was to oppose any criticism of the Assad government (Bellamy, 2022, p. 20). According to Bellamy (2022, p. 21), there are two reasons why Syria was too important for Russia to criticize over human rights abuses. First, he argues that the ties between Russia and Syria which already existing since the Cold War was strengthened during the 2000s with Bashar al-Assad's presidency made Russia avoid criticizing the Assad government. For Putin, Assad was a leader that he could relate to since Putin considered Assad a leader who resisted the U.S.' or other states' influence on the Middle East (Bellamy, 2022, p. 23). Second, Bellamy (2022, p. 21) emphasizes Russia's point of view on the Syrian crisis and argues that for Russia, the crisis in Syria was not about human rights violations. Instead, it was a national security issue for Syria.

The close ties between both leaders caused Russia to veto all draft resolutions that contained any criticism or threat. In addition, Russia's resistance to accepting resolutions that would authorize states to intervene in Syria under R2P was also based on the recent action in Libya. Although Libya was the first R2P operation approved by the UN Security Council, according to the Russian view, NATO misused the authorization during this operation (Stepanova, 2016, p. 412). This was another reason why Russia was against an R2P response in Syria.

Russia did not respond to human rights abuses in Syria since Russia did not consider the issue as a human rights crisis. Although Russia considered the Assad government's violence against protestors unacceptable (Security Council, 2011), the conflict was mainly seen as a national security matter (Tocci, 2016, p. 66). Russia's involvement in the crisis in Syria was not related to the R2P framework.

China was the other permanent member of the Security Council that vetoed almost all draft resolutions, indicating an R2P response or any threats against the Assad government. China's initial view on the Syrian conflict was that it was concerning in terms of raising violence and that all parties should end the violence (Security Council, 2011) (Tocci, 2016, p. 66). China was concerned about the violence by not only the Assad government but also the protestors. China also did not agree U.S., UK, and France's argument that the evidence indicating the existence of chemical weapons was concerning. The reason was that Assad's possession of chemical weapons was justified in China's view by the existence of violent groups in Syria such as terrorist organizations (Momani & Hakak, 2016, p. 905). China's view on Syrian conflict shaped China's policy in the UN Security Council. In the debates in UN Security Council for an R2P response, China emphasized Syria's sovereign rights and UN's non-intervention principle (Tocci, 2016, p. 69).

Similar to Russia's concerns, one of the biggest reasons of China's continuous vetoes in the Security Council was the action in Libya. China claimed that the authorization granted by the Council was exceeded by NATO and this was a concerning issue for a possible R2P response in Syria (Momani & Hakak, 2016, p. 905). By the year 2020, 8 out of 14 draft resolutions on Syria which would possibly lead a response within the R2P framework were vetoed by China (Russo, 2020, p. 217).

Among the non-permanent members of the Security Council in 2011 when the Syrian crisis first began Brazil, India, and South Africa are worth mentioning. It is because their response to the Syrian conflict (which was similar to Russia and China's responses) was effective shaping Security Council's inaction. These countries' response paved the way for Brazil to offer a new principle as an alternative to R2P. Brazil, Russia, China, India and South Africa which are discussed

to be the emerging powers in international politics and named as BRICS adopted similar policies in Syrian conflict.

India and South Africa stated that Security Council's response should provide the peace between the government and protestors by using peaceful and diplomatic means (Thakur, 2013, p. 71). With the Delhi Declaration in 2012, as their common policy with Brazil, Russia, and China they stated that these countries support a solution which is Syrian-led, peaceful, and respectful to Syria's sovereignty (Thakur, 2012, p. 3).

Brazil's response to the human rights abuses was in line with Russia, China, India, and South Africa. Brazil criticized the human right abuses, especially possession of chemical weapons. However, Brazil too, did not support any kind of intervention to Syria. What Brazil supported was to find a domestic solution (Herz, 2014, p. 122). Most important aspect of Brazil's response was the challenge Brazil brought to R2P concept within the debates of a possible R2P response to Syria. Brazil offered a new concept to support R2P: "Responsibility while Protecting" (RwP). Responsibility while Protecting offered by Brazil which was a concept designed to assist states faced with a humanitarian crisis by other states and it contained "security, reconciliation, and development" in its core (Herz, 2014, p. 114). In contrast to R2P, RwP's aim is to exhaust all possible diplomatic efforts before considering a military engagement in another country (Herz, 2014, p. 122). One of the most crucial conditions for "Responsibility while Protecting" was the consent of the state being intervened. According to Herz (2014, p. 114) Brazil's conceptualization of the RwP was related to Brazil's concerns caused from the increasing interventionist practices in international politics. By offering this new concept Brazil aimed to have a role in maintaining stability in international politics.

Brazil's and other BRICS states' desire to have a role in the action decisions was one of the reasons for lack of an R2P response in Syria. According to de Carvalho and de Coning (2013, p. 1) these states aim to reform the existing norms in international politics and create a more "equitable, enforceable, and stable global order". As a result of this policy, they not only disagreed with all suggestions of an R2P response in Syria, but also Brazil challenged R2P concept itself by offering to support R2P with RWP.

In addition to states, several nonstate actors respond the conflict in Syria. Lack of humanitarian action, and then Syrian refugees caused many international NGOs to pay attention to the crisis. Most NGOs responded the human suffering in Syria immediately by providing medical assistance, sheltering, and food supplies. The lack of political consensus on how to respond the Syrian conflict and the UN paralysis on acting within the framework of R2P in Syria caused NGOs to criticize UN Security Council with failure to respond the human suffering. They also reminded the Assad government their responsibilities to protect the civilians.

In 2013, Amnesty International declared that the UN Security Council has a responsibility to protect civilians, and action is needed to fulfill this responsibility in Syria (Benedict, 2013). In another report, the organization stated that there are continuing crimes against humanity in Syria by the Assad government, and the war criminals should be judged and punished by the international law with the UN approval (2018).

Médecins Sans Frontières criticized the UN Security Council for its "lack of management of humanitarian crisis" (Liu, 2015). The reason of this criticism was that while the organization provide medical aid to Syria since the beginning of the

civil war, UN's lack of fulfilling the Pillar III responsibilities prevented effective relief efforts by the organization.

One of the organizations which made a similar criticism with other organizations was Oxfam. In a report the organization published in 2014, Oxfam argue that the UN failed to respond human suffering in Syria. UN's efforts to protect civilians are not enough (2014).

#### **4.2.4. Scholarly Discussions**

This section focuses on scholarly discussions on R2P's failure in Syrian case. The conflict in Syria and its echoes in world politics are continuing to this day. Syrian Civil War, UN Security Council's response and its implications for R2P concept are crucial in terms of R2P literature.

R2P emerged in 2005, during the World Summit of UN General Assembly, six years later the protests began in Syria. The R2P concept was new in world politics when the conflict in Syria began, states recently agreed on principles of R2P and when it was just to intervene within the R2P framework. Although this was the case, there was no R2P response in Syria. Most academic studies focused on Syrian case as one of the most prominent cases of R2P.

There are several aspects which scholars discussed about R2P and Syria case's relationship. One of the aspects discussed in the Syrian crisis and the inaction is related to the reference to Pillar III responsibilities of R2P. Several scholars argue that although states such as U.S., UK, and France are willing to receive authorization for an R2P response in Syria for the last decade, the debates in the UN Security Council indicates no reference to R2P's Pillar III.

2005 World Summit Outcome Document in which the R2P was accepted unanimously by the UN General Assembly defines three pillars for the Responsibility to Protect. While the Pillar I refers to a state's responsibility to protect the citizens, Pillar II refers assistance from other states to fulfill this responsibility in international politics. According to Pillar III when a state fails to protect its citizens from mass atrocities, states may intervene by the authorization of the UN Security Council under the authorization of UN Charter's Article VII (United Nations, 2005). Lack of reference to Pillar III caused scholars to question the true motive behind the willingness of an R2P response in Syria.

By focusing on the Security Council's debates on Syria, Morris (2013, p. 1276) concludes that only few of the member states refer to the Pillar III responsibilities. It means that although there was an initiative to intervene in Syria to end human suffering, no reference to the R2P was made. According to Morris (2013, p. 1277) this indicates that R2P has a smaller effect than it was intended in the first place, and that the Syrian case is a clear example of this.

Welsh (2019, p. 65) highlights the same point and argue that while supporting an R2P response in Syria, R2P and Pillar III responsibilities were not emphasized by U.S., UK, and France and their media. She argues that the R2P terminology is not used by the diplomats of these states. Although there was an effort by these permanent members of the Security Council for an R2P response, their emphasize on a collective action under R2P authorization was limited.

On the other hand, according to Glanville (2015, p. 195) during the debates in the Security Council on a potential R2P response in Syria, it is possible to observe R2P's recognition and impact. In that sense Glanville's argument is different from Morris'

and Welsh's arguments that R2P had a less recognition in debates on Syria, and the discussions for an R2P response in Syria was not considered within the framework of R2P.

R2P was a newly conceptualized norm when the debates about Syria have started. As a result of that, one of the main aspects focus on is R2P's norm implications in Syria. Several studies focus on R2P norm's implications in international politics to discuss the newly conceptualized norm's efficiency in responding crises like Syria. Knight (2012, pp. 285–286) argues that as R2P is conceptualized recently when the Syrian crisis began, the new norm is not efficient enough to overcome the vetoes in the UN Security Council voting.

Acharya (2015) focuses on "norm circulation" in his article. He explains the process in which norms are shaped in international politics. By focusing norm circulation, Acharya (2015, pp. 477–478) argues that Brazil's Responsibility while Protecting (RwP) approach is a feedback to R2P norm, which is crucial to solve the problems related to R2P that has occurred in cases like Syria.

According to de Carvalho and de Coning (2013) what motivated Brazil for bringing such a challenge on R2P norm was Brazil's status in international politics. They argue that Brazil is one of the emerging powers in international politics, and as emerging powers challenge the superpowers in international system, presenting feedback to existing norms and challenging them is a part of the process. They explain that Brazil's and other BRICS members' response to Syria and the RwP offer is a result of that policy.

By making a similar point to Acharya and de Carvalho and de Coning, Thakur (2014, p. 41) also emphasizes that because of the lack of action in Syria, states are willing to

make clarifications on the implication and scope of R2P norm to prevent future failures. He considers Brazil's RWP offer as an example of this.

Another important aspect of R2P regarding the Syria which is discussed by the scholars is the reason of R2P's lack of responding to end the crimes against humanity in this case. Gifkins (2012) focuses on the Security Council's division, Russia and China's double vetoes on almost all resolutions referring to a response in Syria within the framework of R2P while U.S., UK, and France mostly supported the option of acting. He argues that the main reason of the division in UNSC was that while U.S., UK, and France considered Assad regime as the aggressor, Russia and China interpreted Assad's actions as suppressing the violent opposition and insurgency in Syria. This difference in interpreting the issue in Syria was the most important reason caused a division in the UN Security Council. (Gifkins, 2012, pp. 389–390).

Newman (2013, p. 255) argues that although R2P was first conceptualized and accepted unanimously in 2005, what complicated the issue and what caused to failure in Syria is the lack of implementation. He argues that there is a gap between the “conceptualization and implementation” of R2P. States' unwillingness to implement a norm that they have been agreed before is because of this gap, and this gap caused the lack of an R2P response in Syria.

Weiss (2014b, p. 13) states that the inaction in Syria cannot be explained with the R2P. He explains that UN Security Council's inaction in Syria is a result of geopolitics and the military conditions that challenged states.

The failure in responding Syria in terms of R2P led many scholars to question R2P's future, or as framed by several scholars whether R2P is dead or not after Syria.

Bellamy (2012, p. 26) argues that the Syrian case does not mean the end of the R2P norm. He explains rather than being dead, with the debates started with Syrian conflict, R2P became a concept that is more discussed and considered.

Similar to Bellamy, Dietrich (2013, p. 348) argues R2P is not dead. There are many problems regarding the implementation of R2P, and the Syrian case indicate the problem of authorization. Russia and China's vetoes indicate that the current decision-making process in the UN Security Council is an obstacle for future R2P decisions. In that sense, there are many aspects of R2P that cause debates on the whether acting with the aim of protecting human rights and suffering civilians continue, but this does not mean the end of the R2P norm according to Dietrich (2013, pp. 347–348).

Weiss (2014b, p. 17) highlights a similar point by arguing that the Syrian case does not mean the end of the R2P. The failure to respond Syria with R2P was just because of the selectiveness in the international politics. He explains that there is a case-specific decision-making when it comes to whether to act with the humanitarian motives, and this does not mean the end of the R2P. In that sense, Glanville (2015, p. 194) makes the same argument with Dietrich, Weiss, and Bellamy by explaining that failure in Syria does not mean the end of the R2P norm.

Human suffering in Syria, and the inaction of the UN Security Council led various consequences for Syrian people, such as forced migration. By 2022, approximately 12 million Syrians were displaced either internally or internationally (UNHCR, 2023). Several scholars point out this issue regarding refugees. Ferris (2016) argues that there is a connection between displacement and R2P for several reasons. One of the reasons she presents is that displacement is mostly occurs because of the four

atrocities defined as a part of R2P (Ferris, 2016, p. 394). Therefore, she suggests that refugees and internally displaced persons should be considered as a part of the responsibility to protect (Ferris, 2016, p. 395).

Panebianco and Iole (2018, p. 4) also emphasize the relationship between R2P and refugee protection. By focusing the situation on Syria, they argue that the Pillar III of R2P also applicable for the refugee crisis. They consider refugee protection as a tool for R2P and its implementation (Panebianco & Fontana, 2018, p. 11).

### **4.3. Conclusion**

The 1990s debate on humanitarian interventions had an impact on R2P's conceptualization. Since its acceptance in 2005, R2P has been debated in several cases. In all cases except Libya, the UN Security Council failed to adopt a solution including R2P. United Nations' aim was to establish a more detailed framework for humanitarian intervention practices with R2P by defining the crimes which legitimize it.

Syria and Libya are considered as particularly essential for understanding R2P's position in international politics. Although the conflicts in these two cases started in similar contexts, and at almost same time, states' responses to them were not the same. Syria divided the Security Council deeply in terms of how states interpreted the events and how to respond them. Libya is not only different from the Syrian case, but also has a unique place between all R2P cases. In a time when states were skeptical towards R2P, Libya's lack of allies in regional and global politics, and therefore lack of support from any states to Gaddafi regime led to an R2P response. On the contrary Syria's ties with two of the UNSC decision makers, Russia and China, resulted with inaction in Syria.

Libya is the first and only case in which the UN Security Council authorized member states to take “all necessary measures” to protect civilians from mass atrocities under the Article VII of the UN Charter, without having the consent of the state which was intervened. Although NATO-led operation in Libya was authorized by the UN Security Council, NATO’s actions in Libya received criticism from several state and non-state actors. It was argued that the operation caused civilian deaths while the aim was to protect civilians from crimes against humanity (Unacknowledged Deaths: Civilian Casualties in NATO’s Air Campaign in Libya, 2012). Therefore, R2P’s ability to prevent and end human suffering in cases of mass atrocities was questioned in both Syrian and Libyan cases.

How R2P is framed while emerging in 2005 could not been applied by states in Libya and Syria. In Libya, the mechanism worked, and an operation with humanitarian motives took place. The operation resulted in regime change, and this led to criticism in world politics. In Syria, the decision making process caused states to not be able to apply the R2P framework.

For both cases, responses in the policy world and scholarly discussions were focused on. Focusing on both was crucial since responses in the policy world only indicated how states frame the issue whereas scholarly discussions focus on the states’ stance on these cases in more detail by focusing on the several aspects.

In Libya case, the action was a result of the consensus between all permanent members of the UN Security Council in defining what happens in Libya as a crime against humanity. All states agreed on action. Scholars discuss several aspects on the issue which explains the causes of uniqueness of the Libya case and state’s referent of security in Libya. It is discussed that Libya’s lack of allies in world politics and in

the region (Bellamy, 2022). Several scholars argue that states acted to their benefit instead of for the benefit of suffering civilians (Murray, 2013; Hehir, 2013).

In Syria, when we focus on the responses in the policy world, we see that the division between the UN Security Council's permanent members stem from how they define the event.

The following chapter will analyze the findings from all four cases: Rwanda, Kosovo, Syria, and Libya. The 1990s' debates and the lessons from Rwanda and Kosovo led to reforms in humanitarian intervention practices in international politics.

The emergence of R2P was expected to create a better functioning political process to prevent and end mass atrocities. Syria and Libya cases led to new discussions regarding R2P, which was expected to be the new framework for humanitarian interventions. Responses in policy world and scholarly discussions on all four cases will be analyzed in the following chapter to have a better understanding of whether R2P is an improvement upon humanitarian interventions.

## CHAPTER V

### ANALYSIS & CONCLUSION

This chapter aims to conclude and analyze this thesis's findings to better understand whether R2P is an improvement upon humanitarian interventions in terms of switching the referent of security. . In order to make a better understanding of it, this thesis focused on both humanitarian interventions and R2P by focusing two cases for each of them. These cases were selected to examine the UN Security Council's action and inaction decisions for humanitarian interventions and R2P.

As R2P's predecessor, first humanitarian interventions were analyzed. One action and one inaction cases for both humanitarian intervention and R2P were selected. This selection was made to understand humanitarian interventions and R2P in detail and whether R2P is an improvement upon humanitarian interventions.

Chapter Two focused on the theoretical framework of both humanitarian interventions and the R2P in terms of their historical backgrounds and the scholarly discussions around them. Humanitarian interventions did not have a legal framework which states could make an intervention decision. The transition process from humanitarian intervention to R2P was a result of the 20<sup>th</sup> century humanitarian intervention's failures. States aimed to have a better functioning legal framework for humanitarian responses. With this notion, in 2005, R2P concept has emerged.

To better understand how R2P has emerged in international politics, first, in Chapter Three, humanitarian intervention practices of the 20th century was examined in detail. Rwanda and Kosovo were examples of how 1990s debates around humanitarian intervention were shaped. Rwanda was an inaction case in which there was no humanitarian intervention to end the genocide. UN Security Council's

permanent members were informed that there was an ongoing genocide in Rwanda by Commander Dallaire of UNAMIR (Wheeler, 2000, p. 216). Although this was the case, the UN Security Council did not call what happened in Rwanda a genocide until May 31, 1994 (Wheeler, 2000, p. 229). Even after when the violence was defined as a genocide by the Secretary General, UN Security Council's permanent members were not willing to make a humanitarian intervention in Rwanda to end the genocide (Barnett, 2002, pp. 100–101).

In Kosovo, for almost a decade, UN Security Council was divided on how to respond the situation in Kosovo. Russia and China were against a humanitarian intervention since they defined what happened in Kosovo as an internal issue for Yugoslavia (specifically for Serbia) (Wheeler, 2000, p. 259). In 1999 NATO intervened in Kosovo, yet the UN Security Council did not authorize the intervention.

Because of the “lack of political will to act” in Rwanda by UN Security Council's permanent members, and the “lack of authorization” by the UN Security Council in Kosovo, humanitarian interventions of 20<sup>th</sup> century were criticized (Bellamy & Dunne, 2016, p. 6). The failure of ending the genocide in Rwanda with an intervention and the failure in Kosovo to make the decision for an intervention for almost a decade, led states to question the humanitarian intervention practices in international politics (Bellamy & Wheeler, 2020, pp. 542–543).

Focusing on both policy responses and scholarly discussion provided a better understanding of humanitarian interventions in both action and inaction. It gave a better understanding on various aspects of the events. Responses in the policy world point out that states decide the way of their action based on their policies regarding these events/countries. Therefore, the referent of security in humanitarian

interventions is not human security, rather it is decision maker states' own security. Responses in the policy world sections for both Rwanda and Kosovo point out this outcome.

In inaction case, Rwanda, the failure to act was caused by the lack of consensus in UN Security Council. Although states acknowledged that there is a genocide, no state was willing to act. In Kosovo, the states which were pro-intervention prioritized economic and national security. For the U.S., European allies could not have been risked by letting a conflict in Kosovo to continue (*3/23/99 President Clinton at AFSCME Convention, 1999*). For European members of the UNSC, France and UK, there was threats that could come from the conflict in Kosovo, such as migration (Bellamy, 2009, p. 3). While this concerns led them to support an intervention, Russia and China's concerns led them to be opposed one. China prioritized the regime security, and hesitated that any criticism towards Serbian government could have been related to the Chinese government (Yunling, 2000, p. 117). In addition to the ties between Yugoslav and Russian governments, Russia concerned that any intervention in Kosovo could have been an economic burden (Baranovsky, 2000). Scholarly discussion in this chapter on the other hand point out several other factors which created the inaction/action decision by examining the cases from a perspective that is not biased by state policies and interests.

Chapter Four focused on the new framework of Responsibility to Protect. Following failures in Rwanda and Kosovo, ICISS intended to create a new framework for humanitarian interventions. ICISS' work was a basis for the emergence of R2P. In the World Summit of the UN General Assembly in 2005, UN member states agreed on a three-pillar structure for R2P. Pillar I gives states the responsibility to protect their citizens from mass atrocities. These mass atrocities are specified as follows: war

crimes, crimes against humanity, genocide, and ethnic cleansing. Pillar II gives all member states the responsibility to assist other states to fulfill their responsibility to protect their citizens. Pillar III gives the responsibility and right to intervene when a state fails to meet its responsibility to protect its citizens from mass atrocities (Bellamy, 2018; ICISS, 2001a).

In order to gain a better understanding of the new R2P framework, one of the cases that was focused on was Libya. It is crucial in R2P literature since it is the only case in which the UN Security Council fully authorized the UN member states to “take all the necessary actions” to stop human suffering (Resolution 1973, 2011). Although there was a consensus on responding within the framework of R2P in Libya, aftermath of the operation raised criticisms toward how it was conducted by NATO. U.S. and its allies were accused with aiming regime change in Libya rather than providing security for suffering civilians (Adams, 2016).

The other case examined was Syria, which is an inaction case. Similar to Kosovo, in Syria as well UN Security Council’s permanent members were divided. While China and Russia were mostly against an R2P response and vetoed most of the draft resolutions, other permanent members were more willing to respond within the framework of R2P.

In this chapter as well, focusing on both responses in policy world and scholarly discussions provided a detailed analysis of the events. Similar to humanitarian intervention cases, in R2P cases as well, policy responses were a result of how states interpreted the events and what their policies toward this event/country was.

Libya is an example of how states prioritized various factors other than human security. Aftermath of the intervention raised criticisms towards U.S. and its NATO

allies in terms of the referent of security. While the main referent of security appeared to be human security, a number of countries such as Russia, China, Brazil, South Africa claimed that U.S. and NATO aimed to change the regime in Libya (Adams, 2016, p. 772).

Disagreements and the division in inaction case, Syria, occur in terms of how states define the event. Inaction is a result of the division between the permanent members of the Security Council. While examining Syria, not only the permanent members of the UN Security Council, but also non-permanent members and their responses were focused. Although this is the case, since only one of the permanent members' veto have the power of blocking an intervention decision, the action or inaction decision became a matter decided by the permanent members.

In addition to the responses in the policy world, focusing on scholars' take on the issue provided insights on the gap between how R2P was framed and how it is practiced. Scholarly discussions mostly point out how the decision making process in R2P both in action and inaction were selective and biased by decision maker states' policies. So, it provided the explanation of how the gap between R2P's theory and practice occurs.

Overall, there is a failure stem from the gap between how R2P is framed and how it is practiced in international politics. What this thesis focused on was how this gap appears differently in different cases whether it is an action or an inaction case. In Libya, a rare situation led not only UN Security Council's permanent members, but also regional organizations to agree and they made the decision to act within the framework of R2P in a short notice which later raised criticisms towards R2P. In

Syria as well the UN Security Council was divided because of how states define the violence in Syria, and there was no action.

The R2P's failure in responding mass atrocities and ending them stem from that in order to make the decision for an R2P intervention, first what happens in a country should be defined as one of the four crimes defined by the UN General Assembly. What states are prioritizing as their referent of security changes how they respond to an event. Even in the intervention cases, what states are prioritizing appears to be something else other than the human security.

In all of these cases, both humanitarian intervention and R2P cases, reports by nongovernmental organizations or in some cases governmental organizations revealed that there was a mass atrocity that caused human suffering. Yet, action only happened when states, specifically permanent member states of the UN Security Council were willing to do. It should also be highlighted that when states were willing to intervene, the lack of authorization was not an obstacle like it is observed in Kosovo case.

Decisions to act with humanitarian motives depend on how states, especially UN Security Council's permanent members, define the event. But, defining an event as a war crime/genocide/crime against humanity/ethnic cleansing depends on states' political preference. As long as it is defined as one of these four crimes, an R2P intervention can be discussed. However, if they do not define an event as such, like the case studies in this thesis examined, there will be no mention of R2P intervention.

This is likely to be misused by decision maker states. According to Bellamy (2013a, p. 38) the scope of R2P is extended in several cases. It means that states referred to

R2P in several cases other than four defined crimes. Focusing on the cases of this thesis, in Libya several NGOs and UN Security Council members such as Russia and China claimed that what the U.S. aimed in Libya was not to protect civilians, rather it was changing the regime (Adams, 2016, p. 772). Therefore, it can be concluded that there is a possibility that R2P can be extended by states beyond four defined crimes which requires and legitimizes an R2P response.

An R2P response requires decision maker states to define the crime which requires an R2P response. This definition is a result of whose security is prioritized. If the referent is human security, then they may define it as a mass atrocity, in other words as a threat to human security. Case studies point out that states do not prioritize suffering civilians' security while making this decision. States' decision to name an event as a mass atrocity is a political decision which prioritizes their own security. For some states, it is the government's security in terms of domestic politics and to be reelected. In some other cases, it is the national security concerns.

Therefore, it can be discussed that states rarely prioritizes human security while deciding whether an event is a mass atrocity, and then while deciding whether to act with humanitarian purposes or not. Security concerns here are not related to human security of suffering civilians who are facing mass atrocities in their countries.

Defining a violent action as a mass atrocity depends on states political choice and whose security do states prioritize.

Humanitarian intervention practices of 20<sup>th</sup> century were problematic in many ways. There was no defined mechanism that authorized any organization to make the decision for any humanitarian interventions. Humanitarian intervention was unclear because of the lack of a defined mechanism. 1990s' debates raise the criticism that

humanitarian intervention was not referring human security. The cases of humanitarian interventions examined in this thesis point out the same outcome. For both political and ethical reasons 1990s debates led to reforms in humanitarian intervention practices that led to the emergence of R2P.

R2P was about switching the referent of security of the humanitarian interventions and to create a new mechanism for actions of humanitarian purposes. R2P was intended to be more efficient in terms of referring to mass atrocities and ending them by defining four crimes that would be considered as the situations when the UN Security Council is allowed to make the decision to act with humanitarian purposes. Definitions became explicit and R2P created a better defined mechanism for humanitarian purposes and replaced humanitarian interventions in that sense. Although this is the case, R2P's replacement humanitarian interventions in the sense that switching the referent of security did not accomplish what R2P was set for.

R2P was intended to be a tool to ensure human security (United Nations, 2005). The transition process from humanitarian intervention to R2P focused on establishing a better mechanism for interventions which aim to protect civilians and end mass atrocities. States' aim while framing R2P was to switch the referent of security from states to humans. Referring human insecurities stemming from mass atrocities was the primary aim in R2P. On paper, this mechanism was established. In practice, the mechanism only works when states (in this mechanism UN Security Council's permanent member states) agree that there is a crime that should be ended and agree on a Resolution. In other words, states are not willing to use the mechanisms that they have established with R2P.

Four cases examined in this thesis point out that both humanitarian intervention and R2P do not prioritize human security. Therefore, it can be concluded that R2P is not an improvement upon humanitarian interventions in terms of serving the security of suffering civilians and referring human insecurities. . Divided opinions on the same issue indicate that states frame the issues differently in line with whose security are they prioritizing. In-depth analysis of the case studies indicate that whose security is prioritized by states is not human security while deciding whether to make a decision in favor of an R2P intervention.



## REFERENCES

- 3/23/99 *President Clinton at AFSCME Convention*. (1999, March 23). President Clinton Address to the American Federation of State, County, and Municipal Employees (AFSCME) Biennial Convention. [https://1997-2001.state.gov/policy\\_remarks/1999/990323\\_clinton\\_afscme.html](https://1997-2001.state.gov/policy_remarks/1999/990323_clinton_afscme.html)
- Acharya, A. (2002). Redefining the Dilemmas of Humanitarian Intervention. *Australian Journal of International Affairs*, 56(3), 373–381.
- Acharya, A. (2015). The Responsibility to Protect and a Theory of Norm Circulation. In R. Thakur & W. Maley (Eds.), *Theorising the Responsibility to Protect* (pp. 59–77). Cambridge University Press.
- Adams, S. (2016). Libya. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 768–785). Oxford University Press.
- Annan, K. A. (2011). *Global Responsibility to Protect*, 3(4), 381–382.
- Aras, B., & Falk, R. (2015). Authoritarian “Geopolitics” of Survival in the Arab Spring. *Third World Quarterly*, 36(2), 322–336.
- Ayoob, M. (2001). Humanitarian Intervention and International Society. *Global Governance*, 7(3), 225–230.
- Ayoob, M. (2004). Third World Perspectives on Humanitarian Intervention and International Administration. *Global Governance*, 10(1), 99–118.
- Baranovsky, V. (2000). Russia: Reassessing National Interests. In A. Schnabel & R. Thakur (Eds.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship* (pp. 101–116). United Nations University Press.
- Barnett, M. (1996). The Politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia. In T. Cushman & S. G. Meštrović (Eds.), *This Time*

- We Knew: Western Responses to Genocide in Bosnia* (pp. 128–162). New York University Press.
- Barnett, M. (2002). *Eyewitness to a Genocide: The United Nations and Rwanda*. Cornell University Press.
- Behind the Data: Recording Civilian Casualties in Syria*. (2023). United Nations Human Rights Office of High Commissioner.  
<https://www.ohchr.org/en/stories/2023/05/behind-data-recording-civilian-casualties-syria>
- Bellamy, A. J. (2001). Human Wrongs in Kosovo: 1974-1999. In K. Booth (Ed.), *The Kosovo Tragedy: The Human Rights Dimension*. Frank Cass Publishers.
- Bellamy, A. J. (2002). *Kosovo and International Society*. Palgrave Macmillan.
- Bellamy, A. J. (2003). Humanitarian Responsibilities and Interventionist Claims in International Society. *Review of International Studies*, 29(3), 321–340.  
<https://doi.org/10.1017/S0260210503003218>
- Bellamy, A. J. (2009). Kosovo and the Advent of Sovereignty as Responsibility. *Journal of Intervention and Statebuilding*, 3(2), 163–184.
- Bellamy, A. J. (2010). The Responsibility to Protect—Five Years On. *Ethics & International Affairs*, 24(2), 143–169. <https://doi.org/10.1111/j.1747-7093.2010.00254.x>
- Bellamy, A. J. (2011). Libya and the Responsibility to Protect: The Exception and the Norm. *Ethics & International Affairs*, 25(3), 263–269.  
<https://doi.org/10.1017/S0892679411000219>
- Bellamy, A. J. (2012). R2P – Dead or Alive? In M. Brosig (Ed.), *The Responsibility to Protect: From Evasive to Reluctant Action? : The Role of Global Middle*

- Powers* (pp. 11–28). Hanns Seidel Foundation, Konrad-Adenauer-Stiftung, Institute for Security Studies, South African Institute of International Affairs.
- Bellamy, A. J. (2013a). The Responsibility to Protect: A Wide or Narrow Conception? In P. Hilpold (Ed.), *The Responsibility to Protect (R2P)* (pp. 38–59). Brill | Nijhoff. [https://doi.org/10.1163/9789004230002\\_003](https://doi.org/10.1163/9789004230002_003)
- Bellamy, A. J. (2013b). The Responsibility to Protect: Added Value or Hot Air? *Cooperation and Conflict*, 48(3), 333–357.
- Bellamy, A. J. (2014). From Tripoli to Damascus? Lesson learning and the implementation of the Responsibility to Protect. *International Politics*, 51(1), 23–44. <https://doi.org/10.1057/ip.2013.42>
- Bellamy, A. J. (2015). Humanitarian Intervention. In D. Moellendorf & H. Widdows (Eds.), *The Routledge Handbook of Global Ethics* (pp. 127–140). Routledge.
- Bellamy, A. J. (2018). The Responsibility to Protect. In P. D. Williams & M. McDonald (Eds.), *Security Studies: An Introduction* (pp. 235–249). Routledge.
- Bellamy, A. J. (2022). *Syria Betrayed: Atrocities, War, and the Failure of International Diplomacy*. Columbia University Press.
- Bellamy, A. J., & Dunne, T. (2016). R2P in Theory and Practice. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 3–16). Oxford University Press.
- Bellamy, A. J., & McLoughlin, S. (2018). *Rethinking Humanitarian Intervention*. Bloomsbury Publication.
- Bellamy, A. J., & McLoughlin, S. (2019). Human Protection and the Politics of Armed Intervention: With Responsibility Comes Accountability. *Global Responsibility to Protect*, 11, 333–361.

- Bellamy, A. J., & Slim, H. (2014). The Responsibility to Protect and Humanitarian Action. *Global Responsibility to Protect*, 6(2), 117–125.  
<https://doi.org/10.1163/1875984X-00602002>
- Bellamy, A. J., & Wheeler, N. J. (2020). Humanitarian Intervention in World Politics. In J. Baylis, S. Smith, & P. Owens (Eds.), *The Globalization of World Politics: An Introduction to International Relations* (8th ed., pp. 522–539). Oxford University Press.
- Bellamy, A. J., & Williams, P. D. (2011). The New Politics of Protection? Côte d'Ivoire, Libya and the Responsibility to Protect. *International Affairs*, 87(4), 825–850. <https://doi.org/10.1111/j.1468-2346.2011.01006.x>
- Bellamy, A., & Williams, P. D. (2012). Principles, Politics, and Prudence: Libya, the Responsibility to Protect, and the Use of Military Force. *Global Governance*, 18, 273–298.
- Benedict, K. (2013). *UNSC Council Has A Responsibility to Protect Civilians in Syria—Decisive Action is Needed Now*. Amnesty International.  
<https://www.amnesty.org.uk/blogs/campaigns-blog/unsc-has-responsibility-protect-civilians-syria-decisive-action-needed-now>
- Blatter, A., & Williams, P. D. (2011). The Responsibility Not To Veto. *Global Responsibility to Protect*, 3(3), 301–322.
- Booth, K. (1994). Military Intervention: Duty and Prudence. In L. Freedman (Ed.), *The Political Quarterly* (pp. 56–93). Blackwell Publisher.
- Booth, K. (1995). Human Wrongs and International Relations. *International Affairs*, 71(1), 103–126. <https://doi.org/10.2307/2624012>
- Booth, K. (1999). NATO's Republic: Warnings from Kosovo. *Civil Wars*, 2(3), 89–95.

- Booth, K. (2001a). Still Waiting For Reckoning. In K. Booth (Ed.), *The Kosovo Tragedy: The Human Rights Dimension* (pp. 1–23). Frank Cass Publishers.
- Booth, K. (2001b). Ten Flaws of Just War. In K. Booth (Ed.), *The Kosovo Tragedy: The Human Rights Dimension* (pp. 314–324). Frank Cass Publishers.
- Booth, K. (2005). Critical Explorations. In K. Booth (Ed.), *Critical Security Studies and World Politics*. Lynne Rienner Publishers.
- BRICS Summit Sanya Declaration*. (2011).
- Chandler, D. (2015). *From Kosovo to Kabul and Beyond: Human Rights and International Intervention*. Pluto Press. <https://doi.org/10.2307/j.ctt18fs880>
- Chomsky, N. (2011). The Skeleton in the Closet: The Responsibility to Protect in History. In *Critical Perspectives on the Responsibility to Protect Interrogating Theory and Practice* (pp. 11–18). Routledge.
- Closure of OPCW-UN Joint Mission*. (n.d.). Organisation of the Prohibition of Chemical Weapons - UN Joint Mission. <https://opcw.unmissions.org/>
- Cohen, R., & Deng, F. M. (2016). Sovereignty as Responsibility: Building Block for R2P. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 74–93). Oxford University Press.
- Dabashi, H. (2012). *The Arab Spring: The End of Postcolonialism*. Zed Books.
- de Carvalho, B., & de Coning, C. (2013). *Rising Powers and the Future of Peacekeeping and Peacebuilding*. Norwegian Peacebuilding Resource Centre.
- Detentions and Abuse in Kosovo*. (1998). Human Rights Watch. <https://www.hrw.org/legacy/reports98/kosovo2/>
- Dietrich, J. W. (2013). R2P and Intervention after Libya. *Journal of Alternative Perspectives in the Social Sciences*, 5(2), 323–352.

- Duke, S., Ehrhart, H.-G., & Karadi, M. (2000). The Major European Allies: France, Germany, and the United Kingdom. In A. Schnabel & R. Thakur (Eds.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship* (pp. 128–148). United Nations University Press.
- Dunne, T. (2005). The New Agenda. In A. J. Bellamy (Ed.), *International Society and Its Critics* (pp. 65–80). Oxford University Press.
- Dunne, T., & Gelber, K. (2014). Arguing Matters: The Responsibility to Protect and the Case of Libya. *Global Responsibility to Protect*, 6, 326–349.
- Dunne, T., & Gelber, K. (2015). Argumentation and the Responsibility to Protect: The Case of Libya. In K. Mills & D. J. Karp (Eds.), *Human Rights Protection in Global Politics: Responsibilities of States and Non-State Actors* (pp. 288–308). Palgrave Macmillan.
- Dunne, T., & Staunton, E. (2016). The Genocide Convention and Cold War Humanitarian Intervention. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of the Responsibility to Protect* (pp. 38–55). Oxford University Press.
- Dunne, T., & Wheeler, N. J. (2004). “We the Peoples”: Contending Discourses of Security in Human Rights Theory and Practice. *International Relations*, 18(1), 9–23.
- Federal Republic of Yugoslavia: A Human Rights Crisis in Kosovo Province, No:2* (Document Series B: Tragic Events Continue, No.2: “Disappeared and “Missing” Persons: The Hidden Victims of Conflict). (1998). Amnesty International. <https://www.amnesty.org/en/documents/eur70/058/1998/en/>

*Federal Republic of Yugoslavia: A Human rights crisis in Kosovo Province, No:3*

(Document Series B, No.3: Tragic Events Continue: Orahovac, July-August 1998: Deaths, Displacement, Detentions: Many Unanswered Questions).

(1998). Amnesty International.

<https://www.amnesty.org/en/documents/eur70/058/1998/en/>

Ferris, E. (2016). International Responsibility Protection and Displacement:

Exploring the Connections between R2P, Refugees and Internally Displaced Persons. *Global Responsibility to Protect*, 8, 390–409.

Franco, C. D., Meyer, C., & Smith, K. E. (2016). Europe and the European Union. In

A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 391–408). Oxford University Press.

*From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya.*

(2011). Médecins Sans Frontières. <https://www.msf.org/rock-hard-place-neglected-victims-conflict-libya>

Gallagher, A., & Wheeler, N. (2021). Trust or Perish? The Responsibility to Protect and Use of Force in a Changing World Order. *Ethics & International Affairs*, 35(2), 181–195.

*Genocide.* (n.d.). United Nations Office on Genocide Prevention and the

Responsibility to Protect. Retrieved October 28, 2022, from

<https://www.un.org/en/genocideprevention/genocide.shtml>

*Genocide of Rwandan Tutsis 1994.* (2013). Médecins Sans Frontières.

<https://www.msf.org/speakingout/genocide-rwandan-tutsis-1994>

Gifkins, J. (2012). The Security Council Divided: Syria in Crisis. *Global*

*Responsibility to Protect*, 4, 377–393.

- Gifkins, J. (2016a). Darfur. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 717–733). Oxford University Press.
- Gifkins, J. (2016b). R2P in the UN Security Council: Darfur, Libya and Beyond. *Cooperation and Conflict*, 51(2), 148–165.  
<https://doi.org/10.1177/0010836715613365>
- Glanville, L. (2015). Does R2P Matter? Interpreting the Impact of a Norm. *Cooperation and Conflict*, 51(2), 184–199.
- Glanville, L. (2016). Sovereignty. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of the Responsibility to Protect* (pp. 151–166). Oxford University Press.
- Hancke, B. (2009). Constructing Case Studies and Comparisons. In *Intelligent Research Design*. Oxford University Press.
- Hehir, A. (2013). The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect. *International Security*, 38(1), 137–159.
- Herz, M. (2014). Brazil and R2P: Responsibility while Protecting. In *The International Politics of Human Rights* (pp. 107–128). Routledge.
- Human Rights Abuses in Kosovo 1990-1992*. (1992). Human Rights Watch.  
<https://www.hrw.org/legacy/reports/1992/yugoslavia/>
- Hunt, C. T. (2016). Cote D’Ivoire. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 693–716). Oxford University Press.
- ICISS. (2001a). *The Responsibility to Protect: Report of the International Commission on the Intervention and State Sovereignty*. International Commission on Intervention and State Sovereignty.

- <https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001/>
- ICISS. (2001b). *The Responsibility to Protect: Supplementary Volume to the Report of the International Commission on Intervention and State Sovereignty*. International Commission on Intervention and State Sovereignty.
- International Response to Syria Failing on “Every Front.”* (2014). Oxfam.
- <https://www.oxfam.org/en/press-releases/international-response-syria-failing-every-front>
- Jentleson, B. W. (2016). United States. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 469–486). Oxford University Press.
- Justice for Syria.* (2018). Amnesty International.
- <https://www.amnesty.org/en/latest/campaigns/2017/03/justice-for-syria/>
- Kamola, I. A. (2007). The Global Coffee Economy and the Production of Genocide in Rwanda. *Third World Quarterly*, 28(3), 571–592.
- <https://doi.org/10.1080/01436590701192975>
- Karawan, I. A. (2000). The Muslim World: Uneasy Ambivalence. In A. Schnabel & R. Thakur (Eds.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship* (pp. 215–222). United Nations University Press.
- Knight, W. A. (2012). Concluding Thoughts. In W. A. Knight & F. Egerton (Eds.), *The Routledge Handbook of the Responsibility to Protect* (pp. 276–286). Routledge.
- Kosovo: Rape As a Weapon of “Ethnic Cleansing.”* (2000). Human Rights Watch.
- <https://www.hrw.org/legacy/reports/2000/fry/index.htm#TopOfPage>

- Kuperman, A. J. (2011). R2P: Catchy Name for a Fading Norm. *Ethnopolitics*, 10(1), 125–128.
- Lesch, D. W. (2013). *Syria: The Fall of the House of Assad*. Yale University Press.
- Libya. (2011). International Criminal Court. <https://www.icc-cpi.int/libya>
- Libya. (2022). Global Centre for the Responsibility to Protect. <https://www.globalr2p.org/countries/libya/>
- Libya: *The Forgotten Victims of NATO Airstrike*. (2012). Amnesty International. <https://www.amnesty.org/en/wp-content/uploads/2021/07/mde190032012en.pdf>
- Liu, J. (2015). *Unacceptable Humanitarian Failure*. Medecins Sans Frontieres. <https://www.msf.org/syria-unacceptable-humanitarian-failure>
- Lotze, W. (2016). Somalia. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 840–856). Oxford University Press.
- Mamdani, M. (1996). From Conquest to Consent as the Basis of State Formation: Reflections on Rwanda. *New Left Review*, 216, 3–36.
- Mamdani, M. (2001). *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*. Princeton University Press.
- Mamdani, M. (2010). Responsibility to Protect or Right to Punish? *Journal of Intervention and Statebuilding*, 4(1), 53–67. <https://doi.org/10.1080/17502970903541721>
- Momani, B., & Hakak, T. (2016). Syria. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 895–910). Oxford University Press.

- Morris, J. (2013). Libya and Syria: R2P and the Spectre of the Swinging Pendulum. *International Affairs*, 89(5), 1265–1283.
- Murray, R. W. (2013). Humanitarianism, Responsibility or Rationality? Evaluating Intervention as State Strategy. In A. Hehir & R. W. Murray (Eds.), *Libya: The Responsibility to Protect and the Future of Humanitarian Intervention* (pp. 15–33). Palgrave Macmillan.
- Nackers, K. (2016). Sri Lanka. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 876–894). Oxford University Press.
- Newman, E. (2013). R2P: Implications for World Order. *Global Responsibility to Protect*, 5, 235–259.
- Panebianco, S., & Fontana, I. (2018). When the Responsibility to Protect “Hits Home”: The Refugee Crisis and the EU Response. *Third World Quarterly*, 39(1), 1–17.
- Pieterse, J. N. (1998). Sociology of Humanitarian Intervention: Bosnia, Rwanda, and Somalia Compared. In J. N. Pieterse (Ed.), *World Orders in Making: Humanitarian Intervention and Beyond* (pp. 230–265). Palgrave Macmillan.
- Pradella, L., & Taghdisi Rad, S. (2017). Libya and Europe: Imperialism, Crisis, and Migration. *Third World Quarterly*, 38(11), 2411–2427.
- Prashad, V. (2012). *Arab Spring, Libyan Winter*. AK Press.
- Prosecute Now! Helsinki Watch Releases Eight Cases for War Crimes Tribunal on Former Yugoslavia*. (1993). Human Rights Watch.  
<https://www.hrw.org/legacy/reports/1993/yugoslavia/>
- Pugh, M. (2013). Peace Operations. In P. D. Williams (Ed.), *Security Studies: An Introduction* (2nd ed., pp. 407–421). Routledge.

*Report of the Independent International Commission of Inquiry on the Syrian Arab Republic.* (2011). United Nations General Assembly. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/170/97/PDF/G1117097.pdf?OpenElement>

*Report of the Independent International Commission of Inquiry on the Syrian Arab Republic.* (2012). United Nations General Assembly. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/106/13/PDF/G1210613.pdf?OpenElement>

*Research Guides: UN Membership: Security Council Membership.* (n.d.). [Research guide]. United Nations. Dag Hammarskjöld Library. Retrieved May 21, 2023, from <https://research.un.org/en/unmembers/scmembers>

*Resolution 1244, Adopted by the Security Council at its 4011th Meeting.* (1999). United Nations Security Council. [https://peacemaker.un.org/sites/peacemaker.un.org/files/990610\\_SCR1244%281999%29.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/990610_SCR1244%281999%29.pdf)

*Resolution 1970, Adopted by the Security Council at its 6491st meeting.* (2011). United Nations Security Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/245/58/PDF/N1124558.pdf?OpenElement>

*Resolution 1973, Adopted by the Security Council at its 6498th meeting.* (2011). United Nations Security Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/268/39/PDF/N1126839.pdf?OpenElement>

*Resolution 2009, Adopted by the Security Council at its 6620th Meeting.* (2011). United Nations Security Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/502/44/PDF/N1150244.pdf?OpenElement>

*Resolution 2016, Adopted by the Security Council at its 6640th Meeting.* (2011). United Nations Security Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/567/10/PDF/N1156710.pdf?OpenElement>

*Resolution 2042, Adopted by the Security Council at its 6751st Meeting.* (2012).

United Nations Security Council. <https://digitallibrary.un.org/record/724986>

*Resolution 2118, Adopted by the Security Council at its 7038th Meeting.* (2013).

United Nations Security Council. [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/489/23/PDF/N1348923.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N13/489/23/PDF/N1348923.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/489/23/PDF/N1348923.pdf?OpenElement)

*Resolution Adopted by the General Assembly on 16 September 2005 (A/RES/60/1).*

(2005). United Nations General Assembly.

[https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_60\\_1.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf)

Reus-Smit, C. (2001). Human Rights and the Social Construction of Sovereignty.

*Review of International Studies*, 27, 519–583.

Russo, J. B. (2020). R2P in Syria and Myanmar: Norm Violation and Advancement.

*Global Responsibility to Protect*, 211–233.

Ryan, C. (2015). Regional Responses to the Rise of ISIS. *Middle East Research and Information*, 276.

*Security Council Fails to Adopt Draft Resolution Condemning Syria's Crackdown on Anti-Government Protestors, Owing to Veto by Russian Federation, China.*

(2011). United Nations Security Council Department of Public Information

News and Media Division. <https://press.un.org/en/2011/sc10403.doc.htm>

Stamnes, E. (2008). *Operationalising The Preventive Aspects of the Responsibility to*

*Protect* (1). Norwegian Institute of International Affairs.

Stamnes, E. (2009). Speaking R2P and the Prevention of Mass Atrocities. *Global*

*Responsibility to Protect*, 1(1), 70–89.

- Stepanova, E. (2016). Russia. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 409–428). Oxford University Press.
- Swatek-Evenstein, M. (2020). *A History of Humanitarian Intervention*. Cambridge University Press.
- Teitt, S. (2012). Paper Tiger or Platform for Action? South Asia and the Responsibility to Protect. In W. A. Knight & F. Egerton (Eds.), *The Routledge Handbook of the Responsibility to Protect* (pp. 197–215). Routledge.
- Thakur, R. (2001). Global Norms and International Humanitarian Law: An Asian Perspective. *International Review of the Red Cross*, 83(841), 19–44.
- Thakur, R. (2006). *The United Nations, Peace, and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press.
- Thakur, R. (2012). *Emerging Powers and the Responsibility to Protect after Libya*. Norwegian Institute of International Affairs (NUPI).
- Thakur, R. (2013). R2P after Libya and Syria: Engaging Emerging Powers. *The Washington Quarterly*, 36(2), 61–76.
- Thakur, R. (2014). Syria and the Responsibility to Protect. In R. W. Murray & A. Mckay (Eds.), *Into the Eleventh Hour: R2P, Syria, and Humanitarianism in Crisis* (pp. 38–43). E-International Relations.
- Thakur, R. (2016). Rwanda, Kosovo, and the International Commission on Intervention and State Sovereignty. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 94–113). Oxford University Press.

- Thakur, R. (2018). Humanitarian Intervention and the Responsibility to Protect. In T. G. Weiss & S. Daws (Eds.), *The Oxford Handbook on the United Nations* (2nd ed., pp. 387–403). Oxford University Press.
- The Crisis in Kosovo*. (2000). Human Rights Watch.  
<https://www.hrw.org/reports/2000/nato/Natbm200-01.htm>
- Tocci, N. (2016). On Power and Norms: Libya, Syria and the Responsibility to Protect. *Global Responsibility to Protect*, 8(1), 51–75.  
<https://doi.org/10.1163/1875984X-00801004>
- Traub, J. (2010). *Unwilling and Unable: The Failed Response to the Atrocities in Darfur*. Global Centre for the Responsibility to Protect.  
<https://www.globalr2p.org/publications/unwilling-and-unable-the-failed-response-to-the-atrocities-in-darfur/>
- Unacknowledged Deaths: Civilian Casualties in NATO's Air Campaign in Libya*. (2012). Human Rights Watch.  
<https://www.hrw.org/report/2012/05/13/unacknowledged-deaths/civilian-casualties-natos-air-campaign-libya>
- UNHCR. (2023). *Syria Situation*. Global Focus.  
<https://reporting.unhcr.org/operational/situations/syria-situation>
- United Nations. (2005). *Resolution Adopted by the General Assembly on 16 September 2005, 60/1. 2005 World Summit Outcome (A/RES/60/1)*. United Nations General Assembly.
- Vassall-Adams, G. (1994). *An Agenda For International Action*. Oxfam.  
<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/121032/bk-agenda-international-action-rwanda-010194-en.pdf?sequence=8&isAllowed=y>

- War Crimes*. (n.d.). United Nations Office on Genocide Prevention and the Responsibility to Protect. Retrieved October 28, 2022, from <https://www.un.org/en/genocideprevention/war-crimes.shtml>
- Wehrey, F. (2019). After Gaddafi: Libya's Path to Collapse. In A. Ghazal & J. Hanssen (Eds.), *The Oxford Handbook of Contemporary Middle Eastern and North African History* (pp. 666–681). Oxford University Press.
- Weiss, T. G. (2011). RtoP Alive and Well after Libya. *Ethics & International Affairs*, 25(3), 287–292.
- Weiss, T. G. (2014a). After Syria, Whither R2P? In R. W. Murray & A. McKay (Eds.), *Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis* (pp. 34–37). E-International Relations.
- Weiss, T. G. (2014b). Military Humanitarianism: Syria Hasn't Killed It. *The Washington Quarterly*, 37(1), 7–20.
- Weiss, T. G. (2016). The Turbulent 1990s: R2P Precedents and Prospects. In A. J. Bellamy & T. Dunne (Eds.), *The Oxford Handbook of The Responsibility to Protect* (pp. 56–73). Oxford University Press.
- Weiss, T. G., & Kuele, G. (2011). Whither R2P? *E-International Relations*.
- Welsh, J. M. (2019). Norm Robustness and the Responsibility to Protect. *Journal of Global Security Studies*, 4(1), 53–72.
- Wheeler, N. J. (1993). *The Human Rights and Security Agenda: Beyond Non-Intervention?* (W. G. Rees, Ed.; pp. 133–157). Routledge.
- Wheeler, N. J. (1997). Agency, Humanitarianism and Intervention. *International Political Science Review*, 18(1), 9–25.
- <https://doi.org/10.1177/019251297018001002>

- Wheeler, N. J. (2000). *Saving Strangers: Humanitarian Intervention in International Society*. Oxford University Press.
- Wheeler, N. J. (2001). Legitimizing Humanitarian Intervention: Principles and Procedures. *Melbourne Journal of International Law*, 2(2), 550–567.
- Wheeler, N. J. (2002). Decision-making Rules and Procedures for Humanitarian Intervention. *The International Journal of Human Rights*, 6(1), 127–138.  
<https://doi.org/10.1080/714003749>
- Wheeler, N. J. (2004). The Kosovo Bombing Campaign. In C. Reus-Smit (Ed.), *The Politics of International Law* (pp. 189–216). Cambridge University Press.
- Wheeler, N. J., & Dunne, T. (2012). Operationalising Protective Intervention: Alternative Models of Authorization. In W. A. Knight & F. Egerton (Eds.), *Routledge Handbook of the Responsibility to Protect* (pp. 87–102). Routledge.
- Wheeler, N. J., & Morris, J. (1996). Humanitarian Intervention and State Practice at the End of the Cold War. In J. Larkins & R. Fawn (Eds.), *International Society after the Cold War: Anarchy and Order Reconsidered* (pp. 135–171). Macmillan.
- Whitman, J. (2001). The Kosovo Refugee Crisis: NATO's Humanitarianism versus Human Rights. In K. Booth (Ed.), *The Kosovo Tragedy: The Human Rights Dimension*. Frank Cass Publishers.
- Williams, P. D. (2005). Critical Security Studies. In A. J. Bellamy (Ed.), *International Society and Its Critics* (pp. 135–150). Oxford University Press.
- Williams, P. D. (2009). The “Responsibility to Protect”, Norm Localisation, and African International Society. *Global Responsibility to Protect*, 1(3), 392–416.

- Williams, P. D. (2011). The Road to Humanitarian War in Libya. *Global Responsibility to Protect*, 3, 248–259.
- Yemen. (2023). Global Centre for the Responsibility to Protect.  
<https://www.globalr2p.org/countries/yemen/>
- Yunling, Z. (2000). China: Whither the World Order after Kosovo? In A. Schnabel & R. Thakur (Eds.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship* (pp. 117–127). United Nations University Press.
- Zifcak, S. (2016). Falls the Shadow: The Responsibility to Protect from Theory to Practice. In C. Sampford & R. Thakur (Eds.), *Responsibility to Protect and Sovereignty* (2nd ed., pp. 11–39).